



## Application for Licence Amendment

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

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Licence Number	L9164/2018/1
Licence Holder	Cleanaway Pty Ltd
<b>ACN</b>	000 164 938
<b>File Number</b>	DER2018/001361
<b>Premises</b>	Boyanup-Picton Rd Transfer Station Lot 171 and Lot 20 Boyanup-Picton Rd PICTON WA 6230  Legal description – Lot 171 on Plan 402344 and Lot 20 on Plan 73824 PICTON WA 6230
<b>Date of Report</b>	10 September 2020
<b>Proposed Decision</b>	Revised licence granted

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**SENIOR ENVIRONMENTAL OFFICER**  
**INDUSTRY REGULATION**

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

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# 1. Decision summary

Licence L9164/2018/1 is held by Cleanaway Pty Ltd (Licence Holder) for the Boyanup-Picton Rd Transfer Station (the Premises), located at Lot 171 and Lot 20 Boyanup-Picton Road in Picton.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, revised licence L9164/2018/1 has been granted.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the Department of Water and Environmental Regulation (department) 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

On 29 June 2020, the Licence Holder submitted an application to the department to amend Licence L9164/2018/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Adding accepting, storing and baling some materials accepted as part of the Container Deposit Scheme (CDS)
- Constructing two buildings to house the CDS activities and associated site works including extending hardstand areas, adding to stormwater and fire management infrastructure.
- Increasing the total throughput from 10,000 tonnes per annum (tpa) to 15,000 tpa;

In accordance with section 53 of the EP Act, alterations to a prescribed premises must be done so in accordance with a works approval, licence, closure notice or environmental protection notice (or amendments thereof). In accordance with DWER's *Industry Regulation Guide to Licensing* (June 2019), the Delegated Officer has determined that alterations to the premises to permit CDS operations are appropriately facilitated via a licence amendment (which is the subject of this amendment report).

The premises is registered as a processing site with WARRRL for the Containers for Change Container Deposit Scheme (CDS; scheme) due to commence in Western Australia on 1 October 2020. The scheme includes a specific register of containers that can be accepted under the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019*.

The Boyanup-Picton Rd Transfer Station (Premises) is a materials recovery facility (MRF) situated in the Picton Light Industrial Area within the City of Bunbury. The activities are predominantly recycling of cardboard and waste paper from municipal collections within the City of Bunbury, as well as commercial and industrial clients transported by Cleanaway fleet and commercial customers. Other recyclables are also processed in smaller quantities, including plastics, glass, aluminum and steel. The licence holder has operated the site since October 2016 after acquiring the business from Warren Blackwood Waste. The Premises was licensed as a Category 62 solid waste depot in March 2020 following a department review of MRF regulation.

Table 1 below outlines the proposed changes to the existing Licence throughput.

**Table 1: Proposed throughput capacity changes**

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
62	10,000 tpa	15,000 tpa	Increased volume to accept CDS materials in addition to previous operations.

### 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 *Guidance Statement: Risk Assessments* (DER 2017).

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.

This report considers only the changes from the proposed amendment. It considers the context of the licence conditions for the existing operations.

#### 3.1 Source-pathways and receptors

##### 3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction works and operation which have been considered in this Amendment Report are detailed in Table 2 below.

Table 2 also details the proposed control measures the licence Holder has proposed to assist in controlling these emissions, where necessary.

**Table 2: Licence Holder controls**

Emission	Sources	Potential pathways	Proposed controls
Dust	Vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.	Air/windborne	Operations on hardstand areas Construction to increase the handstand area CDS materials processing (non-glass) within sheds Glass storage on hardstand area
Noise	Material movements and truck movements	Air/windborne	CDS non-glass processing to occur within buildings Glass tipping – none proposed.
Odour	Storage and processing of CDS materials  residual liquid from CDS materials	Air/windborne	CDS non-glass processing to occur within building
Liquid runoff	Storage and processing of CDS materials	Seepage to soils, groundwater and waterways	CDS processing shed to include leachate capture Glass stored on hardstand area Areas surrounding CDS materials building to be made to hardstand Additional stormwater infrastructure for new buildings
Fire (smoke and fire washwaters)	Storage and processing of CDS materials	Air/windborne from smoke  Seepage to soils, groundwater and waterways from firefighting water wash	Processing sheds to include firefighting equipment and stormwater infrastructure

### 3.1.2 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's 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 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 (*Guidance Statement: Environmental Siting* (DER 2016)).

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

Receptors	Distance from Prescribed Premises
<b>Environmental</b>	
Ferguson River	Adjacent to the east (~50m) and south (~80m); drains into the Preston River
Preston River	630m to the south-west
East Picton Main Drain (Surface water lines - GA 2015)	82m to the north-east
Green Growth Wetlands Miscellaneous Reserve	590m to the south west (within Crown Reserve 40552)
Underlying groundwater	Depth to groundwater unknown
Threatened Ecological community buffer	Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region The buffer of three sites intersect the Premises
Threatened fauna – occurrence of <i>Pseudocheirus occidentalis</i>	Approximately 70m northwest of premises boundary
Leschenault Inlet Management Area	Within the declared area protected by the <i>Waterways Conservation Act 1976</i> .
<b>Human - residential and sensitive receivers</b>	
Commercial Premises	Adjacent to the west
Residential premises	400m to the east
Residential premises	1,640m to the north west

## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for those emission sources which are proposed to change 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 Licence Holder 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 Licence Holder'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 Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L9164/2018/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. addition of CDS activities.

The conditions in the Revised Licence 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 construction and operation**

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Construction								
Construction of two sheds and associated site works. Associated equipment use and vehicle movements.	Dust	Air/windborne pathway causing impacts to health and amenity	Adjacent commercial and industrial premises.	N/A	C = Minor L = Unlikely <b>Medium Risk</b>	N/A	N/A	N/A – any dust emissions can be managed under the general provisions of the EP Act.
	Noise		Residences ~400 m from site.	N/A	C = Minor L = Unlikely <b>Medium Risk</b>	N/A	N/A	N/A – subject to the provisions specified in the Noise Regulations
Operation								
Increased unloading, loading, baling and storage of material  Increased vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Adjacent commercial and industrial premises.  Residences ~400 m from site.  Ferguson River, Leschenault Inlet Management Area	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	N/A	N/A – any dust emissions can be managed by the licence holder's proposed controls and under the general provisions of the EP Act.
	Noise	Air/windborne pathway causing impacts to health and amenity  The department	Residences ~400 m from site	Refer to Section 3.1	C = Minor L = Possible <b>Medium Risk</b>	N/A	Condition 2, 7	N/A – Noise emissions from on-site operations will be subject to the provisions

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Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
		notes that glass tipping in open air presents a higher risk of operational noise than previous activities and those carried out within buildings.						specified in the Noise Regulations
	Odour	Air/windborne pathway causing impacts to health and amenity	Residences ~400m from site	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Conditions 7 <b>and 9</b>	Condition 9 has been included for contingency plans in the unlikely even of spills, or accumulation of liquids.
	Liquid waste residual and contaminated stormwater	Overland runoff and infiltration potential causing soil, groundwater and/or waterway contamination	Ferguson River, Leschenault Inlet Management Area	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Conditions 3, <b>10 and 11</b>	Conditions 10 and 11 have been included for contingency plans in the event of unlikely spill, given the nearby waterways and location in a waterway management area
Upset conditions (Fire)	Smoke	Air/windborne pathway causing impacts to health and amenity	Residences ~400m from site	Refer to Section 3.1	C= Minor L = Unlikely <b>Medium Risk</b>	N	Conditions <b>13 and 20</b>	The Applicant did not provide proposed specific control measures control fire but did refer to added equipment. Conditions 13 and 20 specify actions to be taken.
	Firefighting washwater	Overland runoff and infiltration potentially causing soil, groundwater and/or waterway contamination	Ferguson River, Leschenault Inlet Management Area	Refer to Section 3.1	C= Minor L = Unlikely <b>Medium Risk</b>			

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed Licence Holder's 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
Local Government Authority advised of proposal (30 July 2020)	Confirmed that development approval was issued. No other comments on environmental or health matters.	N/A
Licence Holder was provided with draft amendment on (03 September 2020)	N/A	N/A

## 5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a revised licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### 5.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

**Table 6: Summary of licence amendments**

Condition no.	Proposed amendments
2, 3, 4	Inclusion of new CDS buildings and infrastructure
5, 7	Inclusion of new accepted waste type for CDS materials, Increased throughput
9	Odour control
10, 11, 12	Residual liquid and spill control
13, 20	Fire requirements

## References

1. Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.
2. DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.

## Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)					
<b>Application type</b>					
Works approval	<input type="checkbox"/>				
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>
		Has the works approval been complied with?			Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has time limited operations under the works approval demonstrated acceptable operations?			Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
		Environmental Compliance Report submitted?			Yes <input type="checkbox"/> No <input type="checkbox"/>
		Date Report received:			
Renewal	<input type="checkbox"/>	Current licence number:			
Amendment to works approval	<input type="checkbox"/>	Current works approval number:			
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L9164/2018/1		
		Relevant works approval number:		N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>
Date application received		29 June 2020			
<b>Applicant and Premises details</b>					
Applicant name/s (full legal name/s)		Cleanaway Pty Ltd			
Premises name		Boyanup-Picton Rd Transfer Station			
Premises location		Lot 171 on Plan 402344 and Lot 20 on Plan 73824 PICTON WA 6230			
Local Government Authority		City of Bunbury			
<b>Application documents</b>					
HPCM file reference number:		DER2018/001361~1			
Key application documents (additional to application form):		Attachment 1A – Lease Attachment 1B – ASIC statement Attachment 2 – Site figures Attachment 5 – Planning submissions Attachment 8 – DWER scoping meeting Attachment 8 – Baler Manual Attachment 8 – Baler picture Attachment 8 – Building specification CWY Picton Attachment 8 – Cage Types Attachment 9 – Fee calculator			

Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Increase of premises throughput from 10,000 tpa to 15,000 tpa Construction of two sheds and associated works to house CDS processing activities. Operation of CDS processing, including baling and storage of non-glass CDS materials inside buildings. Storage of glass in hook lift bins outside of buildings on hardstand area.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Assessed production capacity	Proposed changes to the production capacity
Category 62: solid waste depot	10,000 tpa	Increase to 15,000 tpa
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input checked="" type="checkbox"/> Expiry: 01/10/2021 Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: Development Approval to construct CDS shed provided by City of Bunbury. Expiry date: N/A
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A

Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i> )	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Waterways Conservation Act 1976 – Leschenault Inlet Management Area</i>
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A