



Application for Licence Amendment

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

Licence Number	L7288/1998/11
Licence Holder	Shire of Moora
File Number	2012/007820-1~1
Premises	Moora Townsite Rubbish Tip Airstrip Road, Moora WA 6510 Legal description – Lot 3996 on Plan 181345 and Lot 1 on Diagram 42691 as depicted in Schedule 1
Date of Report	21 September 2020
Proposed Decision	Revised licence granted

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INDUSTRY REGULATION

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary	1
3. Risk assessment	1
3.1 Source-pathways and receptors	2
3.1.1 Emissions and controls	2
3.1.2 Receptors	3
3.2 Risk ratings	3
4. Consultation	5
5. Conclusion	5
5.1 Summary of amendments and updates	5
Appendix 1: Application validation summary	8

1. Decision summary

Licence L7288/1998/11 is held by the Shire of Moora (Licence Holder) for the Moora Townsite Rubbish Tip (the Premises), located at Lot 3996 on Plan 181345 and Lot 1 on Diagram 42691, Moora.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises.

As a result of this assessment, Revised Licence L7288/1998/11 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary

On 30 July 2020 the Licence Holder applied to the department to amend Licence L7288/14998/11/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The amendments being sought relate to the addition of Category 62 to allow for the container deposit scheme (CDS) to operate at the Premises.

In accordance with section 53 of the EP Act, alterations to a prescribed premises must be done so in accordance with a works approval, licence, closure notice or environmental protection notice (or amendments thereof). In accordance with DWER's *Industry Regulation Guide to Licensing* (June 2019), the Delegated Officer has determined that alterations to the premises to include CDS operations are appropriately facilitated via a licence amendment (which is the subject of this amendment report).

Table 1 below outlines the proposed changes to the existing Licence.

Table 1: Proposed throughput capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
64	5,000 tonnes per year	5,000 tonnes per year	No change
62	Not currently on licence	500 tonnes per year	Addition of category 62 at 500 tonnes per year

As part of this amendment package the department has updated the format and condition wording of the licence, in particular improving the descriptions of the waste types which can be accepted at the Premises. The obligations of the Licence Holder have not changed in updating the licence. The department has not undertaken any additional risk assessment of the Premises related to previously approved activities.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guidance Statement: Risk Assessments* (DER 2017).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway(s) during premises operation which have been considered in this Amendment Report are detailed in Table 2 below. Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary as well as the current operational controls at the premises.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways/impact	Proposed controls
Dust	Vehicle movements	Air/windborne pathway causing impacts to health and amenity	Speeds limited at the site as per current arrangements (<8 km/hr). watering down of trafficked areas
Noise	Unloading, loading and storage of waste	Air/windborne pathway causing impacts to health and amenity	Speeds limited at the site as per current arrangements (<8 km/hr). Comply with <i>Environmental Protection (Noise) Regulations 1997</i> – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.
Residual liquids, contaminated stormwater.	Unloading, loading and storage of waste	Overland runoff and infiltration potentially causing soil and groundwater contamination	Dedicated CDS material collection facility. Concrete Hardstand with gradient towards stormwater sump. Residual liquids are manually deposited into the existing leachate storage. Stormwater will be collected and directed away from waste storage areas. Rainwater collected from shed roof and stored in rainwater tanks for firefighting purposes.
Smoke	Upset conditions (Fire)	Air/windborne pathway causing impacts to health and amenity	Fire extinguishers located within the CDS shed, and hydrants on the premises. Premises is secured when unattended. No burning of waste (except greenwaste) is permitted at the Premises. Greenwaste burning is conditioned on the licence in condition 6 (previously condition 1.3.3).
Fire wash waters	Firefighting activities	Overland runoff and infiltration potentially causing soil and water contamination	Current licence conditions specify that no burning of non-green waste may occur, and that procedures must be in place to ensure any unauthorized fire is promptly extinguished. No specific controls for containment of fire wash

Emission	Sources	Potential pathways/impact	Proposed controls
			waters.

3.1.2 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guidance Statement: Environmental Siting* (DER 2016)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	Approximately 1100 m north of the premises boundary.
Moora Golf Club	Approximately 250 m east of the premises boundary.
Environmental receptors	Distance from prescribed activity
RiWI 1914 GW Areas- Gingin Groundwater Area	Within Prescribed Premises Boundary
Priority Ecological Community Buffer (Eucalypt Woodlands of Wheatbelt)	Approximately 1500 m east of the premises boundary.
Unidentified Surfacewater Body	Approximately 250 m north of the premises boundary.

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L7288/1998/11 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. increased throughput and container deposit scheme activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the Premises during operation.

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/ Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Vehicle movements on gravel road unloading, loading, sorting and storage of CDS waste.	Noise	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 1100 m north	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 12 and 13	N/A
	Dust		Moora Golf Club approximately 250 m east	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 13 and 14	N/A
unloading, loading, sorting and storage of CDS waste.	Odour	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 1100 m north Moora Golf Club approximately 250 m east	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Condition 1 CDS infrastructure	N/A
	Liquid waste residues and contaminated stormwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Unidentified Surfacewater Body approximately 230 m north	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 3 and 4	N/A
Upset conditions (Fire)	Smoke	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 1100 m north Moora Golf Club approximately 250 m east	Refer to Section 3.1	C= Minor L = Unlikely Medium Risk	Y	Conditions 10 and 11	N/A
	Firefighting washwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Unidentified Surfacewater Body approximately 230 m north	Refer to Section 3.1	C= Minor L = Unlikely Medium Risk	N	Condition 17 (a) (b) (c) (d)	The Licence Holder has not specified how firefighting washwater would be managed to prevent discharge to the environment. Condition 17 specifies actions to be taken.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

Licence: L7288/1998/11

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4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Licence Holder provided draft documents 7 September 2020	No comments, remainder of comment period waived on 16 September 2020	N/A

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments and updates

Table 6 provides a summary of the proposed amendments as well as formatting changes.

Table 6: Updated licence conditions in this amendment

Existing condition	Summary	Revised licence condition	Conversion notes
N/A	Explanatory Notes	N/A	Removed in line with current licensing format.
1.1	Interpretations	N/A	Moved to end of licence in line with current licensing format. New definitions added as required.
1.2.1	Authorised emissions	N/A	Removed in line with current licensing format.
1.2.2	Maintenance of air pollution and monitoring equipment	N/A	Removed as no conditions regarding air pollution monitoring
1.2.3	Hazardous goods storage	2	Transferred to condition 2.
1.2.4	Spills to be recovered	3	Transferred to condition 3.
1.2.5	Contaminated stormwater run-off	5	Transferred to condition 5.
1.3.1	Waste acceptance	6	Transferred to condition 6. Waste types updated to more accurately reflect the waste types that are approved, and the new CDS waste.
1.3.2	Waste rejection	7	Transferred to condition 7, updated to latest wording and format.
1.3.3	Waste processing	8	Transferred to condition 8. Waste types updated to more accurately reflect the waste types that are approved, and the new CDS waste.
1.3.4	Cover requirements	9	Transferred to conditions 9

Existing condition	Summary	Revised licence condition	Conversion notes
1.3.5	greenwaste burning	10	Transferred to condition 10.
1.3.6	no unauthorised fires	11	Transferred to condition 11
1.3.7	unauthorised fire reporting	24	Transferred to notification section condition 24
1.3.8	Security measures	12	Transferred to condition 12.
1.3.9	windblown waste	13	Transferred to condition 13.
1.3.10	signage	15	Transferred to condition 15.
2.1.1	monitoring exceedances reporting	22(a)	Transferred to reporting conditions 22(a)
2.2 to 2.5	no specified emissions	N/A	Removed in line with current licensing format.
2.6.1, 2.6.2	dust	16	Transferred to condition 16
2.7	Odour	N/A	Removed as condition did not authorise or require anything
2.8	Noise	N/A	Removed as condition did not authorise or require anything
3.1.1	sampling requirements	18	Transferred to monitoring section condition 18.
3.1.2	monitoring frequency	19	Transferred to monitoring section condition 19.
3.1.3, 3.1.4	calibration of monitoring equipment	20	Transferred to monitoring conditions 20.
3.2 to 3.5	monitoring of specified emissions	N/A	Removed in line with current licensing format.
3.6.1	monitoring of inputs and outputs	18	Transferred to condition 18 added CDS waste
3.7	process monitoring	N/A	removed as no specific conditions
3.8.1	monitoring	19	Transferred to condition 19.
3.9	meteorological monitoring	N/A	removed as no specific conditions
4.1.1, 4.1.2	Improvements	N/A	removed as previously completed.
5.1.1 to 5.1.5	Records	21 to 24	Removed in line with current licensing format. Replaced with conditions 21 to 24 and merged with reporting conditions.
5.2.1, 5.2.2	Reporting	21 to 24	Removed in line with current licensing format. Replaced with conditions 21 to 24 and merged with recording conditions.
5.3.1	Notification	25	Removed in line with current licensing format. Replaced with condition 25.

Existing condition	Summary	Revised licence condition	Conversion notes
Schedule 2	Reporting Forms	N/A	Forms removed as no longer specified. These are available on DWER website.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY		
Application type		
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number: L7288/1998/11
Date application received	30/07/2020	
Applicant and Premises details		
Applicant name/s (full legal name/s)	Shire of Moora	
Premises name	Moora Rubbish Tip	
Premises location	Lot 1 Airstrip Road, Moora WA 6510 being Lot 3996 on Plan 181345 and Lot 1 on Diagram 42691	
Local Government Authority	Shire of Moora	
Application documents		
HPCM file reference number:	2012/007820-1~1	
Key application documents (additional to application form):	Single attachment to application email including: Application form, site map, receptors map, Certificate of Title. Email confirmation about site activities/infrastructure LO to LH (DWER Ref: A1920172)	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Licence amendment to include CDS aggregation point in Licence.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity
Category 62: Solid waste depot	Not currently licenced for a 62	No throughput provided. DWER has estimated 500 tpa.
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:

Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input checked="" type="checkbox"/>
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: Expiry date: If N/A explain why?
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No Licence/permit
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Regional office:
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u>)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Environmental Protection (Controlled Waste) Regulations 2004</i> <i>Environmental Protection (Noise) Regulations 1997</i> <i>Environmental Protection (Unauthorised Discharge) Regulations 2004.</i> <i>Planning and Development Act 2005 – Planning Approval.</i>

Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	