



## Application for Licence

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

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<b>Licence Number</b>	L7287/1998/13
<b>Licence Holder</b>	Shire of Moora
<b>File Number</b>	DER2014/001479-1
<b>Premises</b>	Watheroo Rubbish Tip Railway Road WATHEROO WA 6513  Legal description Reserve 25582 Lot 12133 on Plan 1930083 As defined by the coordinates in Schedule 2 of the licence.
<b>Date of Report</b>	20/02/2025
<b>Decision</b>	Licence granted

**Adam Green**  
**A/MANAGER – WASTE INDUSTRIES**

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 L7287/1998/12 without conducting an additional environmental risk assessment.

The licence will be issued for 20 years, 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 notice of amendment issued on 22 May 2022 by amendment the reporting requirements for this 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 to the new licence conditions.

As a result of the above, the Delegated Officer granted Licence L7287/1997/13 subject to conditions set out in the licence.

## 2. Scope of assessment

### 2.1 Application summary

On 5 July the Shire of Moora (licence holder), applied to renew licence (L7287/1998/12), as the licence is due to expire on 23 February 2025. The licence was granted to the licence holder for the premises located at Lot 12133 on Plan 193083, Railway Road, Watheroo known as the Watheroo Rubbish Tip.

The licence relates to prescribed premises categories as described in Table 1.

**Table 1: Premises category description and production design capacity**

<b>Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)</b>	<b>Production / design capacity</b>
Category 64: Class II putrescible landfill site: premise 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 Chief Executive Officer" and as amended from time to time) is accepted for burial.	600 tonnes per annual period

The Shire of Moora operates the Watheroo Rubbish Tip, which is located approximately 3 km north of the Watheroo townsite. The facility services approximately 300 residents.

The landfill has been operational for more than 20 years and is surrounded by farmland. The nearest residence is approximately 2 km from the Premises boundary. The premises covers an area of less than 3 ha. Onsite soils are sandy with depth to groundwater approximately 14 metres below ground level. There are no surface waters or wetlands in the area.

Infrastructure including fencing, litter screens and signage was upgraded in June 2013. The site is fenced with 1.8 m chain link fencing with litter screen fencing around the tipping area. The

premises is currently unmanned with limited access restriction. The waste disposal areas of the premises consist of a putrescible cell, a green-waste stockpile, an inert whitegoods/metals stockpile and a small oil collection area.

The Shire of Moora has advised they have installed lockable gates with community-available keys or access codes to limit access from non-Shire residents. The facility receives approximately 300 -500 tonnes per annual period of waste deposited by the farming community. It does not receive waste from municipal collection.

### **3. Regulatory framework**

The Delegated Officer has not reviewed nor completed an environmental 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 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 over seven years. There has been no enforcement action taken against the occupier.

#### **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.

#### **4.4 Planning approval**

The licence holder is not required to seek planning approval for the activities on the Premises as the licence holder is the primary decision maker for planning approvals in this locality.

### **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 a licence. Most licenses are issued with conditions as per *Guidance Statement – Setting Conditions* (19 May 2023) to prevent, control, abate or mitigate pollution or environmental harm resulting from emissions and/or discharges from this premises.

Table 2 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 2: Licence conditions changes, description and rationale**

<b>Current condition / table</b>	<b>Describe</b>	<b>New condition / table (if relevant)</b>	<b>Description and rationale</b>
1.1.1 to 1.2.5	Interpretation and General conditions	Nil	These conditions are redundant and covered by the general provisions of the EP Act and Regulations and therefore removed from the licence
1.3.1	Premise Operation	1	Duplicate condition, renumbered and administrative changes to meet latest licence format.
1.3.2	Waste Acceptance	2	Renumbered condition with administrative change to remove the requirement to contact the Director and replaced with quarantined storage then removal to authorised facility when practice.
1.3.3	Waste processing	3	Renumbered with administrative changes. Table 2 with limits remaining unchanged.
1.3.4	Landfill Cover Material	4	Renumbered and administrative changes to Table 3 with material and timescales remaining unchanged.
1.3.5 to 1.3.11	Premise Operations	5 to 11	Renumbered with administrative changes only.
2.1 to 2.6.1	General emissions to land and fugitive emissions	Nil	Redundant and conditions removed from new format licence.
2.6.2	Visible dust	12	Renumbered with administrative changes
2.7.1	Odour	Nil	Condition redundant and covered by the general provisions of the EP Act and Regulations
Section 3.1 to 3.5	Monitoring	Nil	No conditions included in new licence
3.6.1	Monitoring of inputs and outputs	13	Renumbered with administrative changes
3.7 to 4	Monitoring and Improvements	Nil	No conditions included in new licence
5.1.1	Records	15 & 16	Renumber with new condition that meets new licence format
5.1.2	Licence holder Representative	Nil	Condition is redundant and has been removed
5.1.3	AACR	18	Renumbered with new condition to meets new licence format and report due date of 1 March annually.
5.1.4	Complaints	17	Renumbered with new condition to meets new licence format
5.1.5	Asbestos Register	14	Renumbered with administrative changes.
5.2.1	Annual Environmental Report	Nil	Removed condition because report is no longer required (Notice of Amendment dated 16 May 2022 reporting requirements).

Current condition / table	Describe	New condition / table (if relevant)	Description and rationale
5.3.1	Notifications	19	Administrative changes and deleted requirement to use N1 form. Included in Table 5 the requirement to annually notify volume of quarantine wastes, stormwater controls, windblown wastes, pest and vermin controls plus dust suppression as deleted from 5.2.1 AER condition. Information once prepared will not be submitted but will remain available to the Department upon request.
Definitions	Definitions	Table	Definitions relocated at end of licence conditions in Table 6.  Removed definitions for “buffer”, “code of practices”, “contaminated solid waste”, “controlled waste”, “dangerous goods”, “designated burning area”, “environmentally hazardous materials”, “fugitive emissions”, “rehabilitation”, Schedule 1” and “Schedule 2” as they are redundant and / or covered in the general provisions of the EP Act 1986.  Inserted definitions for “annual period”, “books”, “CEO”, “DWER” and “waste”.
Schedule 1	Premises boundary	Schedule 1	Replaced Schedule 1 Premises Map with more updated plan.
Schedule 2 – N1 Forms	Premises coordinates	New table of boundary coordinates	Removed Notification Form N1, to be consistent with current licence format. Included a table of premises coordinates.

## 6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 3.

**Table 3: Consultation**

Consultation method	Comments received	Delegated Officer’s response
The Licence Renewal Application was advertised on the department’s website on 30 September 2024	Submissions closed on 22 October 2024. No submission received by 22 October 2024.	N/A
Applicant was provided with draft documents on 29 October 2024	Licence holder replied on 7 November 2024 with no comment and waiving the remaining consultation period.	N/A