Amendment Report

Application for Licence Amendment

Part V Division 3 of the Environmental Protection Act 1986

Licence Number L8406/2009/2

Licence Holder Shire of Lake Grace

File Number DER2019/000044

Premises Newdegate Waste Management Facility

Whurr Road

Legal description -

Lot 1 on Deposited Plan 65474

Date of Report 13 September 2022

Decision Revised licence granted

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A/MANAGER - WASTE INDUSTRIES

REGULATORY SERVICES

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

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1. Decision summary

Licence L8406/2009/2 is held by the Shire of Lake Grace (Licence Holder) for the Newdegate Waste Management Facility (the Premises), located at Lot 1 on Deposited Plan 65474, Newdegate.

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 construction and operation of the Premises. As a result of this assessment, Revised Licence L8406/2009/2 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The Revised Licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

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 Amendment summary

The Newdegate Waste Management Facility (Newdegate WMF) is a Category 64 Class II putrescible landfill and a Category 62 solid waste depot operated by the Shire of Lake Grace (Licence Holder) under existing licence L8406/2009/2. The Newdegate WMF is located approximately 6km north east of the Newdegate town site and services the Newdegate community (population approximately 300).

Based on available departmental records, the Premises has been in operation since at least April 2000. The landfill is authorised to accept up to 200 tonnes per year of waste which is disposed of into unlined cells.

On 19 May 2022, the Licence Holder submitted an application to the department to amend Licence L8406/2009/2 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is being sought to increase the landfill area for the trenching of new landfill cells.

This amendment is limited only to changes to Category 64 activities from the Existing Licence. No changes to the aspects of the existing Licence relating to Category 62 have been requested by the Licence Holder.

Figure 1 below outlines the proposed new landfilling area.

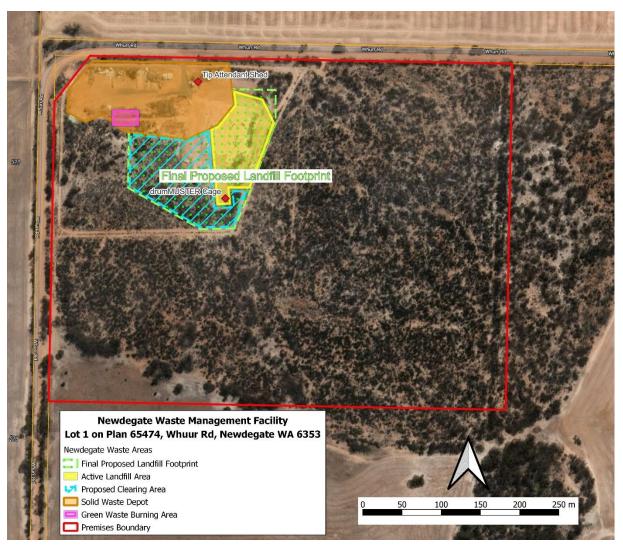


Figure 1: Proposed expanded landfill area

2.3 Amendment history

Table 1 provides the amendment history for L8406/2009/2. As part of this amendment package the department has also consolidated the licence by incorporating changes made under the Amendment Notices as summarised in Table 1.

Table 1: Licences consolidated in this amendment

Instrument	Issued	Summary of approval			
L8406/2009/1	4/3/2010	Licence granted			
L8406/2009/2	20/4/2016	Licence amended to:			
		Decrease the landfill waste cover requirements from daily to weekly: approval has been granted.			
		Remove the requirement to spread and compact the waste: approval has been granted.			
		 Include the existing category 62 solid waste depot activities on the Licence; 			
		Remove the requirement to sample groundwater monitoring			

Instrument	Issued	Summary of approval
		bore WRL5: approval granted based on the risk assessment and bore WRL5 no longer being accessible.
		Update the Premises map
L8406/2009/2	14/9/2018	Amendment Notice 1: Removal of groundwater monitoring requirements.
L8406/2009/2	16/5/2022	Notice of amendment and schedule of licences with amended reporting conditions (2022)
L8406/2009/2	13/9/2022	This amendment – licence amended to increase the proposed active landfilling area.

The obligations of the Licence Holder have not changed in consolidating the licence, outside of the scope of this amendment. The department has not undertaken any additional risk assessment of the Premises related to previous Amendment Notices.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- deleted the redundant AACR form set out in schedule 1 of the previous licence and advise the License Holder to obtain the form from the department's website;
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in Section 4.1. Previously issued Amendment Notices will remain on the department's website for future reference and will act as a record of the department's decision making.

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 *Guideline: Risk assessments* (DWER 2020).

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 during premises construction and 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.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Excavation works and vehicle movements associated with the construction of new unlined landfill cells. Disposal of waste, decomposition of wastes, tipping, application of landfill cover, vehicle movement. Storage of putrescible waste prior to infilling.	Air/windborne pathway	 Short construction time; Low amount of waste accepted; and Weekly cover of putrescible waste.
Noise	Excavation works and vehicle movements associated with the construction of new unlined landfill cells. Disposal of waste, decomposition of wastes, tipping, application of landfill cover, vehicle movement.	Air/windborne pathway	 Short construction time; and Low amount of waste accepted.
Odour	Disposal of waste, decomposition of wastes. Storage of putrescible waste prior to infilling.	Air/windborne pathway	 Low amount of waste accepted; and Weekly cover of putrescible waste.
Windblown wastes	Disposal of waste, tipping, application of landfill cover. Storage of putrescible waste prior to infilling.	Windborne pathway	 Low amount of waste accepted; and Weekly cover of putrescible waste.
Vermin / pests	Disposal of waste, decomposition of wastes. Storage of putrescible waste prior to infilling.	Direct contact	 Low amount of waste accepted; and Weekly cover of putrescible waste.

Emission	Sources	Potential pathways	Proposed controls
Contaminated stormwater	Disposal of waste, decomposition of wastes. Storage of putrescible waste prior to infilling.	Seepage to soils and groundwater Overland runoff	 Low amount of waste accepted; Capped trenches surface graded away from future landfill trenches; Drains created to direct stormwater from higher elevations around open landfill trenches; Collection drains at lower elevations from landfill areas to capture and hold for evaporation; and Weekly cover of putrescible waste.
Leachate	Disposal of waste, decomposition of wastes. Storage of putrescible waste prior to infilling.	Seepage to soils and groundwater	 Low amount of waste accepted; Capped trenches surface graded away from future landfill trenches; and Weekly cover of putrescible waste.

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), 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 (*Guideline: Environmental siting* (DWER 2020)).

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

Human receptors	Distance from prescribed activity
Homesteads	Approximately 1.6 km and 2.2 km north-west of premises boundary
Agricultural premises	Immediately adjacent surrounding the premises
Newdegate townsite	Approximately 4.6 km south-west of the premises
Environmental receptors	Distance from prescribed activity
Lake Stubbs and associated salt lake system	Approximately 1.2 to 2 km east and south-east of the premises boundary
Ephemeral creek / drainage lines	Approximately 300 m east and 500 m north-west of the premises boundary
Dams	Approximately 12 dams within a 2 km radius of the premises

Underlying groundwater (non-potable purposes)	Approximately 10 m below ground level
TECs/PECs – Eucalyptus woodlands of the Western Australian Wheatbelt	Within the premises boundary, immediately adjacent to the premises on the eastern and southern borders of the premises and 180 m to the north-east of the premises boundary.
Threatened Fauna –	Found within 5 km of the premises.
 Phascogale calura (red-tailed phascogale); Leipoa ocellata (malleefowl); and Thinornis rubricollis (Hooded plover). 	

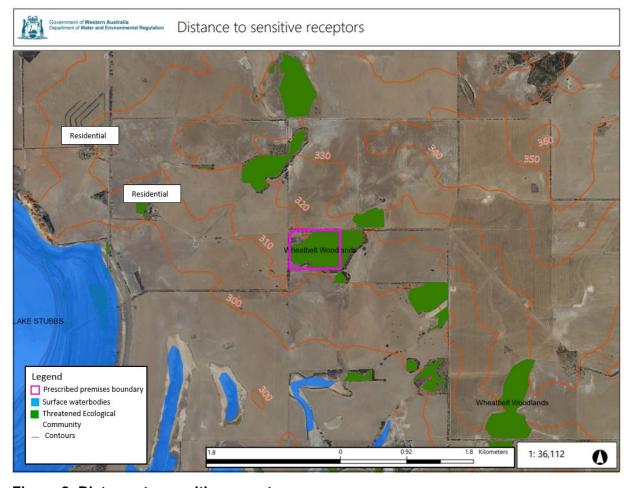


Figure 2: Distance to sensitive receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) 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 incomplete 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 L8406/2009/2 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises.

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 construction and operation

Risk Event	Risk Event							Justification for
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls	C = consequence L = likelihood	Holder's controls sufficient?	Conditions ² licence	additional regulatory controls
Construction	•							
	Dust		Human: • Agricultural premises immediately	Refer to Section 3.1	C = Slight L = Possible Low Risk	Y	Condition 3, 12, 13 & 16	N/A
Excavation works and vehicle movements associated with the construction of a new unlined landfill cell	Noise	Air/windborne pathway causing impacts to health and amenity	adjacent surrounding the premises Ecological: Threatened flora / fauna within premises and adjacent	Section	C = Slight L = Possible Low Risk	Y	Condition 3, 12, 13 & 16	N/A
Operation		•						
Disposal of waste, decomposition of wastes,	Dust		Human: • Agricultural premises immediately	Refer to Section 3.1	C = Slight L = Possible Low Risk	Y	Condition 1, 3, 4, 5, 6, 12, 13 & 16	N/A
tipping, application of landfill cover, vehicle movement	Noise	Air/windborne pathway causing impacts to health and amenity	adjacent surrounding the premises Residential	Refer to Section 3.1	C = Slight L = Possible Low Risk	Y	Condition 3, 12, 15 & 16	N/A
Storage of putrescible waste prior to infilling	Odour		premises 1.6 km and 2.2 km north- west Ecological:	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1, 3, 4, 5, 6, 9, 10, 12, 13 & 16	N/A

Risk Event	tisk Event							Justification for
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls	C = consequence L = likelihood	Holder's controls sufficient?	Conditions ² licence	additional regulatory controls
	Windblown wastes		Threatened flora / fauna within premises and immediately adjacent	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Υ	Condition 3, 4, 5, 7, 12, 13 & 16	N/A
	Vermin / pests	Direct contact causing impacts to health and amenity	Agricultural premises immediately adjacent surrounding the premises Residential premises 1.6 km and 2.2 km northwest Ecological:	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	Y	Condition 1, 3, 4, 5, 6, 7, 9, 12, 13 & 16	N/A

Risk Event	Risk Event							Justification for
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls	C = consequence L = likelihood	Holder's controls sufficient?	Conditions ² licence	additional regulatory controls
	Contaminated stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Agricultural premises immediately adjacent surrounding the premises Residential premises 1.6 km and 2.2 km northwest Ecological: Dams surrounding premises Threatened flora / fauna within premises and immediately adjacent Underlying groundwater Lake Stubbs and associated salt lake system 1.2 km to 2 km east and south-east Ephemeral creek / drainage lines 300 m east and 500 m north-west	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1, 2, 3, 4, 5, 6, 12, 13 & 16	N/A

Risk Event			Risk rating ¹	Licence		Justification for	
Source/Activities Poter emiss	nathways and	Receptors	Licence Holder's controls	C = consequence L = likelihood	Holder's controls sufficient?	Conditions ² licence	additional regulatory controls
Leachat	Seepage into underlying soils causing localised contamination Infiltration into groundwater potentially causing ecosystem disturbance or impacting groundwater quality	Ecological: Underlying groundwater Lake Stubbs and associated salt lake system 1.2 km to 2 km east and south-east	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	Y	Condition 1, 2, 3, 4, 5, 6, 12, 13 & 16	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the Guideline: Risk assessments (DWER 2020).

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

4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted subject to the conditions stipulated within L8406/2009/2 and the approval of clearing permit application CPS 9779/1. Note that Revised Licence L8406/2009/2 does not authorise clearing on the Premises and a separate clearing permit (CPS 9779/1) must be granted before any clearing of native vegetation and subsequent construction of new landfill cells within the expanded active landfilling area can occur.

4.1 Summary of amendments

Table 5: Summary of licence amendments provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Licence as part of the amendment process.

Table 5: Summary of licence amendments

Condition no.	Proposed amendments
Condition 3 Table 2	Added condition that stormwater must be diverted away from the active landfill area.
Condition 6	Added the requirement to display a sign at the entrance to the premises clearing stating 'no asbestos'.
Condition 9 Table 4	Added monitoring of inert waste type 2 inputs.
Figure 1	Updated the active landfilling area.

Table 6: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes	
1.1.1 1.1.2	Interpretation and definitions	N/A Interpretation section and Definitions	Redundant condition. Revised to current licensing format.	
1.1.3	Australian or other standard	N/A Interpretation section and Definitions	Redundant condition. Revised to current licensing format.	
1.2.1	Investigated exceedances	N/A Condition 13	Redundant condition. Adequately covered by alternative existing conditions. Deleted from licence.	
1.2.2 Table 1.2.1	Waste acceptance table	Condition 1	Revised to current licensing format. Licensee changed to Licence Holder.	
1.2.3	Waste acceptance removal	Condition 2	Wording revised to current licensing format. Licensee changed to Licence Holder.	
1.2.4 Table 1.2.2	Waste processing	Condition 3 Table 2	Revised to current licensing format. Licensee changed to licence holder. Duplicated inert waste type 2 condition removed.	

Existing condition	Condition summary	Revised licence condition	Conversion notes	
1.2.5 Table 1.2.3	Cover requirements	Condition 4 Table 3	Revised to current licensing format. Removed typographical error. Licensee changed to licence holder.	
1.2.6	Active trenches	Condition 5	Licensee changed to licence holder.	
1.2.7	Final landform	Condition 6	Licensee changed to licence holder.	
1.2.8	Site security	Condition 7	Licensee changed to licence holder.	
1.2.9	Prevention of pests	Condition 9	Licensee changed to licence holder.	
1.2.10	Burning of waste	Condition 10	Changed to no burning of unauthorised waste to not contradict Condition 3 which allows for the burning of green waste within the green waste area. Licensee changed to licence holder.	
1.2.11	Site signage	Condition 8	Licensee changed to licence holder.	
2.1.1 2.1.2	Groundwater sampling	N/A	Ambient groundwater monitoring conditions were removed in Amendment Notice 1	
2.2.1 Table 2.2.1	Monitoring of inputs	Condition 11	Revised to current licensing format. Licensee changed to licence holder.	
2.3.1	Monitoring parameters	N/A	Redundant condition deleted from Licence.	
3.1.1	Improvement program	N/A	Review of the condition found that as this transfer station is not allowed to accept construction and demolition waste, the guideline does not apply and an Asbestos Management Plan is not required for the premises.	
4.1.1	Records	Condition 16	Wording revised to current licensing format. Licensee changed to Licence Holder.	
4.1.2	Annual Audit Compliance Report	Condition 13	Wording revised to current licensing format. Licensee changed to Licence Holder.	
4.1.3	Complaints record	Condition 12	Wording revised to current licensing format. Licensee changed to Licence Holder.	
4.2.1 Table 4.2.1	Annual Environmental Report	Condition 14 Table 5	Redundant condition deleted from Licence. Reporting requirements covered by AACR.	
4.2.2	Monitoring data	N/A	Redundant condition deleted from Licence.	

Existing condition	Condition summary	Revised licence condition	Conversion notes
4.3.1 Table 4.3.1	Notification	Condition 17 Table 6	Revised to current licensing format. Licensee changed to licence holder.
Schedule 1: Maps	Premises map	Schedule 1: Maps	New naming convention, updated map as per this amendment
Schedule 2 Reporting & notifications	Annual Audit Compliance Report Form N1 Notification	Schedule 2: Forms (N1)	N1 notification form revised to current licensing format. Redundant AACR attachments deleted from Licence. Forms accessed at www.dwer.wa.gov.au

References

- 1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
- 2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
- 3. DWER 2020, Guideline: Risk Assessments, Perth, Western Australia.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)					
Application type					
Works approval					
		Relevant works approval number:		None	
		Has the works approval been complied with?		Yes □ No □	
Licence		Has time limited operations under the works approval demonstrated acceptable operations?		Yes □ No □ N/A □	
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?		Yes □ No □	
		Date Report received:			
Renewal		Current licence number:			
Amendment to works approval		Current works approval number:			
Amendment to licence	\boxtimes	Current licence number:	L8406/2009/2		
Amendment to licence		Relevant works approval number:		N/A	
Registration		Current works approval number:		None	
Date application received		19 May 2022			
Applicant and Premises details					
Applicant name/s (full legal name/s) Shire of Lake Grace					
Premises name		Newdegate Waste Management Facility			
Premises location		Lot 1 on Deposited Plan 65474			
Local Government Authority		Shire of Lake Grace			
Application documents					
HPCM file reference number:		DER2019/000044~1			
Key application documents (additional to application form):		1A – Certificate of Title 2 – Premises Map 2A – Emissions 7 – Siting an location 10A – Cost of Works 10B – Fee calculator			
Scope of application/assessment					
Summary of proposed activities or changes to existing operations.		Licence [amendment] Construction and operation of a new landfill area and associated cells.			

Category number/s (activities that cause the premises to become prescribed premises) Table 1: Prescribed premises categories Prescribed premises category and Assessed production or design Proposed changes to the description capacity production or design capacity (amendments only) Category 64: Class II landfill 200 tonnes per year (unchanged) No change Legislative context and other approvals Referral decision No: N/A Has the applicant referred, or do they intend to refer, their proposal to the EPA Managed under Part V □ Yes □ No ⊠ under Part IV of the EP Act as a significant proposal? Assessed under Part IV □ Does the applicant hold any existing Part Ministerial statement No: N/A IV Ministerial Statements relevant to the Yes □ No ☒ EPA Report No: N/A application? Reference No: N/A Has the proposal been referred and/or Yes □ No ⊠ assessed under the EPBC Act? Certificate of title ⊠ General lease □ Expiry: Has the applicant demonstrated Yes ⊠ No □ occupancy (proof of occupier status)? Mining lease / tenement □ Expiry: Other evidence □ Expiry: Has the applicant obtained all relevant Approval: N/A planning approvals? Expiry date: N/A Yes □ No □ N/A ⊠ If N/A explain why? Application by the Shire Has the applicant applied for, or have an CPS No: CPS 9779-1 existing EP Act clearing permit in relation Yes ⊠ No □ to this proposal? Has the applicant applied for, or have an Application reference No: N/A existing CAWS Act clearing licence in Yes □ No ⊠ Licence/permit No: N/A relation to this proposal? No clearing is proposed. Application reference No: N/A Has the applicant applied for, or have an existing RIWI Act licence or permit in Yes □ No ⊠ Licence/permit No: N/A relation to this proposal? Licence / permit not required.

Yes □ No □	Name: N/A Type: N/A Has Regulatory Services (Water) been consulted? Yes □ No □ N/A ⊠ Regional office: N/A	
Yes □ No ⊠	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes □ No □ N/A ⋈	
Yes □ No ⊠	N/A	
Yes □ No ⊠	N/A	
Yes □ No ⊠	N/A	
Yes □ No ⊠	Classification: N/A Date of classification: N/A	
	Yes □ No ⊠ Yes □ No ⊠ Yes □ No ⊠ Yes □ No ⊠	