



Application for Licence Amendment

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

Licence Number	L9367/2022/1
Licence Holder	City of Albany
File Number	DER2022/000634~4
Premises	Bakers Junction Waste Management Facility 1206 Chester Pass Road KALGAN WA 6330 Legal description – Reserve 31472 Lot 7190 on Deposited Plan 175897
Date of Report	28 August 2024
Decision	Revised licence granted

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A/MANAGER, WASTE INDUSTRIES

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

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1. Decision summary

Licence L9367/2022/1 is held by the City of Albany (Licence Holder) for the Bakers Junction Waste Management Facility (the premises), located at 1206 Chester Pass Road in Kalgan.

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 L9367/2022/1 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 Application summary

On 24 May 2024, the Licence Holder submitted an application to the department to amend Licence L9367/2022/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act).

On 16 November 2023, an amendment to Licence L9367/2022/1 was granted for an increase up to 5,000 tonnes of FOGO waste per annum and for the construction of a shelter to be constructed over the existing FOGO hardstand to reduce leachate generation during storage and decontamination activities.

In order to facilitate the construction of the FOGO shelter required by Condition 8 of the licence, the Licence Holder proposes to temporarily receive and decontaminate up to 417 tonnes of FOGO waste at the landfill tipping face as shown in Figure 1. This process is expected to take place over a maximum period of 4 weeks.

This amendment is limited only to temporary changes to Category 61A activities. No changes to the aspects of the existing Licence relating to Category 64 have been requested by the Licence Holder.



Figure 1: Premise map with proposed temporary FOGO storage area

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IR-T15 Amendment report template v3.0 (May 2021)

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 Amendment Report are detailed in Table 1 below. Table 1 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 1: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Odour	FOGO decomposing during storage	Air/windborne pathway	Odour will be monitored regularly. FOGO waste received will be removed from the site within 72 hours
	Shredding/Grinding of FOGO		<p>Current operations have shown minimal impacts from the shredding process.</p> <p>FOGO waste removed from site within 24 hours from the time of shredding prior to being transported offsite for further processing.</p> <p>Particularly odorous FOGO waste will be loaded promptly into sealed trucks if required.</p>
Noise	Machinery	Air/windborne pathway	<p>Measures to mitigate noise emissions from vehicle movements and mobile equipment include:</p> <ul style="list-style-type: none"> • Vehicle speed limits • Experienced machinery operators to reduce operational noise. • Use of high specification equipment/machinery for efficient processing • Maintenance of equipment/machinery to optimise performance and reduce noise emissions.
Leachate	Storage of FOGO on permeable landfill tipping area	Seepage to soils and groundwater	<p>Leachate generation from FOGO waste during the temporary arrangement (2-4 weeks) is expected to be minimal.</p> <p>The waste and temporary FOGO</p>

Emission	Sources	Potential pathways	Proposed controls
			processing area will be monitored and if required during heavy rain events, may be covered with a tarpaulin.
Windblown wastes	Truck unloading, handling/sorting, and storage of FOGO waste materials.	Air/windborne pathway	No proposed controls
Dust (including bioaerosols)	Vehicle movements. Truck unloading and sorting of FOGO waste materials.	Air/windborne pathway	No proposed controls
Weed seed and plant pathogen spread	Truck unloading, handling/sorting, and storage of FOGO waste materials.	Air/windborne pathway Overland / stormwater pathway Biological pathways	No proposed controls
Smoke from fire	Storage of FOGO waste materials.	Air/windborne pathway	No proposed controls
Firewater	Storage of FOGO waste materials.	Overland / stormwater pathway	No proposed controls

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), 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 2 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 2: Sensitive human and environmental receptors and distance from prescribed activity

Receptor ID	Human receptors	Distance from prescribed activity
H1	Albany Clay Target Club, Simpson Road, Napier	Approximately 700 m north-west of northern premises boundary.
H2	Rural residence, Simpson Road, Napier	Approximately 930 m north-west of northern premises boundary.
H3	Rural residence and olive plantation, 1053 Chester Pass Road, King River	Approximately 1.5km south-west of prescribed activity

Receptor ID	Environmental receptors	Distance from prescribed activity
E1	Johnston Creek (South Coast Significant Wetland – Conservation Class)	Premises situated within mapped extent of wetland. Tributary of Johnston Creek emanates from southern portion of the premises, which discharges into Oyster Harbour.
E2	Kalgan, and King Rivers, Oyster Harbour	Premises situated within hydrographic catchments Kalgan River approximately 5 km south-east of the prescribed activity
N/A	Waterways Conservation Act Management Area	Located within the Albany Waterways Management Area.
N/A	Groundwater	Monitoring bore standing water levels reported to range from 8 – 11 mbgl. Hydraulic gradient reported to run north to south. Salinity mapped at 125 and TDS at 500-1000.
N/A	WA Bushfire Prone Areas	Premises within mapped extent.
E3	Bakers Junction Nature Reserve Reserve supports Threatened fauna including: <ul style="list-style-type: none"> • <i>Pseudocheirus occidentalis</i> (western ring-tailed possum, ngwayir) – critically endangered • <i>Zanda baudinii</i> – Baudin’s cockatoo - Endangered • <i>Zanda latirostris</i> (Carnby’s cockatoo) - Endangered • <i>Isoodon fusciventer</i> (quenda) – Priority P4 	Immediately adjacent to premises boundary (surrounding entire premises).
N/A	Threatened Ecological Communities (TEC): <i>Banksia coccinea</i> Shrubland / <i>Eucalyptus staeri</i> / Sheoak Open Woodland (Community 14a - Sandiford & Barrett 2010) (all/or portion in EPBC listed Kwongkan community) (Priority 1, Endangered)	Approximately 190 m south of southern premises boundary within Bakers Junction Nature Reserve.

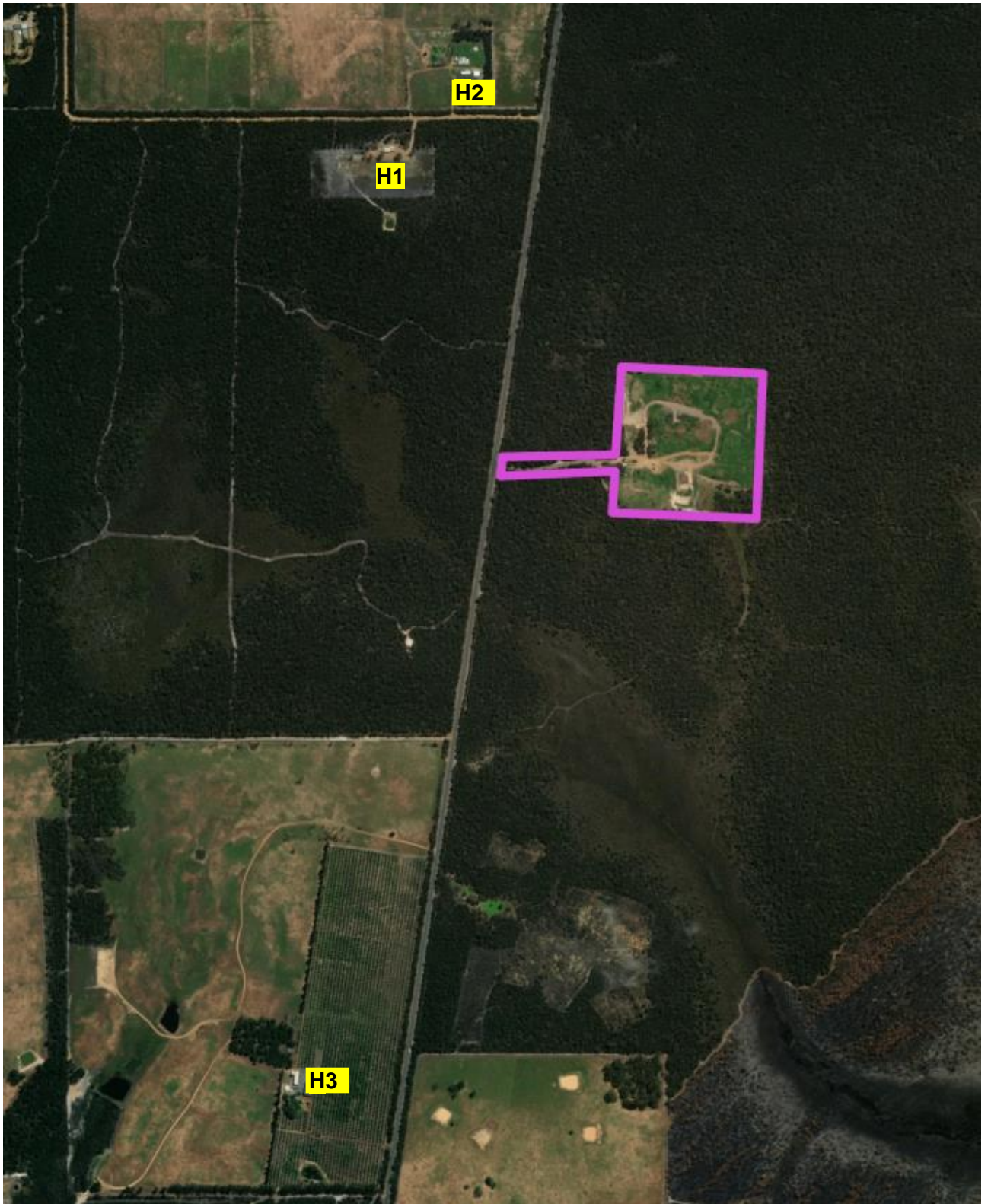


Figure 2: Sensitive human receptors

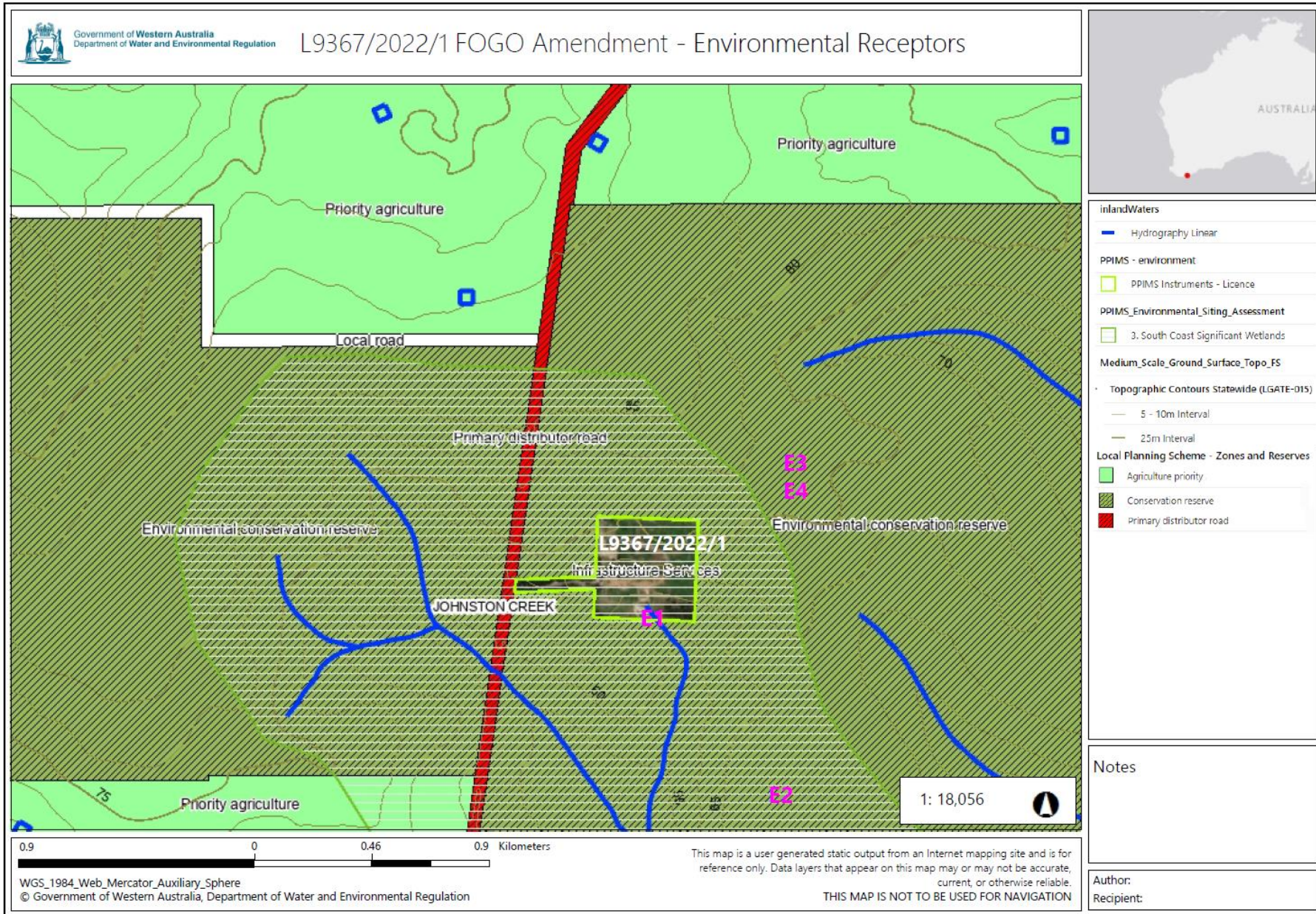


Figure 3: Sensitive environmental receptors

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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 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 3.

Table 3: Risk assessment of potential emissions and discharges from the premises operation

Risk Event					Risk rating C = consequence L = likelihood	Applicant controls sufficient?	Conditions of Licence	Justification for additional regulatory controls
Source/Activities	Potential emissions	Potential pathways and impact	Receptors	Applicant controls				
Operation								
Temporary receipt and processing of FOGO at landfill tipping face	Odour	Air/windborne pathway causing impacts to health and amenity. The prevailing wind direction at the nearest weather station (Albany Airport) is generally north-westerly in the morning and south-westerly in the afternoon	Residential receptors 930 m north-west, 1.7 km south-west and 1.7 km north of premises Albany Clay Target Club 800 m north-west of premises	Refer to section 3.1.1	C = Minor L = Unlikely Medium Risk	N	Conditions 8, 9 and 10	The Delegated Officer considers the environmental siting of the premises and existing conditions contained within licence L9367/2022/1 are appropriate to manage odour emissions during the short duration acceptance and processing of FOGO waste at the tipping face.
	Windblown wastes	Air/windborne pathway causing impacts to amenity	Bakers Junction Nature Reserve surrounding the premises TEC 400m from	Refer to section 3.1.1	C = Minor L = Possible Medium Risk	N	Conditions 10, 15 and 16	The Delegated Officer considers existing conditions contained within licence L9367/2022/1 are appropriate to manage windblown waste

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Risk Event					Risk rating C = consequence L = likelihood	Applicant controls sufficient?	Conditions of Licence	Justification for additional regulatory controls
Source/Activities	Potential emissions	Potential pathways and impact	Receptors	Applicant controls				
			premises					emissions during the short duration acceptance and processing of FOGO waste at the tipping face.
	Weed-seed and plant pathogens	Air/windborne, Overland / stormwater, biological pathways causing impacts to agricultural areas and remnant native vegetation communities.		Refer to section 3.1.1	C = Moderate L = Possible Medium Risk	Y	Conditions 8 and 10	NA
	Noise	Air/windborne pathway causing impacts to health and amenity	Residential receptors 930 m north-west, 1.7 km south-west and 1.7 km north of premises	Refer to section 3.1.1	C = Minor L = Unlikely Medium Risk	Y	Conditions 8 and 10	The delegated officer considers noise emissions can be effectively regulated by the <i>Environmental Protection (Noise) Regulations 1997</i> .
	Dust (including bioaerosols)	Air/windborne pathway causing impacts to health and amenity	Albany Clay Target Club 800 m north-west of premises	Refer to section 3.1.1	C = Minor L = Unlikely Medium Risk	Y	Conditions 8 and 10	The Delegated Officer considers dust emissions can be effectively regulated by the general provisions of the EP Act.
	Fire/smoke	Air/windborne pathway causing impacts to health and amenity	Residential receptors 930 m north-west, 1.7 km south-west and 1.7 km north of premises Albany Clay Target Club 800 m north-	Refer to section 3.1.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 8, 9 and 10	The Delegated Officer considers existing conditions contained within licence L9367/2022/1 are appropriate to manage emissions from a fire event during the short duration acceptance and processing of FOGO waste at the tipping face.

Risk Event					Risk rating C = consequence L = likelihood	Applicant controls sufficient?	Conditions of Licence	Justification for additional regulatory controls
Source/Activities	Potential emissions	Potential pathways and impact	Receptors	Applicant controls				
			west of premises Bakers Junction Nature Reserve surrounding the premises TEC 400m from premises					
	Leachate / contaminated stormwater	Overland runoff potentially causing ecosystem disturbance or via seepage (infiltration) impacting underlying groundwater	Bakers Junction Nature Reserve surrounding the premises	Refer to section 3.1.1	C = Moderate L = Possible Medium Risk	Y	Conditions 8 and 10	Condition 10(b) has been added to the licence to ensure the acceptance and processing of FOGO waste at the tipping area is limited to a four week period only.
	Firewater and debris	Overland runoff potentially causing ecosystem disturbance or via seepage (infiltration) impacting underlying groundwater	TEC 400m from premises Groundwater 8 – 11 m bgl Kalgan River 5 km south-east of premises Johnston Creek wetland within and surrounding premises	Refer to section 3.1.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 8 and 10	Although FOGO storage on a non-hardstand area is not in accordance with the <i>Guideline: Better practice organics recycling</i> (DWER, 2022), is it considered that the short duration and small volume of FOGO that will be processed at the tipping face will not increase risk to receptors. Notification requirements have been added for the start and end of FOGO receipt and processing at the tipping area.

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

Note 2: Licence 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
Licence Holder was provided with draft amendment on 23/7/2024.	Licence Holder advised specific dates for the temporary relocation of the FOGO sorting area are 2/9/24 to 27/9/24	This specific period has been included in Condition 10

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 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 Licence as part of the amendment process.

Table 5: Summary of licence amendments

Condition no.	Proposed amendments
Table 3 Item (b)	Inclusion of receipt, storage and decontamination of FOGO waste at the tipping face for a single four week period.

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. Department of Water and Environmental Regulation (DWER) 2022, *Guideline: Better practice organics recycling*, Perth, Western Australia.
4. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
5. Sandiford, E.M. and Barrett, S. (2010), *Albany Regional Vegetation Survey, Extent Type and Status, A project funded by the Western Australian Planning Commission (EnviroPlanning "Integrating NRM into Land Use Planning" and State NRM Program), South Coast Natural Resource Management Inc. and City of Albany for the Department of Environment and Conservation*. Unpublished report. Department of Environment and Conservation, Western Australia.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L9367/2022/1	
		Relevant works approval number:		N/A
Date application received		24 May 2024		
Applicant and Premises details				
Applicant name/s (full legal name/s)		City of Albany		
Premises name		Bakers Junction Waste Management Facility		
Premises location		1206 Chester Pass Road, KALGAN, WA, 6330 Lot 7190 on Deposited Plan 175897		
Local Government Authority		City of Albany		
Application documents				
HPCM file reference number:		DER2022/000634~4		
Key application documents (additional to application form):		Sound emissions Cat 930H loader Fee calculator Occupier status Premises map Additional information Crambo 6000 brochure Sound emission Crambo 6000		
Scope of application/assessment				
Summary of proposed activities or changes to existing operations.		Licence amendment to store and sort FOGO waste on the landfill tipping area for a maximum period of 4 weeks to facilitate the construction of a roofed structure over the sealed FOGO 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 or design capacity	Proposed changes to the production or design capacity (amendments only)		
Category 61A: Solid Waste Facility	5,000 tpa	No changes proposed		
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	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: N/A Managed under Part V <input type="checkbox"/>		

significant proposal?		Assessed under Part IV <input checked="" type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: N/A EPA Report No: 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"/>	Certificate of title <input checked="" type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Public works.
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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"/>	No clearing is proposed.
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"/>	Licence / permit not required.
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</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	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A

requirements?		
Is the premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Classification: possibly contaminated – investigation required (PC-IR) Date of classification: 3 March 2023