



Application to replace expiring licence

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L9082/2017/2
Licence holder	Chevron Australia Pty Ltd
ACN	086 197 757
File number	DER2017/001426
Premises	Wheatstone LNG Concrete Storage Facility TALANDJI WA 6710 Part of Lot 567 on Deposited Plan 71345 As depicted by the premises map in Schedule 1 and the coordinates in Schedule 2 of the licence
Date of report	9/01/2023
Decision	Licence granted

1. Scope of assessment

1.1 Application summary

On 7 October 2022, Chevron Australia Pty Ltd (Chevron, licence holder) submitted an application to replace licence L9082/2017/1, issued under Part V Division 3 of the *Environmental Protection Act 1986*, due to the licence being due to expire on 25 February 2023. The licence relates to a category 62 solid waste depot located on part of Lot 567 on Deposited Plan 71345 (premises) within the Ashburton North Strategic Industrial Area, approximately 12 km south-west of the town of Onslow.

1.2 Regulatory framework

The Delegated Officer considered that a full review and detailed risk assessment was not warranted for the premises as there has been no material change to the overall risk of the premises. Active operations are not currently occurring on the premises and there is no established infrastructure on the premises limiting the active operations which can occur. An administrative licence renewal has therefore been undertaken. This approach is also 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 at <https://dwer.wa.gov.au/regulatory-documents>.

1.3 Overview of premises

The premises was originally established in 2017 for the purpose of processing construction waste (primarily waste concrete) remaining from construction of the Wheatstone LNG Project. A licence (L9082/2017/1) was initially granted for the premises for category 13 crushing of building material and category 62 solid waste depot to authorise this activity to occur. A mobile crushing plant was established on the premises to crush waste concrete stockpiles with the resulting crushed concrete being stockpiled on the premises pending its final disposal or reuse. Some crushed material was used for the Wheatstone LNG Project.

Crushing activities were completed in the latter half of 2018 and the mobile crusher was removed from the premises. The licence was subsequently amended to remove category 13. A stockpile of approximately 6,500 tonnes of crushed concrete is the only feature remaining on the premises. The crushed waste material is being retained on the premises pending a decision on its final disposal or re-use. There is no other infrastructure or active operations being undertaken on the premises.

The premises was previously assessed as having a production capacity of 50,000 tonnes per annum based on the capacity of the mobile crusher. The previous risk assessment for the premises identified only noise as dust as potential emissions from the premises but given the scale of the premises and separation distance to receptors (over 2 km) these were not likely to result in amenity impacts.

2. Consultation

Table 1 provides a summary of the consultation for the application to renew the licence which was undertaken by the department.

Table 1: Consultation for licence renewal

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 1 November 2022 for a period of 21 days, and in the West Australian Newspaper on the 7 November 2022.	No submissions were received within the advertising timeframe.	NA
Local Government Authority (Shire of Ashburton) advised of the application on 3 November 2022	The LGA did not provide a response.	NA
Licence holder was provided with draft documents on 28 November 2022	Licence Holder responded on 1 December 2022 and advised they wished to waive the comment period.	NA

3. Decision

The delegated officer has determined to grant replacement licence L9082/2017/2 with predominantly administrative changes without conducting any additional risk assessment. The administrative changes will not change obligations on the licence. In making this determination the delegated officer took into account the following:

- There has been no change to the premises or activities conducted on the premises in the last four years.
- There have been no incidents, complaints, non-compliances or enforcement action taken in relation to the premises for the duration of the licence.
- An inspection of the premises in 2021 confirmed there was no infrastructure on the premises.
- There has been no material change to the overall risk of the premises.
- The licence holder demonstrated occupancy for the premises until 2041 via lease arrangement.

Given there is no infrastructure on the premises, and the risk assessment of the premises was based on only waste concrete, the delegated officer considered it necessary to include additional conditions on the licence which restrict the type and volume of waste which can be received onto the premises to align with what has previously been assessed. The additional conditions are intended to prevent potentially unsuitable waste types being received onto the premises. Given the stockpile of waste concrete has been in place for a significant period of time, the delegated officer also included a condition requiring waste materials to be wetted down prior to removal to mitigate dust impacts from this activity.

In replacing the expiring licence the delegated officer has also:

- incorporated conditions and requirements from Amendment Notice 1 into the replacement licence;
- updated the format and appearance of the licence;
- removed unenforceable and redundant conditions;
- where necessary revised conditions for the effective administration of the licence to align with current condition wording (i.e. record keeping and reporting requirements);
- revised licence conditions numbers; and

- transferred all existing regulatory controls and conditions to the replacement licence.

3.1 Summary of changes

Table 2 provides a summary of the changes incorporated into the replacement licence and will act as a record of implemented changes.

Table 2: Consultation

Condition / table	Description
Cover page	Updated to current format which incorporates details previously included in Schedule 3 of the licence, which has been removed as the information is included in the licence cover page.
	Licence version updated. Issue and expiry dates updated
Interpretation	Explanatory notes included in the previous licence have been removed. This guidance is available in the department's Guideline: Industry Regulation Guide to Licensing (June 2019). The interpretation has been updated to align with the current licence format.
NA	The general emissions condition has been removed as it is no longer used.
Conditions 1 and 2	Waste acceptance requirements have been included on the licence to ensure that in the absence of any infrastructure on the premises, the activities are restricted to those which the premises has been assessed for.
Condition 3	Dust control requirement included to ensure dust emissions are managed when stockpiled materials are removed from the premises.
Conditions 4-7	Records and reporting conditions have been updated to the current format. The changes do not change the obligations on the licence holder.
Table 2	Updated the definitions table to include current definitions and remove definitions which are no longer relevant.