



Application to renew a licence

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

Licence Number	L7058/1997/13
Licence Holder	Shire of East Pilbara
File Number	DER2013/000842-1
Premises	Marble Bar Refuse Site Crown Reserve 2906 within coordinates: N 7658539, E 783991, N 7658513, E 784155 N 7658385, E 784141, N 7658380, E 784082; N 7658446, E 783958 MARBLE BAR WA 6760
Date of Report	21/11/2024
Decision	Revised licence granted

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

1. Decision summary

Under the regulatory framework the delegated officer decided to process the application to renew licence L7058/1997/13 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;
- incorporate licence amendment/s issued prior to the replacement licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- 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 new licence.

As a result of the above, the delegated officer decided to grant Licence L7058/1997/13, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 18 June 2024 the Shire of East Pilbara applied to renew licence L7058/1997/13, as the licence is due to expire on 24 November 2024. The licence was granted to the licence holder for the premises located at Crown Reserve 2906 Marble Bar (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>)	Assessed production / design capacity
Category 64: Class II or III 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

3. Consultation

The licence holder was provided with the draft renewed licence on 16 October 2024. On 29 October 2024 the licence holder waived the comment period.

4. Summary of amendments

Table 2 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 2: Summary of licence amendments

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Expiry Date: 23 November 2024	Expiry Date: 23 November 2044	As per licence renewal.
N/A	Prescribed Premises Category table	N/A	Revised to current licensing format. Design/production trigger removed.
N/A	Introduction	N/A	Deleted. This guidance is available in the department's Guideline: Industry Regulation Guide to Licensing (June 2019). Premises description and licence summary are no longer contained within the licence.
N/A	Instrument log	Licence history	The instrument log is expanded and updated to the current licensing format and new revision.
N/A	Severance	N/A	Deleted. This guidance is available in the department's Guideline: Industry Regulation Guide to Licensing (June 2019).
1.1.1 1.1.2	Interpretation and definitions	N/A Interpretation section, Definitions and Table 6	Redundant condition. Revised to current licensing format.
1.1.3	Australian or other standard	N/A Interpretation section, Definitions and Table 6	Redundant condition. Revised to current licensing format.
1.1.4	Reference to code of practice	N/A Interpretation section, Definitions and Table 6	Redundant condition. Revised to current licensing format.
1.2.1	Emissions	N/A	Redundant condition. Revised to current licensing format.
1.2.2	Pollution control and monitoring equipment	N/A	Redundant condition. Adequately covered by alternative existing conditions. Deleted from licence.
1.2.3	Storage of environmentally hazardous materials	N/A	Redundant condition. Adequately regulated by the Dangerous Goods Safety Act 2004. Deleted from licence.
1.2.4	Recovery and removal of spills	N/A	Redundant condition. Adequately covered by <i>EP (Unauthorised Discharges) Regulations 2004</i> . Deleted from licence.
1.2.5	Prevention of contamination and containment of contaminated stormwater	N/A	Redundant condition. Adequately covered by alternative existing conditions and proposed new conditions. Deleted from licence.

Existing condition	Condition summary	Revised licence condition	Conversion notes
1.3.1 Table 1.3.1	Waste acceptance	Condition 1 Table 1	Revised to current licensing format and new numbering.
1.3.2	Waste non-acceptance	Condition 2	Revised to current licensing format and new numbering.
1.3.3	Burning of waste	Table 2	Redundant, duplicate condition. Requirements covered in table 2 and Condition 11.
1.3.4 Table 1.3.2	Waste Processing	Condition 3 Table 2	Revised to current licensing format and new numbering.
1.3.5	Landfilling activities	Condition 4	Revised to current licensing format and new numbering.
1.3.6 Table 1.3.3	Cover requirements	Condition 5 Table 3	Revised to current licensing format and new numbering. Updated to reflect the <i>Environmental Protection (Rural Landfill) Regulations 2002</i> .
1.3.7	Security	Condition 6	Revised to current licensing format and new numbering.
1.3.8	Wind-blown waste	Condition 7	Revised to current licensing format and new numbering.
N/A	Contaminated stormwater prevention	Condition 8	Added standard condition as per current licensing format
N/A	Control of pests and vermin	Condition 9	Added standard condition as per current licensing format
1.3.9	Signage	Condition 10	Revised to current licensing format.
1.3.10	Unauthorised fire	Condition 11	Revised to current licensing format. Updated to reflect the <i>Environmental Protection (Rural Landfill) Regulations 2002</i> .
1.3.11	Unauthorised fire notification	Condition 12	Revised to current licensing format.
2.1.1	Record and investigate exceedances of limits or targets	N/A	Redundant condition. Deleted from licence.
2.2, 2.3, 2.4 and 2.5	Point source emissions to air, surface water, groundwater and land	N/A	Redundant conditions referring to lack of specified requirements for these emissions
2.6.1	Dust emissions	N/A	Redundant condition. Adequately covered by s.49 of the EP Act 1986 and proposed new conditions. Deleted from licence.
2.6.2	Dust emissions	N/A	Redundant condition. Deleted from licence.

Existing condition	Condition summary	Revised licence condition	Conversion notes
2.7	Odour	N/A	Redundant condition. Deleted from licence.
2.8	Noise	N/A	Redundant condition. Deleted from licence.
3.1.1	Sampling methodology	Condition 13	Revised to current licensing format and new numbering.
3.1.2	Monitoring intervals	Condition 14	Revised to current licensing format and new numbering.
3.1.3 Table 3.6.1	Monitoring of inputs and outputs	Condition 15 Table 4	Revised to current licensing format and new numbering.
3.1.4 Table 3.8.1	Monitoring of ambient groundwater quality	Condition 16 Table 5	Revised to current licensing format and new numbering.
3.7	Process monitoring	N/A	Redundant conditions referring to lack of specified requirements for process monitoring
3.8	Ambient environmental quality monitoring	N/A	Redundant conditions referring to lack of specified requirements for ambient environmental quality monitoring
3.9	Meteorological monitoring	N/A	Redundant conditions referring to lack of specified requirements for meteorological monitoring
4.1.1 4.1.2 Table 4.1.1	Improvement program: Management Plan submission	Condition 17	Condition outdated as the Management Plan was submitted March 2014. Condition updated to require submission of new Site Management and Rehabilitation Plan.
5.1.1	Records requirements	Condition 19, 20	New numbering and update to wording format
5.1.2	Onsite personnel access to licence	N/A	Redundant condition
5.1.3	Annual Audit Compliance Report	Condition 21	Revised wording to current licensing format.
5.1.4	Complaints	Condition 18	Revised wording to current licensing format.
5.2.1	Environmental Report	Condition 22 Table 6	Revised to current licensing format.
N/A	Definitions	Table 7	Text amended to 'in this licence, the terms in Table 2 have the meanings defined' as per revised licensing format and wording.

Existing condition	Condition summary	Revised licence condition	Conversion notes
			<p>Definitions updated: 'acceptance criteria', 'clean fill', 'DWER', 'Green waste', 'Landfill Waste Classification and Waste Definitions 1996', and 'type 1 inert waste'.</p> <p>Definitions added: 'licence', 'licence holder', 'premises', 'prescribed premises', 'waste'.</p> <p>Definitions added / updated as per Notice of Amendment of Licence Reporting Requirements effective 16 May 2022, in accordance with sections 59(2), 59(1)(a) and 59(1)(b) of the Environmental Protection Act 1986: 'approved form', 'biennially' and 'CEO'.</p> <p>Definitions removed: 'the Act', 'Code of practice for the storage and handling of dangerous goods', 'Dangerous goods', 'Environmentally hazardous material', 'fugitive emissions'.</p>
Schedule 1: Maps	Premises map	Schedule 1: Maps Figure 1	Enlarged with new naming convention. Map replaced to correctly reflect the location of Monitoring Bore 2. Confirmed through file review and consultation with the licence holder.
Schedule 2 Reporting & notifications	Annual Audit Compliance Report Form N1 Notification	N/A	Redundant attachment. Deleted from licence Forms accessed at www.dwer.wa.gov.au
Decision Document	Decision report	N/A	Removed from licence. Decision report is a separate document to the licence. Decision report relevant to this licence is accessible on the department website.