



Application for Licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L7845/2003/6
Applicant	M8 Sustainable Limited
ACN	620 758 358
File number	DWERVT1437
Premises	M8 Sustainable 42 Kelvin Road MADDINGTON WA 6109 Legal description Lot 281 on Plan 3327 Certificate of Title Volume 2142 Folio 400 As defined by the premises map attached to the issued licence
Date of report	15 December 2023
Decision	Licence granted

MANAGER WASTE INDUSTRIES REGULATORY SERVICES

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and to public health from emissions and discharges during the operation of the premises. As a result of this assessment, Licence L7845/2003/6 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary and overview of premises

M8 Sustainable Limited (the Licence Holder) currently holds Licence L7845/2003/5 for the operation of M8 Sustainable (the premises), which is due to expire on 21 December 2023. On 3 July 2023, the Licence Holder applied for a licence renewal to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application was advertised for public and stakeholder comment on 25 September 2023 for a period of 21 days. During the consultation period the landowner advised the department that M8 Sustainable Limited's lease arrangements were modified on 29 September 2023, with the new lease being solely for Lot 281 Kelvin Road, Maddington, and no longer including Lot 280. Following a request for further information from the department, the Licence Holder provided revised premises maps and details of proposed activities to reflect the changes to the prescribed premises boundary.

The premises is in an area zoned industrial within the City of Gosnells. The Bickley Brook is located adjacent to the northern border of the prescribed premises and drains into the Canning River. Residential premises are located within 500 metres to the south, south-west and north-west of the premises, the closest being 270 m north-west in the suburb of Kenwick. Stormwater from the site historically discharged into the Bickley Brook via a discharge pipe from the stormwater basin onsite. This discharge pipe has since been blocked, with the stormwater now discharging via seepage to groundwater from the stormwater basin.

The premises accepts wastes from a variety of sources including local governments, businesses and individuals for sorting and processing. Construction and demolition (C&D) waste, which was previously being accepted at the premises, will no longer be accepted due to the reduced size of the prescribed premises. The front portion of the existing Commercial and Industrial (C&I) waste processing shed will be used as a material transfer station for the storage of mixed wastes (e.g., household wastes, furniture and clothing, office materials, and retail waste) prior to removal for offsite disposal. Inert waste type 1 (e.g. sand) will be screened from the mixed wastes and stored in a separate stockpile external to the shed. No food wastes are proposed to be accepted.

The rear portion of the shed is proposed to be used for processing scrap metal through shredding, shearing, and baling. Unprocessed scrap metal stockpiles are proposed to be located externally to the northern end of the premises, with oxy-cutting being undertaken near this area. The types of materials proposed to be accepted onto the premises as scrap metal in addition to those listed under the current licence (machinery, white goods, light gauge and heavy gauge steel, non-ferrous metals and e-waste) are as follows:

1. Construction and Demolition Scrap:
 - Steel beams and rebar from demolished buildings.
 - Copper piping and wiring.
 - Aluminium window frames and siding.
2. Industrial Scrap:
 - Cuttings and stampings from manufacturing processes.
 - Obsolete machinery and equipment.
 - Metal offcuts and trimmings.
3. Metal Packaging Materials:
 - Steel and aluminium cans.
 - Metal drums and barrels.
 - Foil and metal containers.
4. Mixed Metal Scrap:
 - Ferrous and non-ferrous metals mixed with other waste.
5. Metal Turnings and Shavings:
 - From machining operations and metalworking shops.
6. Copper and Aluminium Electrical Conductors:
 - Insulated and non-insulated copper wire.
 - Used transformers and coils.

Green waste is proposed to be accepted and stockpiled south-east of the existing C&I shed. The green waste will be shredded before being transferred off-site for further processing at another facility.

The premises relates to the categories and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L7845/2003/6. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in Licence L7845/2003/6.

Table 1 below outlines the proposed changes to the prescribed premises categories in the existing Licence resulting from changes to the prescribed premises boundary.

Table 1: Proposed throughput capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
13: Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones, or concrete) is crushed or cleaned.		N/A	Removal of category. The Licence Holder has advised that they will no longer be processing C&D waste.

61A: Solid waste facility: premises (other than within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.	500,000 tonnes combined total per annual period	50,000 tonnes per annual period	The Licence Holder has proposed a reduction in throughput due to a decrease in area available for storage and processing.
47: Scrap metal recovery: premises (other than premises within category 45) on which scrap metal in fragmented or melted, including premises on which lead acid batteries are reprocessed.		50,000 tonnes per annual period	The Licence Holder has proposed a reduction in throughput due to a decrease in area available for storage and processing.

2.3 Site visits and compliance

M8 Sustainable Limited was placed into administration on 13 February 2023 and a site visit to the premises was undertaken by DWER on 18 April 2023 to discuss concerns regarding the management of the site and the financial situation of the Licence Holder. The Licence Holder came out of administration on 6 June 2023.

The visit on 18 April 2023 identified the following:

- The height of some of the construction and demolition waste stockpiles on-site appeared to be greater than the 6 metre height permitted under the licence.
- A stockpile of light baled plastics was located near the scrap metal processing area and considered a fire risk due to potential sparks from scrap metal processing reaching the stockpile. The light baled plastics were removed from this location on request by DWER on 26 May 2023.
- The large quantities of C&I waste in the C&I Processing Shed (required to be sorted and removed from the shed for offsite disposal in accordance with Condition 7, Table 3 of the existing licence) had been moved out from the shed and stored in a large stockpile outside in the north-west corner of the premises under a soil/sand cover.

The issues with large quantities of waste stored on site and the storage of soft plastics near the scrap metal processing area were previously raised during a compliance inspection undertaken by DWER officers on 3 February 2023. The compliance inspection also identified non-compliances with the licence relating to the acceptance of hazardous liquid waste such as waste oils onto the premises in electrical transformers.

On 16 October 2023 the Licence Holder advised DWER that they had entered into an agreement for the clean-up of Lots 280 and 281 Kelvin Road, Maddington, with the landowner, to remove and dispose of all stockpiled material from the site (including sand, concrete and light skip bin waste). It is expected that the clean-up works will be completed by 30 December 2023.

2.4 Contaminated Sites Act 2003

In February 2018 the premises was reported under the *Contaminated Sites Act 2003* (CS Act) due to the site receiving crates of clay crucibles for storage, which contained soluble lead, a non-conforming waste. The clay crucibles were received in July 2017 and an Environmental Protection Notice (EPN, CEO 2953/17) was issued by DWER on 9 December 2017 requiring the lead crucibles and underlying impacted soil to be removed. The removal of the lead crucibles

and underlying soil was completed in October 2018 in accordance with a Remedial Action Plan prepared in line with the EPN.

In February 2019, DWER received a Site Remediation and Validation Report for the remediation of the impacted area. However, a groundwater assessment had not been undertaken and the validation sampling undertaken was insufficient. The Site was classified under the CS Act as 'possibly contaminated – investigation required' in March 2019, requiring the preparation of a Detailed Site Investigation (DSI). DWER is yet to receive the DSI for the premises.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this decision report are detailed in Table 2 below. Table 2 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 2: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Operation			
Dust	Shearing, bailing, handling and cutting of metal wastes Unloading of metal wastes Unloading of green waste. Vehicle movements Lift-off from stockpiles and stored product	Air/windborne pathway	<ul style="list-style-type: none"> • All exposed material with the potential to generate dust is wetted before dust generation occurs using the following: <ul style="list-style-type: none"> ➤ Water cart to wet down roads and stockpiled materials. ➤ Wetting down of material stockpiled within the processing shed with an overhead dust misting system. ➤ Minimise dust generating activities. • Any dust complaints received by M8 Sustainable will be investigated and addressed.
Asbestos fibres	Acceptance of materials containing asbestos products		<ul style="list-style-type: none"> • Each load inspected for non-conforming material on arrival. • Non-conforming material will be rejected, or quarantined and moved off-site for appropriate disposal.

Emission	Sources	Potential pathways	Proposed controls
Windblown waste	Lift-off from stockpiles and stored product		None provided.
Noise	<p>Shearing, shredding, bailing, handling and cutting of metal wastes.</p> <p>Shredding of green waste</p> <p>Movement of vehicles</p> <p>Unloading of metal wastes</p>		<ul style="list-style-type: none"> • Biannual acoustic testing conducted. • Compliance with the <i>Environmental Protection (Noise) Regulations 1997</i> (noise regulations).
Leachate	Acceptance, storage, and processing of commercial and industrial waste, scrap metal and green waste	Overland runoff to surface water and seepage through soils to groundwater	<ul style="list-style-type: none"> • Minimum 5m buffer zone maintained between site boundary and Bickley Brook at all times. • Monitoring stormwater basin water quality. • Green waste and shredded green waste will be stored on a concrete hardstand with necessary interconnected plumbing to manage wastewater. • Non-conforming wastes will not be accepted onto the premises or will be quarantined within the existing shed and removed off-site
Hydrocarbon leaks	Leaks from vehicles and machinery		<ul style="list-style-type: none"> • Spill kits located on the premises to clean up spills outside of a containment system.
Contaminated stormwater	Acceptance, storage, and processing of commercial and industrial waste, scrap metal and green waste (mulching)		<ul style="list-style-type: none"> • Minimum 5 m buffer zone maintained between site boundary and Bickley Brook at all times. • Monitoring stormwater basin water quality. • Construction of concrete hardstand for green waste storage with interconnected plumbing for wastewater management. • Non-conforming wastes will not be accepted onto the premises or will be quarantined within the existing shed and removed off-site
Smoke	Waste fire		<ul style="list-style-type: none"> • All incoming waste materials are inspected on arrival to ensure that only approved materials are accepted onto the premises and to eliminate potential fire hazards (such as batteries).

Emission	Sources	Potential pathways	Proposed controls
			<ul style="list-style-type: none"> • Screening methods include x-ray and visual inspection to identify potentially unauthorised materials such as batteries in waste brought to the premises. • Staff receive comprehensive training on the identification and handling of unauthorised materials. • Scrap metal processing area and transfer station area in the existing shed will be separated either via 6 metres separation distance or a non-combustible wall. • Existing shed is fitted with 4 x IR3 Flame detection system (located within the scrap metal processing area). • A centralised fire alarm system is in place, connected to all buildings and key areas, with audible and visual alarms and third party remote notification and action. • The facility is under continuous surveillance through a comprehensive 27/7 NVR CCTV system. • Manual hydrant connection in two areas (one for office buildings and the other for processing plant). • Fire extinguishers available throughout the premises. • Waste materials segregated by type to prevent chemical reactions or mixing of incompatible substances. • Regular maintenance is performed on machinery, electrical systems and fire protection equipment. • Strict controls and permit systems are in place to ensure safety precautions are followed during hot work activities. • Limitations on stockpile height and size. • Daily wetting down of stockpiled materials with a water cart and sprinklers. • Oxy cutting is prohibited near stockpile areas, safe distances are maintained between cutting and flammable materials, and there is fire watch for at least 1 hour after cutting. • Fire drills are conducted bi-annually
Fire-fighting wash water			<ul style="list-style-type: none"> • The site has low permeability ground conditions (the site is on compacted road base materials) and the fire wash-water is

Emission	Sources	Potential pathways	Proposed controls
			<p>anticipated to be absorbed within the existing environment without causing significant environmental harm.</p> <ul style="list-style-type: none"> • Fire wash-water will be contained within designated collection systems and removed by a cleanup crew.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant’s employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies and is provided for under other state legislation.

Table 3 and Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	Approximately 340 m south, 430 m south-east and 270 m north-west of the premises.
Industrial and commercial premises	Directly surrounding the premises.
Environmental receptors	Distance from prescribed activity
Bickley Brook (drains into the Canning River) Resource Enhancement Wetland	Adjacent to the northern border of the prescribed premises.
Underlying groundwater (Perth Groundwater Area)	<p>Depth to groundwater is approximately between 5 and 8 mBGL (Perth Groundwater Map) with groundwater flow to the west.</p> <p>There are 3 groundwater licences within 500 m of the premises (north, north-east).</p>
Threatened Ecological Communities (TECs) Banksia Woodlands of the Swan Coastal Plain	Approx. 1 km from the premises.

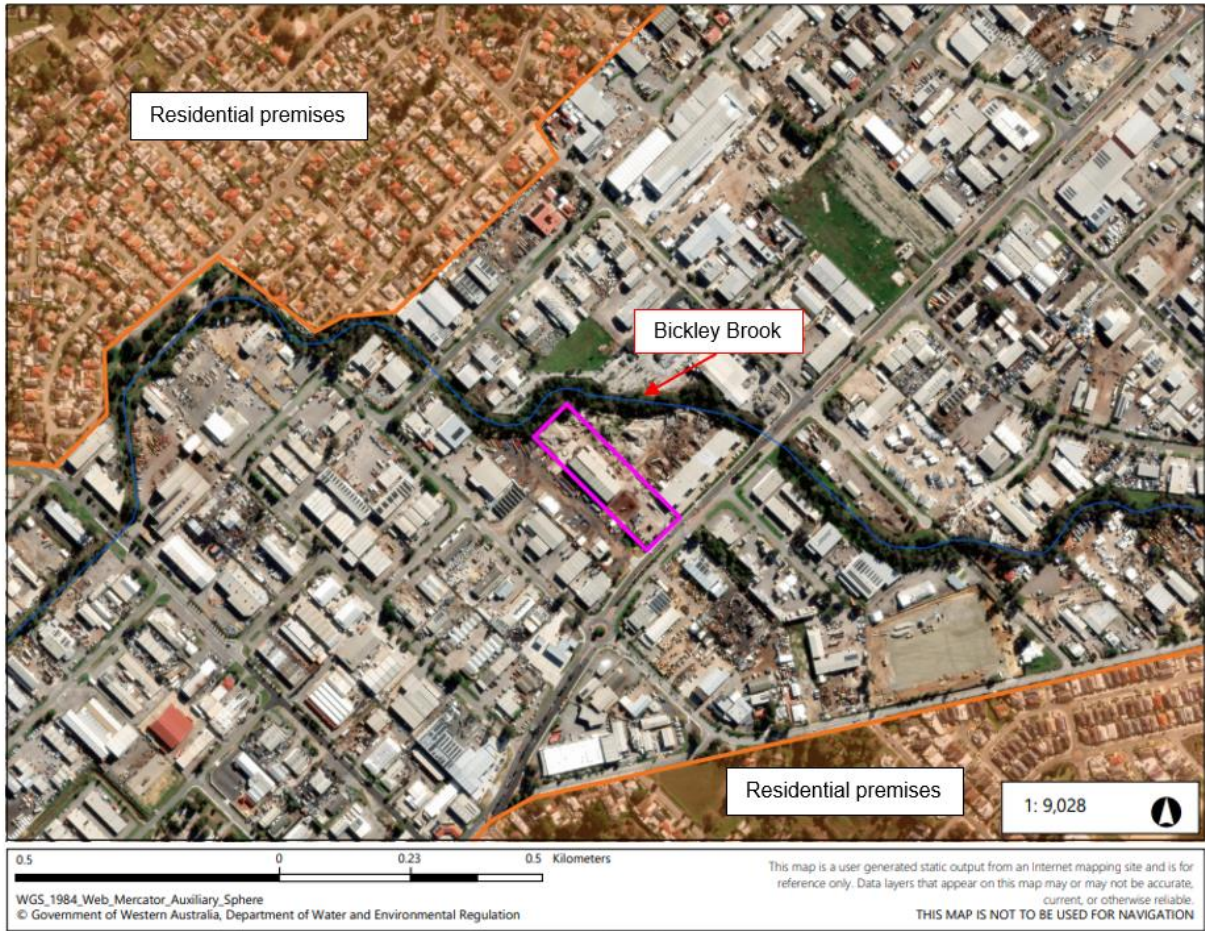


Figure 1: Distance to sensitive receptors (premises boundary shown in pink)

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the delegated officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

Licence L7845/2003/6 that accompanies this decision report authorises emissions associated with the operation of the premises.

The conditions in the issued licence, as outlined in Table 4 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4: Risk assessment of potential emissions and discharges from the premises during operation

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation								
Shearing, shredding, bailing, handling and cutting of metal wastes Shredding of green waste Unloading of wastes Vehicle movements	Noise	Air/windborne pathway causing impacts to health and amenity	Residential premises approx. 340 m south, 430 m south-east and 270 m north-west of the premises Adjacent commercial and industrial premises	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	N	Condition 1 Condition 10	Noise verification monitoring was conducted for similar operations previously across Lot 280 and 281 and found that noise levels for normal operations onsite complied with the Noise Regulations. However, shredding of metal at Lot 281, in addition to the activities being carried out at Lot 280, is a new proposed activity which may significantly contribute to noise emissions in the general area. A noise modelling report/assessment to demonstrate how compliance with the Noise Regulations will be achieved for this new equipment/activity has not been provided. Therefore, shredding of scrap metal will not be permitted under this licence renewal.

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Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Shearing, bailing, handling and cutting of metal wastes Shredding of green waste Unloading of metal wastes Vehicle movements Lift-off from stockpiles and stored product	Dust			Refer to Section 3.1	C = Moderate L = Likely High Risk	N	Condition 10, 19, 20, 29, 30, 31 Condition 1	Complaints have previously been received regarding dust emissions from the premises. A search of the Department's Incidents and Complaints Management Register identified five incidents relating to dust from stockpiles on the premises in the last five years. The Licence Holder reported one dust complaint in their Annual Environmental Report for 2021. The dust control conditions from the existing licence will be retained to ensure that dust emissions from the premises are adequately managed. Mobile sprinkler system, water cart and wheel washing facility have been included in the infrastructure and equipment requirements table of the licence with operational requirements to control dust emissions.
Acceptance of materials containing asbestos products	Asbestos fibres			Refer to Section 3.1	C = Severe L = Rare High Risk	N	Conditions 6, 10, 29, 30, 31 Condition 5, 8, 9	Construction and Demolition wastes (which have the potential to contain asbestos if the materials are from buildings and structures constructed prior to 1990) are no longer proposed to be processed on the site (apart from scrap metal). Due to this, the delegated officer considers that the risk of the premises receiving asbestos containing materials (ACM) is greatly reduced. However, it is still considered a possibility and conditions have been included to ensure that waste is inspected prior to acceptance and to specify actions to take should waste contain or be suspected to contain asbestos.
Lift-off from stockpiles and stored product	Windblown waste	Air / windborne pathway causing impacts to amenity		Refer to Section 3.1	C = Minor L = Possible Medium Risk	Y	Conditions 1, 21	N/A

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Spills/leaks of hydrocarbons from faulty plant and storage of contaminated waste materials	Hydrocarbon leaks			Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 1, 12, 13, 29, 30, 31	N/A
Acceptance, storage, and sorting of municipal, commercial and industrial waste. Acceptance, storage and processing of scrap metal and green waste	Contaminated stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Bickley Brook Beneficial users of groundwater	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	N	Conditions 1, 10, 18, 26, 27, 29, 30, 31 Conditions 2, 3, 4, 5	The delegated officer considers it appropriate to specify design and construction requirements and a timeframe for the green waste hardstand and associated drainage infrastructure to be constructed in order to manage leachate/contaminated stormwater on the premises. The construction and design requirements are derived from the controls for leachate outlined in the <i>Guideline: Better practice organics recycling</i> (DWER 2022). Standard conditions to provide an Environmental Compliance Report to certify that the infrastructure has been constructed in accordance with licence conditions have also been included. The acceptance of green waste has also been restricted to green waste streams with expected very low levels of contamination and excludes medium and high risk categories such as waste from residential Garden Organics bins and Food Organics and Garden Organics bins (DWER 2022).
	Leachate	Seepage through soils to groundwater causing ecosystem disturbance or impacting groundwater quality		Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	N		
Upset conditions (fire) resulting from: Oxy acetylene cutting Scrap metal storage and processing Green waste storage Storage of mixed wastes (including	Toxic gas, smoke, odour	Air/windborne pathway causing impacts to health and amenity	Residential premises approx. 340 m south, 430 m south-east and 270 m north-west of the premises Adjacent commercial and industrial	Refer to Section 3.1	C = Severe L = Unlikely High Risk	N	Conditions 1, 5, 6, 22, 23, 29, 30, 31 Condition 2, 3, 4, 10	The delegated officer considers the Licence Holder's controls to be suitable to manage the risk of a fire at the premises. However, additional controls have been added through specification of design and construction requirements for the non-combustible separation wall between the scrap metal processing area and the transfer station, as well as stockpile dimensions and separation distances from waste stockpiles to equipment in the transfer shed.

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
combustible wastes)			premises					These controls are intended to limit the potential size and spread of a stockpile fire and are derived from the controls outlined in the <i>Guidance Note: GN04 Fire Prevention and Management in a Recycling Facility</i> (DFES 2020) and <i>Management and storage of combustible recyclable and waste materials – guideline</i> (EPA Victoria 2021).
	Firefighting wash-water	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality Seepage through soils to groundwater causing ecosystem disturbance or impacting groundwater quality	Bickley Brook Beneficial users of groundwater	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 22, 26, 29, 30, 31	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 25 September 2023	None received	N/A
Landowner advised of proposal on 22 September 2023	<p>The landowner advised on 3 October 2023 that the lease was adjusted on 29 September 2023, with M8 Sustainable's new lease being solely for 42 Kelvin Road, Maddington.</p> <p>It was also requested that stockpiling of waste material onsite be kept to a maximum of 500 m³ at any one time to ensure that manageable volumes of waste are kept on-site to avoid clean-up costs. Waste stockpiles were requested to be kept inside the shed, with green waste to the rear of the inside of the shed.</p> <p>There is an agreement in place with M8 Sustainable for the removal of all waste and concrete from both Lots 280 and 281 Kelvin Road, Maddington. This is expected to be completed by 30 December 2023.</p>	
Local Government Authority advised of proposal on 22 September 2023	None received	N/A
Applicant was provided with draft documents on 17 November 2023	<p>Comments received on 5 December 2023</p> <p>Refer to Appendix 1</p>	Refer to Appendix 1

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that the application to renew Licence L7845/2003/6 will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

Due to the licence operational area being significantly reduced, it is expected that a limited amount of material will be stored on the premises at any one time.

Previously licensed activities for Lot 280 will be addressed separately, and the current occupier will be required to apply for their own Part V, EP Act, Licence. Correspondence to this effect will be sent directly to the landowner and the site occupier of Lot 280 to ensure that they are aware of their licensing obligations.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Fire and Emergency Services (DFES) 2020, *Guidance Note: GN04 Fire Prevention and Management in a Recycling Facility*, Perth, Western Australia.
3. Department of Water and Environmental Regulation (DWER) 2022. *Guideline: Better practice organics recycling*, Perth, Western Australia.
4. DWER 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
5. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
6. Environmental Protection Authority Victoria 2021, *Management and storage of combustible recyclable and waste materials – guideline*, Melbourne, Victoria.

Appendix 1: Summary of applicant’s comments on risk assessment and draft conditions

Condition	Summary of applicant’s comment	Department’s response
<p>Prescribed premises category description</p>	<p>The Licence Holder requested that the assessed design capacity for Category 61A be changed from 50,000 tonnes per annual period to 150,000 tonnes per annual period.</p>	<p>The delegated officer has resolved to change the assessed design capacity for Category 61A to 150,000 tonnes per annual period as requested. This throughput is significantly less than originally permitted when the prescribed premises consisted of both lots 280 and 281 Kelvin Road, Maddington. The licence also specifies limits for the amount of waste that can be stored on the premises at any one time.</p>
<p>Condition 2 Requirement to construct infrastructure specified in Table 2 (Fire separating masonry wall and Green Waste hardstand with leachate drainage system)</p>	<p>The Licence Holder states that M8 Sustainable intends on constructing a steel partition to separate the north and south sides of the shed instead of the fire separating masonry wall specified in the draft licence. The Licence Holder has also advised that it will not be possible to build the separation wall within one month of the licence being issued as stated in the draft licence. However, the steel partition can be built prior to any waste being accepted at the premises.</p> <p>The Licence Holder has stated that a hardstand for the storage of green waste will be engineered and installed with a suitable leachate drainage and catchment system.</p>	<p>Limited design and construction details for the proposed steel partition have been provided to determine its appropriateness in preventing and reducing the spread of a fire.</p> <p>To reduce the risk of a fire, the delegated officer considers it appropriate for the construction of a fire separating wall between the transfer station area (where combustible materials will be stockpiled) and the scrap metal processing area (ignition risks from operation of machinery) which meets the requirements of a “bunker wall” as per the <i>Management and storage of combustible recyclable and waste materials guideline</i> (EPA Victoria 2021). These requirements have been specified in the licence.</p> <p>To provide greater flexibility, the Delegated Officer has removed the requirement for the wall to be a masonry material, and has specified that the wall needs to be designed and constructed to extend at least 2 m laterally beyond the outermost edge of the transfer station waste stockpile area instead of the entire width of the shed as was originally specified. The total height of the wall has also been reduced to 4 m as requested by the Licence Holder, with stockpile height being reduced to 3 m to meet the requirements of <i>GN04 Fire Prevention and Management in a Recycling Facility</i> (DFES 2020).</p> <p>The Licence Holder has not provided design and construction details for their proposed hardstand and leachate drainage and catchment system.</p> <p>The delegated officer considers the specified design and construction requirements for the green waste hard stand and green waste leachate drainage system on the draft licence to be appropriate. These requirements are consistent with the requirements for a hard stand and leachate drainage system in the <i>Guideline: Better practice organics recycling</i></p>

Condition	Summary of applicant's comment	Department's response
		(DWER 2022) for the storage of organic wastes. Therefore, these construction and design requirements will be retained. However, to allow some flexibility, the delegated officer has provided the option for leachate to be collected either in the storm water basin onsite or in alternative low-permeability storage infrastructure such as a blind-sump or sealed tank.
Condition 5 Waste acceptance (Table 3)	The Licence Holder has requested that the quantity limit for green waste and mixed municipal and commercial solid wastes be increased to 150,000 tonnes to align with the requested increase in design capacity for Category 61A. 20,000 tonnes has been requested for green waste.	The delegated officer has resolved to change the quantity limit for combined green waste and mixed municipal and commercial solid waste to 150,000 tonnes per annual period (max 20,000 tonnes per annual period for green waste) to align with the design capacity for Category 61A.
Condition 28 Stormwater monitoring (Table 8)	The Licence Holder has requested that the monitoring frequency for stormwater in the stormwater basin be changed from quarterly to annually.	<p>The Licence Holder has not provided any justification for this reduction in monitoring frequency.</p> <p>The delegated officer has not made any changes to stormwater monitoring frequencies as part of the licence renewal. The quarterly monitoring requirement for stormwater is from the existing licence.</p> <p>The delegated officer does not consider the proposed reduced monitoring frequency to be appropriate given the proximity of premises activities to the Bickley Brook, and therefore, potential impacts to surface waters.</p>