



## Application to renew a licence

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

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<b>Licence Number</b>	L6845/1997/12
<b>Licence Holder</b>	Shire of Chittering
<b>File Number</b>	2011/002023-1~2
<b>Premises</b>	Muchea Landfill and Recycling Centre 536 Wandena Road Lower Chittering WA 6084  Legal description Lot 300 on Plan 71254  As defined by the Premises map attached to the issued licence
<b>Date of Report</b>	08/05/2024
<b>Decision</b>	To grant a licence

Neville Welsh  
SENIOR INDUSTRY REGULATION OFFICER  
REGULATORY SERVICES  
Officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

## 1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L6845/1997/12 without conducting any additional risk assessment.

The licence can be issued for 20 years, which is 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;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- correct clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L6845/1997/12, subject to conditions set out in the attached licence.

## 2. Scope of assessment

### 2.1 Application summary

On 8/2/2024 the Shire of Chittering (licence holder) applied to renew licence L6845/1997/11, as the licence is due to expire on 8/5/2024. The licence was granted to the licence holder for the premises known as the Muchea Landfill and Recycling Centre located at 536 Wandena Road, Lower Chittering, being Lot 300 on Plan 71254 (Premises).

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> )	Production / design capacity
Category 62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	2 000 tonnes per annual period
Category 64: Class II putrescible 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.	5 000 tonnes per annual period

The main activities occurring on the Premises include receiving waste for burial, recycling, disposal and allow for the container deposit scheme (CDS) to operate at the Premises.

## 3. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position* October 2022.

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

## 4. Considerations for issuing a new licence

### 4.1 Compliance and enforcement actions

There have been no incidents or complaints identified at the Premises by the department in the last five years. There have been no enforcement actions taken against the occupier in the last 5 years regarding the licence.

### 4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

### 4.3 Categories of the licence

The requested categories and the corresponding maximum production capacities for the renewal of the licence are consistent with the categories for which the licence holder currently holds a licence and, which was previously assessed.

### 4.4 Previous relevant decision reports

As the renewal of this licence is deemed an administrative licence renewal and there is no additional risk assessment conducted, the delegated officer likes to note that for the purpose of transparency and ease of access the previous relevant decision reports shown in Table 2 will be viewable when published.

**Table 2: Previous relevant decision reports**

Description of decision report	Grant Date	Document number
The amendments relate to new waste acceptance and processing to allow for the container deposit scheme (CDS) to operate at the Premises.	2/9/2020	A1936650
Licence renewal	14/04/2011	A1066612

### 4.5 Planning approval

The licence holder has informed the department that planning approval for the activities on the Premises is not applicable because the legal entity is exempt under the planning statute.

## 5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Table 3 summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

**Table 3: Licence conditions changes, description and rationale**

Current condition / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
12	Improvement condition references IR1 and IR2	N/A	Removed conditions referencing improvements. Requested documents received by the Department on 7/06/2017.

Current condition / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
13	Information quality and retention	12	Direct replacement
14 and 15	Annual Audit Compliance Report and Complaints recording	13 and 14	Updated to be consistent with current DWER licence template
16	Annual Report and data required to be submitted.	N/A	Removed Annual Report requirement as per Notice of Amendment for Licence Reporting Requirements Section 59(2), Section 59(1)(A) And 59(1)(B) Environmental Protection Act 1986 Licensed Prescribed Premises last updated 24 July 2023.
17	Notification requirement when limits exceeded.	N/A	removed as this condition is no longer relevant.
Forms	Notification form.	N/A	Removed Notification Form N1, to be consistent with current licence format.
Schedule 1	Premises Map, Site layout and Infrastructure	Schedule 1	Updated the following: <ul style="list-style-type: none"> <li>• Premises Map,</li> <li>• Site layout location, and,</li> <li>• Location of Container Deposit Scheme sorting shed.</li> </ul>

## 6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 4.

**Table 4: Consultation**

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 26 April 2024 with submissions closing on 6 May 2024.	No public submissions were received.	N/A
Draft Licence and decision report provided to licence holder on 24 April 2024 to seek comments on the draft documents.	Email received 30/04/2024 citing no comment.	N/A