



Application for Licence

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

Licence Number	L6900/1997/13
Licence Holder	Shire of Gingin
File Number	L105/97/1
Premises	Lot 10 Cockram Road GINGIN WA 6503 Being Lot 10 on Diagram 70017
Date of Report	31/03/2022
Decision	Grant Licence

Senior Industry Regulation Officer
INDUSTRY REGULATION

An officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Application summary

On 2 December 2021, the Shire of Gingin (Licence Holder) applied to renew licence L6900/1997/12 as the licence is due to expire on 6 April 2022. The Gingin Waste Management Facility (Premises) is located at Lot 10 Cockram Road, Gingin. The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production / design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production / design capacity
<i>Category 64: Class II Putrescible Landfill</i>	<i>5,000 tonnes per annual period</i>

2. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises, which is in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position*, June 2021.

In issuing the licence, the Delegated Officer considered and gave due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

3. Decision summary

Under the regulatory framework the Delegated Officer determined to grant the licence L6900/1997/13 without conducting any additional assessment.

The licence will be issued for 20 years consistent with the *Guidance Statement on Licence Duration 2016*.

In renewing the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- revise licence conditions and consolidate existing pollution control conditions;
- correct clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the renewed licence.

3.1 Summary of administrative changes

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides general power to impose conditions on licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) for the purposes of the EP Act to prevent, control, abate or mitigate pollution or environmental harm.

Table 2 summarises the changes of the conditions from the expiring licence into the new licence and provides some conversion notes to explain these changes where needed.

Table 2: Summary of changes from Expiring Licence to Renewed Licence

Licence condition or table number	Summary - previous licence condition	Conversion notes	New licence condition or table number
Preamble	Information regarding general provision of EP Act	Removed – no longer part of licence template format.	

Licence condition or table number	Summary - previous licence condition	Conversion notes	New licence condition or table number
Definitions		Updated to latest format – addition of generic definitions – moved from beginning of licence to the end of licence.	Definitions
G1(a)	Waste acceptance types	Moved to condition 1 and Table 1	Condition 1 and Table 1
G1(b)	Managing asbestos	Renumbered only	Condition 3
G1(c)	Managing contaminated solids	Renumbered only	Condition 2
G2	Landfilling activities	Renumbered only	Condition 4
G3(a)	Fence maintenance	Renumbered only	Condition 5
G3(b)	Inspection of fence	Renumbered only	Condition 6
G4(a)	Wind-blown waste	Renumbered only	Condition 7
G4(b)	Removal of wind-blown waste	Renumbered only	Condition 8
G5	Signage	Renumbered only	Condition 9
G6(a)	Monitoring report	Renumbered only	Condition 18
G6(b)	Details of monitoring report	Renumbered only	Condition 19
G6(c)	Written records	Renumbered only	Condition 20
A1	Dust management	Renumbered only	Condition 10
A2(a)	Burning of non-greenwaste	Renumbered only	Condition 11
A2(b)	Fires	Renumbered only	Condition 12
A2(c)	Burning of greenwaste	Renumbered Changed FESA reference to DFES	Condition 13
W1(a)	Uncontaminated stormwater	Renumbered only	Condition 14
W1(b)	Stormwater drains	Renumbered only	Condition 15
W2(a)	Groundwater separation distance	Renumbered only	Condition 16
W2(b)	Superficial waterbody separation	Renumbered only	Condition 17
Attachment 1 – Premises Map	Location of Premises and boundary	New Premises map provided with renewal application Moved to Schedule 1 of Licence	Schedule 1 – Premises Map

4. Consultation

The draft licence and this decision report were provided to the licence holder on 23 March 2022 for comment. The licence holder provided a response on the same day being 24 March 2022.

The licence holder queried the use of version 13 for the new Licence. As this is a new licence the version number has been updated from 12 to 13.

The licence holder queried the storage of tyres. The licence does not permit the burial of tyres, however up to 100 tyres can still be stored at the premises under the general provisions of the

Environmental Protection Act Regulations.

The licence holder queried greenwaste being excluded from the Premises. Consistent with the old licence (condition A2(c)) greenwaste can still be burnt at the premises in the new licence (Condition 13). Greenwaste is not permitted for burial at the premises.

The Delegated Officer has updated the wording of Condition 1 and Table 1 to clarify that these conditions relate to burial only.

5. Decision

Based on the information in this Decision Report, the Delegated Officer has determined that licence L6900/1997/13 will be granted. The licence is subject to conditions commensurate with the determined controls as well as conditions necessary for administration and annual reporting requirements.