



## Application for Licence Amendment

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

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<b>Works Approval Number</b>	W6738/2022/1
<b>Works Approval Holder</b>	Shire of Broome
<b>File Number</b>	DER2022/000478
<b>Premises</b>	Broome Regional Resource Recovery Park  Legal description - Lot 550 on Deposited Plan 421448
<b>Date of Report</b>	29 February 2024
<b>Decision</b>	Revised works approval granted

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

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## 1. Decision summary

Works Approval W6738/2022/1 is held by the Shire of Broome (works approval holder) for the Broome Regional Resource Recovery Park (Broome RRRP; the premises), located on Lot 550 on Deposited Plan 421448 (corner of Broome- Cape Leveque Road and McGuigan Road)

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 construction and operation of the premises. As a result of this assessment, revised works approval W6738/2022/1 has been granted.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this amendment report, the 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 Amendment summary

On 30 November 2023, the works approval holder submitted an application to the department to amend works approval W6738/2022/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The amendment being sought is for the construction of a workshop with depollution infrastructure including time limited operation for the depollution of up to 200 vehicles per annual period.

Vehicles that have not yet been de-polluted will be stored on the hardstand (already authorised as per W6738/2022/1). A downstream oil and grit separator will be used to recover any oils that may be flushed from the hardstand by rain.

The covered workshop will be used to carry out depollution activities. Vehicles will be moved into position over a central portion of concrete hardstand that drains into a grated concrete pit. Depollution activities will involve draining fuel and oils and aircon gases into appropriate industry standard receptacles. The concrete hardstand and pit provide a backup should these controls fail and prevent pollutants entering the environment. Should any spills occur they will be recovered by pumping out the pit and disposing of the contents appropriately.

Freshly de-polluted cars will be inspected for leaks and if cleared placed back on the Hardstand Stockpile area to ensure any residual emissions are captured.

### 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 construction and operation which have been considered in this amendment report are detailed in Table 1 below. Table 1 also details the proposed control measures the works approval holder has proposed to assist in controlling these emissions, where necessary.

**Table 1: Works approval holder controls**

Emission	Sources	Potential pathways	Proposed controls
Dust	Construction of depollution infrastructure	Air/windborne pathway	<ul style="list-style-type: none"> <li>• Operation of equipment to be restricted to operational hours only;</li> <li>• Vehicles restricted to 10 km/hr unless otherwise signed; and</li> <li>• Water cart to be used as necessary.</li> </ul>
Hydrocarbons / liquids (spills / loss of containment)	Acceptance, storage and depollution of used vehicles	Overland runoff / infiltration	<ul style="list-style-type: none"> <li>• Vehicles not yet de-polluted to be stored on the hardstand;</li> <li>• Hardstand graded towards an oil and grit separator;</li> <li>• De-pollution activities to be carried out inside workshop;</li> <li>• Vehicles to be positioned on a central portion of concrete hardstand that drains into a graded concrete pit;</li> <li>• De-pollution activities will involve draining fuel, oils and aircon gases into appropriate industry standard receptacles;</li> <li>• Should any spills occur, they will be recovered by pumping out the pit and disposing of the contents appropriately; and</li> <li>• Freshly de-polluted cars will be inspected for leaks and if cleared placed back on the hardstand stockpile area to ensure any residual emissions are captured.</li> </ul>

### 3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the delegated officer has excluded employees, visitors and contractors of the works approval 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 2 below provides a summary of potential 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 2: Sensitive human and environmental receptors and distance from prescribed activity**

Environmental receptors	Distance from prescribed activity
Yawuru Birragun Conservation Park	Directly adjacent on the western boundary of the premises.
Underlying groundwater	Between 16 and 34 m bgl
<i>Rights in Water and Irrigation Act 1914</i> (RIWI Act) Proclaimed Groundwater – Broome Groundwater Area	The premises is within the Broome Groundwater Area.
Public Drinking Water Source Area – Priority 1 – Broome Water Reserve	The Broome Water Reserve is approximately 100 m east of the premises boundary.  The closet well head protection zone is located approximately 1.2 km east of the premises boundary.

## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) 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 incomplete they have not been considered further in the risk assessment.

Where the works approval 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 works approval holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the works approval holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

The revised works approval W6738/2022/1 that accompanies this amendment report authorises construction and time-limited operations. The conditions in the revised works approval have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the premises. A risk assessment for the operational phase has been included in this amendment report, however licence conditions will not be finalised until the department assesses the licence application.

Table 3. 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	Works approval holder's controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Source / Activities	Potential emission	Potential pathways and impact	Receptors	Works approval holder's controls				
Construction								
Construction of depollution infrastructure	Dust	Air/windborne pathway causing impacts to health and amenity	Yawuru Birragun Conservation Park immediately adjacent on the western boundary of the premises	Refer to Section 3.1	C = Minor L = Possible <b>Medium Risk</b>	Y	Emission to be regulated under the general provisions of the EP Act	N/A
Operation (including time-limited-operations operations)								
Acceptance, storage and depollution of used vehicles	Hydrocarbons / liquids (spills / loss of containment)	Overland run-off and infiltration to land causing impacts to underlying soil and groundwater	Yawuru Birragun Conservation Park immediately adjacent on the western boundary of the premises  Underlying groundwater approximately 16 – 34 m bgl  Broome Water Reserve approximately 100 m east of the premises.	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y	Conditions 1, 10, 19, 39, 40, 46, 47, 48, 54, 56, 58 & 59	N/A

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

Note 2: Proposed works approval holder's controls are depicted by standard text. **Additional regulatory controls** depicts additional regulatory controls imposed by department.

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## 4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

**Table 4: Consultation**

Consultation method	Comments received	Department response
Works approval holder was provided with draft amendment on 24 January 2024	The works approval holder sent an email response on 22 February 2024 advising there were no comments on the draft amendment	N/A

## 5. Conclusion

Based on the assessment in this amendment report, the delegated officer has determined that a revised works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### 5.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the revised works approval as part of the amendment process.

**Table 5: Summary of works approval amendments**

Condition no.	Proposed amendments
Condition 1 Table 1 (Row 6)	Inclusion of workshop and depollution facility design and construction requirements
Condition 10 Table 3 (Row 7)	Inclusion of operational requirements for the workshop and depollution facility
Condition 16 Table 4	Removal of acceptance criteria for light vehicles
Condition 19 Table 5	Inclusion of processing requirements for the depollution of vehicles

## References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

## Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY					
<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 / Critical Containment Infrastructure 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 checked="" type="checkbox"/>	Current works approval number:	W6738/2022/1		
Amendment to licence	<input type="checkbox"/>	Current licence number:			
		Relevant works approval number:		N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>
Date application received		30 November 2023			
<b>Applicant and Premises details</b>					
Applicant name/s (full legal name/s)		Shire of Broome			
Premises name		Broome Regional Resource Recovery Park			
Premises location		Lot 550 on Deposited Plan 421448			
Local Government Authority		Shire of Broome			
<b>Application documents</b>					
HPCM file reference number:		DER2022/000478~5			
Key application documents (additional to application form):		Attachment 1 – Reserve Details Report Attachment 2 – Map (General Arrangement) Attachment 6A – Map (CRC – Metal, Glass and Timber laydown area) Attachment 6A – Map (RC Hardstand Plan) Attachment 6A – Workshop and wash bay plan and section Attachment 6A – Phase 1: Community Recycling Centre and Liquid Waste Facility Technical Specification Attachment 7 – Environmental Assessment and			



	Management Plan	
<b>Scope of application/assessment</b>		
Summary of proposed activities or changes to existing operations.	<p>Installation of a workshop with associated depollution infrastructure for the depollution of up to 200 vehicles per annual period.</p> <p>Vehicles that have not yet been de-polluted will be stored on the hardstand (already authorised as per W6738/2022/1). The hardstand ensures that any leaks do not permeate into the ground and can be mopped out with spill recovery methods. A downstream oil and grit separator will be used to recover any oils that may be flushed from the hardstand by rain.</p> <p>The covered workshop will be used to carry out depollution activities. Vehicles will be moved into position over a central portion of concrete hardstand that drains into a grated concrete pit. Depollution activities will involve draining fuel and oils and aircon gases into appropriate industry standard receptacles. The concrete hardstand and pit provide a backup should these controls fail and prevents pollutants entering the environment. Should any spills occur they will be recovered by pumping out the pit and disposing of the contents appropriately.</p> <p>Freshly de-polluted cars will be inspected for leaks and if cleared placed back on the Hardstand Stockpile area to ensure any residual emissions are captured.</p>	
<b>Category number/s (activities that cause the premises to become prescribed premises)</b>		
<b>Table 1: Prescribed premises categories</b>		
<b>Prescribed premises category and description</b>	<b>Assessed production or design capacity</b>	<b>Proposed changes to the production or design capacity (amendments only)</b>
Category 61A: Solid waste facility	Assessed – 10,000 tonnes per annual period	<i>Is there a proposed change to the previously assessed production or design capacity?</i>
No change to other categories		
<b>Legislative context and other approvals</b>		
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: TBA – assessment referred, seven-day public comment period closed.
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Letter submitted as part of the original works approval application from the Water Corporation transferring Lot 550 on Plan 421448 to the Shire of Broome.

Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	The Broome RRRP is deemed a Public Works and is subject to a works exemption under the <i>Planning and Development Act 2005</i> .
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 type="checkbox"/>	CPS No: CPS 9542-1 Clearing permit CPS 9542-1 is currently going through the appeals process.
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A Production bore on site but no licence or licence application. Shire of Broome intend to utilise allowance from Buckley's Road water licence.
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"/>	Name: Broome Groundwater Area Type: Proclaimed Groundwater Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> (amendment does not relate to discharge – addressed under original works approval) Regional office: North West
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <a href="#">WQPN 25</a> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</i> )	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
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