



# Amendment Notice 1

**Licence Number** L7003/1997/11

**Licence Holder** Shire of Dandaragan

**Registered business address** 69 Bashford Street  
JURIEN BAY WA 6516

**Date of amendment** 12 April 2017

**Prescribed Premises** Category 62: Solid waste depot  
Category 63: Inert landfill (Class I)

**Premises** Cervantes Waste Management Facility  
Crown Reserve 36638 Estella Place  
CERVANTES WA 6511

## Amendment

The Chief Executive Officer (CEO) of the Department of Environment Regulation has amended the above licence in accordance with section 59 of the *Environmental Protection Act 1986* as set out in this Amendment Notice.

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

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the works approval 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 for Category 63. No changes to the aspects of the original licence aside from the increase in production and design capacity for Category 63 activities have been requested by the Licence Holder.

The following DER 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* (October 2015)
- *Guidance Statement: Licence Duration* (November 2015)
- *Guidance Statement: Decision Making* (November 2016)
- *Guidance Statement: Risk Assessment* (November 2016)

## Amendment Description

This Amendment Notice is as a result of a written request from the Shire of Dandaragan for the inclusion of:

1. Approval to increase the Category 63 production and design capacity from 500 tonnes per annual period to 5000 tonnes per annual period; onto the Licence L7003/1997/11.

The License Holder does not propose construction of any additional infrastructure. There is an existing area for the acceptance and burial of inert waste.

The proposed amendment of the Licence L7003/1997/11 is made by the Delegated Officer pursuant to section 59(1) (a) of the EP Act.

## Risk Assessment

Table 1 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. Both tables identify whether the emissions present a material risk to human health or the environment, requiring regulatory controls.

**Table 1 - Risk assessment for the proposed amendments under operation**

| Risk Event                                     |   |  |  |  | Consequence rating   | Likelihood rating | Risk     | Reasoning |   |
|--|---|--|--|--|--|-------------------|----------|-----------|---|
| Source/Activities                              | Potential Emissions                                       | Potential Receptors  | Potential Pathway  | Potential Adverse Impacts  |  |                   |          |           |   |
| <b>Category 63</b><br>– Class I Inert landfill | Acceptance and burial of inert waste to earthen bund area | <b>Dust:</b> associated with acceptance and disposal of inert waste  | <b>Residential sensitive receptors:</b> The closest sensitive residential receptor is approximately 410m south east of the Primary activity. | <b>Air/ Wind:</b> Dust generated by light and heavy vehicles at the Premises | Elevated particulates (PM <sub>10</sub> and PM <sub>2.5</sub> ) can impact health and amenity of sensitive receptors | Slight            | Unlikely | Low       | Fugitive dust emissions are not expected to significantly impact sensitive premises from additional light and heavy vehicle movement on site when vehicles drop off inert waste and it is buried on site. The nearest sensitive residential receptor approximately 410 m south east of the primary activity.<br><br>The Licence Holder currently has licence conditions 2.6.1 and 2.6.2 on the licence which regulates fugitive dust emissions and the Delegated Officer does not consider additional regulatory controls are required given the licence amendment application risk assessment. |
|  |   | <b>Noise:</b> associated with acceptance and disposal of inert waste | <b>Residential sensitive receptors:</b> The closest sensitive residential receptor is approximately 410m south east of the Primary activity. | <b>Air/ Wind:</b> Noise generated by light vehicles at the Premises          | Amenity to nearby noise sensitive receptors  | Slight            | Unlikely | Low       | Noise emissions are not expected to significantly impact sensitive premises from additional light and heavy vehicle movement on site when vehicles drop off inert waste. The nearest sensitive residential receptor approximately 410 m south east of the primary activity.<br><br>The Licence Holder has an ongoing requirement to comply  |

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|  |  |  |   |  |   |        |          |     |  |
|--|--|--|---|--|---|--------|----------|-----|--|
|  |  |  |   |  |   |        |          |     | with the Prescribed standard for noise emissions, as set out in the Environmental Protection (Noise) Regulation 1997.  |
|  |  | <b>Odour:</b> associated with acceptance and disposal of inert waste | <b>Residential sensitive receptors:</b><br>The closest sensitive residential receptor is approximately 410m south east of the Primary activity. | <b>Air/ Wind:</b><br>generated by acceptance and burial of inert waste at the Premises | Amenity to nearby sensitive receptors   | Slight | Rare     | Low | <p>Odour emissions are not expected to significantly impact sensitive premises from additional drop off and burial of inert waste on site. The nearest sensitive residential receptor approximately 410 m south east of the primary activity. Inert waste by its very nature does not produce odour.</p> <p>The Licence Holder currently has licence condition 2.7.1 on the licence which regulates odour emissions and the Delegated Officer does not consider additional regulatory controls are required given the licence amendment application risk assessment.</p>   |
|  |  | <b>Leachate:</b><br>infiltration from the burial of inert waste      | <b>Groundwater</b><br><br><b>Local soils within the Premises</b>  | <b>Land and groundwater</b><br>– direct infiltration into soil and groundwater.        | <p>Alteration to soil and /or vegetation.</p> <p>Alteration to groundwater that has the potential to disrupt ecological processes of groundwater with excess metals, heavy metals and nutrients</p> | Slight | Unlikely | Low | <p>Groundwater beneath the general area is "contained in an unconfined aquifer system in the superficial formations, and an unconfined to confined aquifer system in the Mesozoic formations" (<i>Rivers and Water Commission, 1997</i>). The existing water scheme supplying Cervantes town site comes from the shallow aquifer, via a series of shallow bores located 4km east of the town. The Cervantes drinking water reserve, water source protection area (WSPA) P1 area for the town site is located 1.2km east of the premises. The depth to groundwater in the general Cervantes area is considered to be shallow (3-8m) and therefore</p> |

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|--|--|--|--|--|--|--|--|--|---|
|  |  |  |  |  |  |  |  |  | <p>the Tamala Limestone formation is vulnerable to contamination (<i>Water and Rivers Commission, 1999</i>). Depth to groundwater at the premises is estimated to be 6m below ground level.</p> <p>Leachate emissions such as metals, heavy metals and nutrients should not occur at the Cervantes Waste Management Facility (WMF) as inert waste is defined as non-hazardous, non-biodegradable (half-life greater than 2 years) wastes and all inert waste that is accepted at the premises must contain contaminant concentrations less than Class I landfill criteria. Class I concentration criteria waste have very low impacts to the environment.</p> <p>Seepage of metals, heavy metals and nutrients into the environment is therefore limited due to the inert nature of material that is accepted for burial.</p> |
|--|--|--|--|--|--|--|--|--|---|

## Decision

The Delegated Officer has determined that an amendment be made to the Licence conditions to allow the increase in production and design capacity for the Category 63 activity from 500 tonnes per annual period to 5000 tonnes per annual period. This is to allow for the expected increase in inert waste delivered to the premises for burial due to recent increase in construction and building activities in Cervantes. The inert material will comprise construction and demolition material.

The amendment notice incorporates amending the Prescribed premises category table on the licence cover page for Category 63 activities and amending licence condition 1.3.1 Table 1.3.1 from 500 tonnes to 5000 tonnes as per the amendment request. No other changes are required on the licence.

The Delegated Officer considers the amended condition as appropriate and in line with other premises as assessed across the State, and in accordance with DER's regulatory approach.

The Delegated Officer has considered DER's *Guidance Statement: Regulatory Principles*, *Guidance Statement: Setting Conditions* and *Guidance Statement: Risk Assessment* in granting this amendment, and does not consider that this amendment will impact the risk profile of the premises, which is currently considered as Low.

## Amendment History

| Instrument    | Issued     | Amendment  |
|---------------|------------|--|
| L7003/1997/11 | 29/4/2016  | Licence amendment for the extension of the Licence duration to 6 July 2033.                    |
| L7003/1997/11 | 12/04/2017 | Licence amendment for the increase in production and design capacity for Category 63 activity. |

## Licence Holder's Comments

The Licence Holder was provided with the draft Amendment Notice on 3 March 2017. No comments were received from the Licence Holder so in accordance with section 59B(5)(b) of the EP Act, the Delegated Officer has amended the Licence.

## Amendment

1. The Licence approved premises production or design capacity table is amended by the change in tonnes per annual period as shown by the red text shown in underline below:

**Prescribed premises category**

Schedule 1 of the Environmental Protection Regulations 1987

| Category number | Category description   | Category production or design capacity | Approved premises production or design capacity |
|-----------------|--|--|---|
| 62              | Solid waste depot – premises on which waste is stored or sorted pending final disposal or re-use   | 500 tonnes or more per year            | 5 000 tonnes per annual period                  |
| 63              | Class I inert landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the CEO and as amended from time to time) is accepted for burial. | 500 tonnes or more per year            | <u>5000</u> tonnes per annual period            |

2. Condition 1.3.1 is amended by the change in Quantity limit in Table 1.3.1 as shown by the red text shown in underline below:

1.3.1 The Licensee shall only accept waste on to the Premises if:

- it is of a type listed in Table 1.3.1; and
- the quantity accepted is below any quantity limit listed in Table 1.3.1; and
- it meets any specification listed in Table 1.3.1.

| Waste type           | Quantity limit   | Specification <sup>1</sup>   |
|----------------------|--|--|
| Clean Fill           | Combined total of <u>5000</u> tonnes per annual period | None specified.  |
| Inert Waste Type 1   |  | <ul style="list-style-type: none"> <li>Asbestos and asbestos cement products or asbestos containing material (ACM) as defined by the Landfill Definitions; and</li> <li>All asbestos received must comply with the 'Asbestos Management Plan' for the premises.</li> </ul> |
| Special Waste Type 1 |  |  |
| Inert Waste Type 2   | Combined total of 5000 t/annual period                 | Tyres and plastic only.  |
| Putrescible waste    |  | None specified.  |

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the Environmental Protection (Controlled Waste) Regulations 2004.

## Appendix 1: Key Documents

|   | Document Title  | In text ref   | Availability  |
|---|---|---------------|---|
| 1 | Licence L7003/1997/11 – Cervantes Waste Management Facility   | L7003/1997/11 | accessed at <a href="http://www.der.wa.gov.au">http://www.der.wa.gov.au</a> |
| 2 | DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth. | DER 2015a     | accessed at <a href="http://www.der.wa.gov.au">http://www.der.wa.gov.au</a> |
| 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     |   |