



Application to renew a licence

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

Licence Number	L8754/2013/2
Licence Holder	Shire of Plantagenet
File Number	2013/002943-1
Premises	Porongurup Waste Management Facility Surrey Downs Road PORONGURUP WA 6324 Being Lot 7044 on Plan 173070 as depicted in Schedule 1
Date of Report	15/8/2023
Decision	To grant a licence

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SENIOR INDUSTRY REGULATION OFFICER
INDUSTRY REGULATION

An 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 L8754/2013/2 without conducting any additional risk assessment.

The licence is 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 L8754/2013/2 subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 15 June 2023 Shire of Plantagenet (licence holder) applied to renew licence L8754/2013/1, as the licence is due to expire on 15 August 2023. The licence was granted to the licence holder for the premises located at Porongurup Waste Management Facility (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
Category 62: Solid waste depot	1000 tonnes per annual period

The main activities occurring on the Premises include waste storage and sorting before final disposal or re-use.

Infrastructure includes a drumMUSTER compound, a scrap metal collection point, a lidded bin for comingled recyclable waste, a lidded hook lift bulk bin for the collection of domestic (general) waste and a covered battery storage area.

Storage of construction waste, assorted metal, white goods and tyres occurs in small quantities within the waste transfer station. Larger used tyres, white goods and scrap metal stockpiles stored within the larger Waste Management Facility boundary in the area of previous landfill activity. Some green waste is stored within the Waste Transfer Station, with a larger bulk stockpile located outside of the waste transfer station. This is also the designated burning area for green waste.

Other site infrastructure includes perimeter fencing, the closed landfill area, a 1.8 meter high security fence around the Waste Transfer Station, secure gated access, a site office and gravel access roads.

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 2021.

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 [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](http://www.wa.gov.au)

4. Considerations for issuing a new licence

4.1 Compliance and enforcement actions

There was one incident identified during a compliance inspection conducted in May 2015 which was resolved and notified. There is no record of other incidents since this inspection. There have been no enforcement actions during the last 5 years of operations.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises. The current premises is situated on Crown Reserve (29793) on Lot 7044 on Plan 173070.

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 holds a licence and which was previously assessed.

4.4 Planning approval

The licence holder has informed the department that it has planning approval for the activities on the Premises.

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 1 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 1: Licence conditions changes, description and rationale

Current condition / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
1.1.3, 1.1.4 and 1.1.5	Overview of the licence	N/A	Removed as no longer relevant
1.3.6	Windblown waste collection	9	Condition updated to include collection and containment of

Current condition / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
			windblown waste
3.1.1	Records requirement	N/A	Removed as no longer relevant.
3.1.3	Annual Audit Compliance Report requirements	12	Updated to reflect current DWER AACR standards
3.1.4	Licencee complaints management system	13	Updated to reflect DWER current complaints requirements
		14	Maintaining accurate and auditable book. Reflects current DWER requirements
3.2.1	Annual Environmental report	N/A	Removed as no submission required.
3.3.1	Notification requirements	15	Updated to include Waste Acceptance and Waste Processing tables.
Schedule 2			Included the constructed infrastructure into Table 1 from Schedule 2.
Definitions			Definitions removed: AS/NZS 5667.10, discharge, emission, NATA and NATA accredited.
Forms			Removed Notification Form N1, to be consistent with current licence format.

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 2.

Table 2: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 27/07/2023	Submission closed on 11/08/2023. No submissions were received.	N/A
Applicant was provided with draft documents on 26/07/2023	Comment was required by 11/8/2023 and no comment was provided.	N/A