



## Application for Licence

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

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<b>Licence Number</b>	L9408/2023/1
<b>Applicant</b>	Shire of Ashburton
<b>File number</b>	DER2023/000528
<b>Premises</b>	Tom Price Waste Disposal Site Lot 300 Bingarn Road TOM PRICE WA 6751  Legal description - Crown Reserve 50203 within Lot 300 in Plan 52584 TOM PRICE WA 6751
<b>Date of report</b>	8 November 2023
<b>Decision</b>	Licence granted

Adam Green  
A/MANAGER WASTE INDUSTRIES  
REGULATORY SERVICES

*Officer delegated under section 20 of the Environmental Protection Act 1986*

# Table of Contents

<b>1. Purpose and scope of assessment</b> .....	<b>3</b>
1.1 Regulatory framework .....	3
1.2 Application summary .....	3
1.3 Consolidation of licence.....	3
<b>2. Overview of the Premises</b> .....	<b>3</b>
<b>3. Consultation</b> .....	<b>5</b>
<b>4. Conclusion</b> .....	<b>6</b>
4.1 Summary of changes.....	6
<b>References</b> .....	<b>6</b>
<b>Appendix 2: Application validation summary</b> .....	<b>7</b>
Table 1: Licence history. ....	3
Table 2: Prescribed premises category in the existing licence.....	5
Table 3: Consultation. ....	5

# 1. Purpose and scope of assessment

## 1.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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>.

## 1.2 Application summary

On 10 August 2023, the Shire of Ashburton submitted an application for a replacement licence for the Tom Price Waste Disposal Site to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

This site was previously licensed under L6807/1997/8 (existing licence) until it ceased in accordance with Section 5DA(5) of the *Environmental Protection Regulations 1987* (EP Regulations) due to the non-payment of an annual licence fee.

Due to the administrative nature of this application, no additional risk assessment has been conducted for this premises as part of the preparation of this Decision Report.

## 1.3 Consolidation of licence

As part of the replacement of the premises licence, DWER has updated the existing licence by incorporating the following changes:

- updated the format and appearance of the licence; and
- corrected clerical mistakes, unclear condition wording, and unintentional errors.

The obligations of the licence holder have not changed in updating the licence.

# 2. Overview of the Premises

The Shire of Ashburton operates the Tom Price Waste Disposal Site (the premises) as a Category 64 Class II putrescible landfill site. In addition to putrescible land filling activities, the premises also operates as a solid waste processing and storage facility at capacities below the respective Category 61A and 62 prescribed premises thresholds.

This licence is the successor to licence L6807/1997/8, and Table 1 provides an overview of the premises' recent approval history.

**Table 1: Licence history.**

Date	Reference number	Description
19/06/2000	L6807/1997/1	Licence reissue.
27/06/2001	L6807/1997/2	Licence reissue.
12/06/2002	L6807/1997/3	Licence reissue.
12/06/2003	L6807/1997/4	Licence reissue.
12/06/2004	L6807/1997/5	Licence reissue.
13/06/2005	L6807/1997/6	Licence reissue.

Date	Reference number	Description
13/06/2009	L6807/1997/7	Licence reissue.
14/04/2011	L6807/1997/7	Licence amendment.
20/03/2014	L6807/1997/7	Licence amendment to add Category 57.
05/05/2014	L6807/1997/7	<p>Licence amendment to include :</p> <ul style="list-style-type: none"> <li>• Addition of groundwater monitoring conditions;</li> <li>• Submission of the EMP outlining procedures to ensure an appropriate number of used tyres are stored at the Landfill, that the storage of used tyres does not pose significant fire and environmental hazards at the Landfill; and</li> </ul> <p>Removal of the burning of Greenwaste until such time that there are less than 5,000 tyres onsite.</p>
05/06/2014	L6807/1997/8	Licence reissue.
18/12/2014	L6807/1997/8	<p>Licence amendment to change date of completion for Improvement Condition 4.1.1, specifically, Improvement References (IR):</p> <ul style="list-style-type: none"> <li>• IR2: The Licensee shall ensure that that there are less than 5,000 tyres stored at the landfill by 31 December 2014;</li> <li>• IR3: The Licensee shall obtain written certification issued by a Registered Civil Engineer that the premises contains a Tyre Storage Catchment Area; and</li> </ul> <p>IR4: The Licensee shall provide a copy of the written certification required by IR3 above to the CEO.</p>
30/04/2015	L6807/1997/8	Licence amendment to increase the design capacity of the Landfill from 5,000 tonnes per annual period to 30,000 tonnes per annual period.
30/7/2015	L6807/1997/8	Licence amendment to add provisions for the burning of greenwaste only.
02/05/2018	L6807/1997/8	Amendment Notice 1 to add two groundwater monitoring bores.
20/09/2019	L6807/1997/8	Licence amendment to incorporate Amendment notice 1 and remove conditions pertaining to firefighting requirements, the burning of greenwaste and waste monitoring, and the amendment of conditions relating to the containment and removal of fire debris and wash waters.
06/12/2021	L6807/1997/8	Licence amendment to add provisions for the burning of greenwaste and construction and operation of public drop-off push-up bays for solid waste.
08/11/2023	L9408/2023/1	Replacement licence issued.

Table 2 provides the prescribed premises category for the replacement licence L9408/2023/1.

**Table 2: Prescribed premises category in the existing licence.**

Category	Description	Approved premises design capacity
64	Class II or III putrescible landfill site: premises (other than clean fill premises) on which waste of a type permitted for disposal for this category of prescribed premises, in accordance with the <i>Landfill Waste Classification and Waste Definitions 1996</i> , is accepted for burial.	30,000 tonnes per annual period.
<b>Assessed activities directly related to the above categories</b>		
Waste processing through burning of greenwaste not exceeding threshold throughput for Category 61A: Solid waste facility, as defined in the EP Regulations.		
Acceptance, sorting and storage of solid waste at a rate not exceeding threshold throughput for Category 62: Solid waste depot, as defined in the EP Regulations.		

### 3. Consultation

Table 3 provides a summary of the consultation undertaken by the department.

**Table 3: Consultation.**

Consultation method	Comments received	Department response
Application published on the department's website on 05/10/2023.	None received.	Not applicable.
Application advertised in the West Australian on 09/10/2023.	None received.	Not applicable.
Applicant was provided with draft documents on 19/09/2023	<i>"Happy to proceed, draft looks all similar to the previous, no major stand out changes or issues"</i>	Not applicable.

## 4. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

Based on the assessment in this decision report, the delegated officer has determined that the application to replace licence L6807/1997/8 with licence L9408/2023/1 will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### 4.1 Summary of changes

provides a summary of the proposed changes to the revised licence and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the replacement of licence process.

Existing licence condition, Table, Schedule, or Attachment	Condition summary	Revised licence condition, Table, Schedule, or Attachment	Conversion notes
Premises details	Street address.	Premises details	Street address inserted.
All conditions	-	All conditions	In-text cross-referencing inserted throughout. Grammatical errors corrected.
1, Table 1	Pushpit operational requirement.	1, Table 1	Unintentional error corrected. Throughput changed from 20 to 420 as per s.4.9 of previous amendment application package. <i>“Throughput of pushpit is established estimated to be approximately 420 tonnes per year”</i>
10	Containment of runoff from firefighting activities onsite.	10	Unclear, duplicated condition wording amended.
11	Collection and disposal of runoff from firefighting activities.	11	Unclear, duplicated condition wording amended.
Figures 1- 3	Figure captions.	Figures 1- 3	Captions amended for clarity.

## 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 2: Application validation summary

SECTION 1: APPLICATION SUMMARY			
<b>Application type</b>			
<del>Works approval</del>	<input type="checkbox"/>		
Licence (replacement)	<input checked="" type="checkbox"/>	Previous licence number:	L6807/1997/8
<del>Renewal</del>	<input type="checkbox"/>	Current licence number:	
<del>Amendment to works approval</del>	<input type="checkbox"/>	Current works approval number:	
Amendment to licence	<input type="checkbox"/>	Current licence number:	
		Relevant works approval number:	N/A <input type="checkbox"/>
<del>Registration</del>	<input type="checkbox"/>	Current works approval number:	None <input type="checkbox"/>
Date application received	10/08/2023		
<b>Applicant and Premises details</b>			
Applicant name/s (full legal name/s)	Shire of Ashburton		
Premises name	Tom Price Waste Disposal Facility		
Premises location	Crown Reserve 50203 within Lot 300 in Plan 52584 TOM PRICE WA 6751		
Local Government Authority	Shire of Ashburton		
<b>Application documents</b>			
HPCM file reference number:	DER2013/000889-1~2		
Key application documents (additional to application form):	Replacement licence application form.		
<b>Scope of application/assessment</b>			
Summary of proposed activities or changes to existing operations.	Licence Replacement of Cat 64 licence which expired due to nonpayment of annual fees. .		

**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 (amendments only)
<i>Category 64: Class II or III putrescible landfill site: premises (other than clean fill premises) on which waste of a type permitted for disposal for this category of prescribed premises, in accordance with the Landfill Waste Classification and Waste Definitions 1996, is accepted for burial.</i>	30,000 tonnes per annual period	N/A

**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 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 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 type="checkbox"/>	Reference No:-
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry:- Mining lease / tenement <input type="checkbox"/> Expiry:- Other evidence <input type="checkbox"/> Expiry:-
Has the applicant obtained all relevant planning approvals?	Yes <input 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 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 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 type="checkbox"/>	Application reference No: Licence/permit No: Licence / permit not required.



<p><del>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</del></p>	<p><del>Yes <input type="checkbox"/> No <input type="checkbox"/></del></p>	<p><del>Name: N/A</del>  <del>Type: Proclaimed Groundwater Area/Surface Water Area</del>  <del>Has Regulatory Services (Water) been consulted?</del>  <del>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></del>  <del>Regional office: Swan Avon / Mid-West Gascoyne / Kwinana Peel / North West / South West / Goldfields / South Coast</del></p>
<p><del>Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?</del></p>	<p><del>Yes <input type="checkbox"/> No <input type="checkbox"/></del></p>	<p><del>Name: N/A</del>  <del>Priority: P1 / P2 / P3 / N/A</del>  <del>Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)?</del>  <del>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></del>  <del>Note: If the proposed activity is not listed as a compatible land use with the PDWSA please consult with the relevant regional office (Regulatory Services – Water) and Water Source Protection (Science and Planning).</del></p>
<p><del>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>)?</del></p>	<p><del>Yes <input type="checkbox"/> No <input type="checkbox"/></del></p>	<p><del>If Yes include details here.</del></p>
<p><del>Is the Premises within an Environmental Protection Policy (EPP) Area?</del></p>	<p><del>Yes <input type="checkbox"/> No <input type="checkbox"/></del></p>	<p><del>If Yes include details of which EPP(s) here.</del></p>
<p><del>Is the Premises subject to any EPP requirements?</del></p>	<p><del>Yes <input type="checkbox"/> No <input type="checkbox"/></del></p>	<p><del>If Yes, include details here, e.g. Site is subject to SO<sub>2</sub> requirements of Kwinana EPP.</del></p>
<p><del>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</del></p>	<p><del>Yes <input type="checkbox"/> No <input type="checkbox"/></del></p>	<p><del>If Yes include details here.</del>  <del>Classification: N/A / possibly contaminated – investigation required (PC-IR) / not contaminated – unrestricted use (NC-UU) / contaminated – restricted use (C-RU) / remediated for restricted use (RRU) / contaminated – remediation required (C-RR) / decontaminated (Decon)</del>  <del>Date of classification: N/A</del></p>

Direct interest stakeholders	
<del>{Insert Local Government Authority}</del>	Letter to be sent — Yes <input type="checkbox"/> — No <input type="checkbox"/>
<del>{Insert other/s stakeholders} DMIRS</del>	Letter to be sent — Yes <input type="checkbox"/> — No <input type="checkbox"/>
<del>{Insert other/s stakeholders} JTSI,</del>	Letter to be sent — Yes <input type="checkbox"/> — No <input type="checkbox"/>
<del>{Insert other/s stakeholders}</del>	Letter to be sent — Yes <input type="checkbox"/> — No <input type="checkbox"/>
<del>Delete rows if not required</del>	Letter to be sent — Yes <input type="checkbox"/> — No <input type="checkbox"/>