



Application for Licence

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

Licence Number	L7357/1999/12
Applicant	Longmuir Transport Services WA Pty Ltd
ACN	164 674 908
File number	2010/003422-1
Premises	Cashmans Great Northern Highway MEEKATHARRA WA 6642 Mining Tenement M51/580 As defined by the premises map attached to the issued licence
Date of report	29 April 2022
Decision	Licence granted

STEPHEN CHECKER

**MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary and overview of premises	1
2.3 Other relevant approvals	2
3. Risk assessment	1
3.1 Source-pathways and receptors	1
3.1.1 Emissions and controls	1
3.1.2 Receptors	2
3.2 Risk ratings	3
4. Consultation	6
5. Conclusion	6
6. Summary of amendments	6
References	8
Appendix 2: Application validation summary	9

Table 1:Proposed applicant controls	1
Table 2:Sensitive human and environmental receptors and distance from prescribed activity	2
Table 3:Risk assessment of potential emissions and discharges from the premises during operation	4
Table 4: Consultation	6
Table 5: Renewed licence amendments	7

1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the premises. As a result of this assessment, Licence L7537/1999/12 has been granted for three years only.

The Licence issued supersedes licence L7537/1999/11 (the Existing Licence) previously granted in relation to the premises. This Decision Report explains and justifies the proposed changes.

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

The premises known as Cashmans consists of a Class I inert landfill for the burial of waste tyres and rubber type wastes (i.e. belt liners) from mine sites. The site accepts up to 5000 tonnes of Type 2 Inert waste per annual period. The relevant prescribed premises category is category 63.

The premises is located in the Midwest Region of Western Australia, 9km northwest of the Great Northern Highway and 70 km north of the town of Meekatharra. It covers an area of 47ha and commenced operations in 1999 to cater for the burial of waste tyres and rubber type wastes.

On 1 December 2021 DWER received an application from the Licence Holder for renewal of licence L7357/1999/11. The application sought to renew the licence to allow for continued operation on mining tenement M51/580 only. No other changes to operations or the approved production/design capacity were proposed.

The licence was recently amended and has been updated to the new licence format.

The main potential emissions from the site are dust and noise emissions from vehicular movement and machinery use on-site, smoke and leachate emissions from abnormal operation. The site is remote from any residential sensitive receptors.

On 30 March 2022, the Licence Holder of was given notification in accordance with sections 59(2), 59(1)(a) and 59(1)(b) of the *Environmental Protection Act 1986*, that L7357/1999/12 will be amended to remove the requirement to submit an Annual Environmental Report (AER). As part of the Streamline WA Reduced Regulatory Reporting initiative DWER gave notice to over 600 licence holders regarding its intent to amend those licenses to remove or reduce annual reporting requirements. Type 1 licenses, such as L7357/1999/12, where no environmental monitoring is conducted or reported have been determines as suitable for removal of annual reporting requirements. Further information regarding the project and the criteria for classification of licenses is available at <https://www.wa.gov.au/service/environment/environment-information-services/reduced-reporting-burden-pilot-project>.

As part of this licence renewal, the delegated officer has therefore amended the licence in accordance with section 59 and 59(B) of the *Environmental Protection Act 1986* to remove previous condition 16 which required the submission of an annual environmental report.

2.3 Other relevant approvals

The Delegated Officer sought external advice from Department of Mines, Industry Regulation and Safety (DMIRS) on the suitability of the proposal given its location within a mining tenement.

The advice received are summarised below:

- the disposal of tyres from third party is not an appropriate activity for a tenement granted under the *Mining Act 1978*. The applicant should liase with the Department of Planning Lands and Heritage to obtain more suitable tenure over the landfill area.
- DMIRS have agreed to a three-year extension of the licence to allow for the Licence Holder to obtain more appropriate tenure or to properly close the landfill.

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 1: Proposed applicant controls below. Table 1: Proposed applicant controls also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Operation			
Dust	Vehicle movements, burial of tyres	Air / windborne pathway	Vehicles restricted to low speeds on graveled roads to reduce dust emissions.
Noise	Vehicle movements, burial of tyres	Air / windborne pathway	Vehicles restricted to low speeds (10km/hr) Site is approximately 10km from the main highway and 25-30km from the nearest sensitive receptor.
Fire/smoke- (abnormal operation)	Storage of tyres	Air / windborne pathway	Tyres are covered with soil shortly after receipt. Current licence condition 4, Table 2 ensures that the following criteria are met in relation to the temporary storage of tyres prior to disposal/burial: <ul style="list-style-type: none"> Used tyres stored in the open are arranged in rows with at least 3 metres separating each row to allow access for firefighting equipment. Each row is not more than 18 metres in length, 10 metres in width and not more than 4 metres in height. Not store more than 1000 car tyre equivalents on the premises at any one time.
Fire water leachates	Storage of tyres	Direct discharge to	Tyres are covered with soil shortly after receipt and the tipping area is raised well

Emission	Sources	Potential pathways	Proposed controls
<i>(Abnormal operation)</i>		<i>land and potential seepage to groundwater</i>	<i>above ground level. As a result, stormwater will not come into contact with buried waste but be diverted around the active tipping area.</i>

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 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

Human receptors	Distance from prescribed activity
<i>Residential receptor</i>	<i>Remote site. No residential receptors within 30km</i>
Environmental receptors	Distance from prescribed activity
<i>Vegetation</i>	<i>Surrounding the landfill</i>
<i>Groundwater</i>	<i>12-20 mbgl</i>

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

Licence L7357/1999/12 that accompanies this decision report authorises emissions associated with the operation of the premises.

The conditions in the issued licence, as outlined in Table 3: Risk assessment of potential emissions and discharges from the premises during operation have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3: 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								
Tyre landfilling activities- Waste acceptance and vehicle movement, storage and burial	Dust	Air / windborne pathway causing impacts to health and amenity	No residences or other sensitive receptors in proximity	Refer to Section 3.1	N/A	Existing prescribed premises	Condition 2, 3, 4, 10	Sensitive receptors are unlikely to be impacted from dust emissions due to the remote location of the Premises. The Delegated Officer considers that the provisions of section 49 of the EP Act is sufficient to regulate dust emissions during construction.
	Noise			Refer to Section 3.1	N/A	Existing prescribed premises	-	No receptor present. Noise Regulations apply.
	Fire/smoke- (abnormal operation) Particulates and noxious gases from fire / tyre combustion, including: Volatile Organic Compounds (VOC's), Benzene, Toluene, Xylene (BTEX); Poly	Air / windborne pathway causing impacts to health and amenity	No residences or other sensitive receptors in proximity	Refer to Section 3.1	N/A	Existing prescribed premises	Condition 2, 3, 4, 5, 6, 7, 8, 9, 16, 17	No receptor present. The Delegated Officer considers that a landfilling and landfill closure management plan will assist in mitigating the risk of fire at the premises

Licence: L7357/1999/12

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				
	<i>Aromatic Hydrocarbons (PAH's), dioxins, furans, heavy metals; Oxides of Nitrogen (NOX); Sulphur Oxides (SOX)</i>							
	<i>Landform erosion and stability:</i> <ul style="list-style-type: none"> • <i>Sediment laden runoff;</i> • <i>Exposure of previously buried tyres;</i> • <i>Instability of landform</i> 	<i>Exposure of waste</i>	<i>N/A</i>	<i>N/A</i>	<i>C = Minor L = Unlikely Medium Risk</i>	<i>Existing prescribed premises</i>	<i>Condition 1, 2, 3, 4, 5, 14, 16, 17</i>	<i>The Delegated Officer considers that a landfilling and landfill closure management plan is required to ensure proper landfilling methodology, long term landform stability and erosion control in the landfill</i>

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 4: Consultation provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
<i>Application advertised on the department's website on 24 February 2022</i>	<i>None received</i>	<i>N/A</i>
<i>Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal on 24 February 2022</i>	<p><i>DMIRS replied on 18 March 2022 advising that:</i></p> <ul style="list-style-type: none"> <i>• the disposal of tyres from third party is not an appropriate activity for a tenement granted under the Mining Act 1978;</i> <i>• as a last resort an operator can dispose tyres resulting from machinery used as part of the mining operations, provided appropriate approvals are in place, never from off-site sources;</i> <i>• a tenement holder is not a landholder who could have a landfill that was not solely connected to the mining activity for that tenement; and</i> <i>• applicant could seek alternative tenure, for e.g. under the Lands Act</i> 	<i>The delegated officer has decided to extend the expiry date of the licence to enable the licence holder to continue operations while securing appropriate land tenure, and to include a condition for a landfill closure and management plan in accordance with the Environmental Protection (Rural Landfill) Regulations 2002.</i>
<i>Applicant was provided with draft documents on 22 April 2022</i>	<i>The licence holder provided a response on 27 April 2022 requesting the comment period be waived and the licence be issued as soon as possible.</i>	<i>N/A</i>

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that the application to renew licence L7357/1999/12 will be granted for a period of three years only, to enable the licence holder to continue operations while securing appropriate land tenure or to allow for proper closure of the landfill and subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

6. Summary of amendments

Table 5: Renewed licence amendments provides a summary of the amendments to the licence and will act as record of implemented changes. All proposed and department changes have

been incorporated into the licence as part of the renewal process.

Section 62 of the EP Act provides general power to impose conditions on licences. All 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 5: Renewed licence amendments

Existing Licence condition/ table/ schedule	Condition summary	Revised Licence condition/ table/ schedule	Conversion notes
<i>(Previous condition 16)</i>	<i>Annual environmental reporting condition removed in accordance with Notice of Intent to Amend Licence sent 30/3/2022</i>	<i>(Previous condition 16)</i>	<i>Annual environmental reporting condition removed in accordance with Notice of Intent to Amend Licence sent 30/3/2022</i>
17	<i>New condition inserted requiring the licence holder to submit a post closure management plan relating to the activities undertaken on site.</i>	17	<i>New condition inserted requiring the licence holder to submit a post closure management plan relating to the activities undertaken on site.</i>

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 2: Application validation summary

Application type							
1.1	Check that the type of application being applied for, as indicated in the first section of the <i>IR-F01</i> application form is for a renewal. Yes . <input checked="" type="checkbox"/> No <input type="checkbox"/>						
	Renewal	<input checked="" type="checkbox"/>	Current licence No. & expiry date:	L7357/1999/11 Expiry Date: expires 4/5/2022			
Prescribed premises categories				Ye s	No	Proposed Action / Notes (if applicable)	
1.3	Has the applicant specified all prescribed premises categories that are relevant to the activities on the premises?				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)				Production / design capacity			
Category 63: Class I inert landfill site				5000 tonnes per annual period			
Background							
Licence L7357 is held by Longmuir Transport Services Pty Ltd for the Cashmans Class I inert landfill located within mining tenements M51/580 and M51/835, Meekatharra.							
The premises covers an area of 47ha and commenced operations in 1999 to cater for the burial of waste tyres and rubber type wastes (i.e. belt liners) from other mine sites. The site accepts up to 5000 tonnes of Type 2 Inert waste per year.							
The licence was first issued in May 2000 and has been re-issued on multiple occasions including in May 2014 in the REFIRE format. The licence was also transferred to the current licence holder in November 2020 (this process also included excision of tenement P51/2570 from the licence).							
A brief review of records indicates an environmental risk assessment for the premises was not completed in the course of the May 2014 licence re-issue and in the November 2020 amendment.							
Application							
On 1 December 2021 an application to renew the licence was received from the licence holder. The application proposes renewal of the licence and reports operations include “burying of tyres in accordance with tyre regulations”, with a maximum production/design capacity of 5,000 tpa.							
Verification				Ye s	No	Proposed Action / Notes (if applicable)	
1.4	Has a response been provided to all applicable sections of the application form?				<input type="checkbox"/>	<input checked="" type="checkbox"/>	Where a response has not been provided – this is commented on within this checklist.
1.5	Date application received:				1/12/2021.		
1.6	Date assigned to IR,BSU Officer				13 December 2021		

1.7	HPRM file reference number:				DWERDT533522
Applicant Details					
2.1	Valid applicant name provided	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	Application notes Ronald John Longmuir as applicant and Longmuir Transport Services WA Pty Ltd. Correct applicant name is Longmuir Transport Services WA Pty Ltd as per the current licence.
	Valid ACN provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Checked in ASIC website
2.2	Trading name provided	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.3	Accurate authorised representative details provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Consent given to correspondence being exclusively via email	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.4	Physical address for notices served under the EP Act provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.5	Postal address for correspondence provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.6	Contact person details for DWER enquiries related to the application provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.7	Occupier status proven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tenement report for M51/580 provided by licence holder appears outdated. I have therefore checked the status of M51/580 in Geocortex which details the tenement is live, is held by Ronald Longmuir (owner of Longmuir Transport Services) and expires in June 2038.
Attachments					
2.8	Proof of occupier status provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to comment above.
2.9	ASIC current company information extract provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified in ASIC website
2.10	Authorisation to act as representative of the occupier provided	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Premises details					
3.1	Legal land description provided for all areas proposed to be included within the prescribed premises boundary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tenement M51/835 currently on the licence is not nominated by the licence holder in section 3.1. Clarification required from licence holder, i.e. confirm if this tenement is to be included or not. If yes, proof of occupier status will be required.
	Premise street address provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Premises name provided (if applicable)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.2	Local Government Authority area correctly identified	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.3	Accurate GPS or map coordinates provided to identify the premises <i>(required where the proposed premises boundary deviates from a cadastral boundary)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not applicable

3.4	Premises map/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Premises map submitted appears is superseded (map from an earlier version of the licence). Premises map currently on the licence will be used.
4.1 & 4.2	Infrastructure, equipment and proposed activities described in application	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Applicant notes: - Class 1 inert landfill; and, - Burying of tyres in accordance with tyre regulations
4.8	Maximum production or design capacity for each category matches existing licence	<input checked="" type="checkbox"/>	<input type="checkbox"/>		5,000 tpa confirmed by applicant - as per the current licence
4.9	Estimated actual throughput provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other Approvals and Consultation					
6.2	Premises has EPA approval? Provide MS number and Report number?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
6.3 & 6.4	Does clearing permit exist for the project?	<input type="checkbox"/>	<input type="checkbox"/>		Licence holder notes clearing/clearing permit is not required. Note – DMIRS regulates clearing within mining tenements.
If “yes”, specify:		Clearing permit number:			
6.5	Does groundwater well licence or surface water permit exist for the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Licence holder notes not required. Compass and Geocortex records show no licence to take water for the premises.
If “yes”, specify:					
7.1, 7.2 & 7.3	Considered as a major project, State Agreement Act and lead agency framework.	NO			
7.4	Has the proposal been referred and/or assessed under the EPBC Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Checked in DAWE website
If “yes”, specify:					
7.5 & 7.6	Has the Applicant obtained all relevant planning approvals	<input type="checkbox"/>	<input type="checkbox"/>		Not applicable.
7.7	Has the proposal obtained all other necessary statutory approvals?	<input type="checkbox"/>	<input type="checkbox"/>		Applicant notes “not applicable”. Suggest the application be referred to DMIRS for comment.
If not, has the applicant provided details of approvals already obtained, outstanding approvals, and expected dates for obtaining these outstanding approvals? Specify other approvals and tenure?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.8	Have all identified direct interest stakeholders been invited to make representations during the consultation period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Applicant notes no consultation undertaken. Suggest application be referred to DMIRS for comment.
Attachments					
7.9	Has the applicant provided details of other approvals specified in Part 7 and consultation documentation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refer to comment in 7.7 above
Attachments					
7.9	SM approval obtained for licence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	To be determined in the course of

	tenure less than 20 years?				assessment
Emissions and discharges and environmental siting of premises					
Part 9	Have all emission and discharges been identified?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No. Applicant notes no potential emissions/discharges. It is understood however that the main potential emission from the site is fugitive dust emissions. Noise is also anticipated.
	Waste related activities at the premises identified	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Section 9.2 of the application form is not fully completed. It is understood however that operations include burying of tyres only as noted in section 4.2 of the application.
Part 10	Have all nearby environmental receptors and receiving environments been considered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Applicant notes sensitive land uses are not applicable. No information provided regarding nearby environmental receptors.</p> <p>Review of the area in Geocortex indicates there are no sensitive land uses and, other than ephemeral watercourses, no other environmentally sensitive receptors in the vicinity of tenements M51/580 and M51/835.</p> <p>Considering the nature of the proposed activity (burying of tyres), potential emissions (noise/fugitive dust) and that the activity appears isolated from sensitive receptors I suggest no further information is required.</p>
Other:	ICMS check	<input type="checkbox"/>	<input type="checkbox"/>		<p>Check in ICMS identified:</p> <ol style="list-style-type: none"> 1. Complaint 42087 from 2016 – this is a closed case. Comments in ICMS indicate no breach of legislation was identified; 2. Complaint 50554 from 2018 – this is in closed status, with the running sheet noting a prosecution brief was submitted on 11 November 2019. <p>Note: Applicant indicates (in Part 8) convicted of offence or offences. (DO notes historic offences – checked with Alex Bite in Enforcement and obtained 2021 Controlled Waste tracking data for waste received at the premises - LH)</p>
	Licence amendments	<input type="checkbox"/>	<input checked="" type="checkbox"/>		No amendment notices.