



Licence Number L6925/1997/9

Licence Holder City of Albany

File Number: DER2014/000768-1~1

Premises
Albany Refuse Site
37 Maxwell Street
Mt Melville, WA 6330
Being Lot 1135 on Plan 208775 and Lot 202 on Plan 76615

Date of Amendment 16/01/2019

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Steve Checker

MANAGER WASTE INDUSTRIES REGULATORY SERVICES

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
EP Act	Environmental Protection Act 1986 (WA)
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
Delegated Officer	an officer under section 20 of the EP Act
Licence Holder	City of Albany.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

This notice is limited only to an amendment to the due date of submission for the Annual Environmental Report stipulated in Condition 5.2.1. No changes to the aspects of the original licence relating to Category 62 or Category 64 have been requested by the Licence Holder.

The following guidance statements have informed the decision made on this amendment

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Setting Conditions* (October 2015)
- *Guidance Statement: Land Use Planning* (February 2017)
- *Guidance Statement: Licence Duration* (August 2016)
- *Guidance Statement: Decision Making* (February 2017)
- *Guidance Statement: Risk Assessment* (February 2017)
- *Guidance Statement: Environmental Siting* (November 2016)

Amendment description

Under licence condition 5.2.1, the Licence Holder must submit an Annual Environmental Report within 31 calendar days after the end of the annual period (31 January 2019). Due to lengthy wait times for analysis of the sample results during the December period, the Licence Holder has lodged an application to amend the licence requesting to extend condition 5.2.1 submission date for a further 31 calendar days (03 March 2019) to submit the Annual Environmental Report.

Amendment history

Table 2 provides the amendment history for L6925/1997/9.

Table 2: Licence history

Instrument	Issued	Amendment
L6925/1997/7	01/02/2006	Licence Amendment
L6925/1997/8	16/06/2010	Licence Amendment (quarantine waste and leachate EIP)
L6925/1997/8	15/07/2011	Licence Amendment (extension on EIP works compliance date)
L6925/1997/8	09/02/2012	Licence Amendment (extension on EIP works compliance date)
W5797/2015/1	13/12/2012	Works Approval Issue (leachate works stage 1)
W5293/2012/1	13/12/2012	Works Approval Issue (leachate works stage 2)
L6924/1997/9	23/05/2013	Licence reissue and licence format conversion
W5543/2013/1	08/01/2014	Works Approval issue (leachate works stage 3)
L6925/1997/9	10/07/2014	Licence amendment (monitoring requirements)
W5759/2015/1	27/02/2015	Works Approval issue (bioremediation facility construction)

L6925/1997/9	16/03/2015	Licence amendment (bioremediation facility operation)
L6925/1997/9	10/12/2015	Licence Amendment (contaminated waste management)
L6925/1997/9	16/01/2019	Amendment Notice 1 (AER due date extension)

Decision

The Delegated Officer considers the extension of the expiry date for the Licence Condition 5.2.1 is not expected to impact on the risk profile of the premises. This condition requires the lodgement of an Annual Environmental Report by a set date. Extension of the lodgement date does not modify previously approved activities at the premises. Operations will continue to be consistent with the current Licence L6925/1997/9.

The Delegated Officer has granted Amendment Notice 1 to accommodate the requested extension to the due date to 62 calendar days after the end of the annual period.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 7 January 2019. Comments received from the Licence Holder have been considered by the Delegated Officer as shown in Appendix 2.

Amendment

1. Condition 5.2.1 of the Licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within ~~31~~ 62 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the annual period and any action taken	None specified
Table 3.3.1	Summary of all monitoring data for point source emissions to surface water which shall include: a) data in a table format for the annual period; b) data in graphical format for trend analysis to include at least the last four years data where available; and c) an assessment of point source emission to surface water monitoring data for the risk of emissions.	None specified
Table 3.6.1	Summary of all inputs and outputs monitoring data which shall include: a) data in a table format for the annual period; and b) comment on annual input and output volumetric trends.	None specified
Table 3.7.1	Summary of all monitoring data for process monitoring (leachate pond) which shall include: a) data in a table format for the annual period; b) data in graphical format for trend analysis to include at least the last four years data where available; and c) an assessment of process monitoring data trends.	None specified

Table 3.8.1	Summary of all monitoring data for ambient groundwater quality which shall include: a) data in a table format for the annual period; b) data in graphical format for trend analysis to include at least the last four years data where available; and c) an assessment of ambient groundwater quality monitoring data for the risk of emissions.	None specified
5.1.3	Compliance	AACR
5.1.4	Complaints summary for annual period	None specified

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L6925/1997/9 – Latest updated Licence - Albany Refuse Site	L6925/1997/9	accessed at www.dwer.wa.gov.au
2	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
3	DER, October 2015. <i>Guidance Statement: Setting Conditions</i> . Department of Environment Regulation, Perth.	DER 2015b	
4	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.	DER 2016a	
5	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2016b	
6	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2016c	

Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice on 7 January 2019 for review and comment. The Licence Holder responded on 7 January 2019. No comments were submitted on the draft Amendment Notice.