



Application for Licence

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

Licence Number	L9300/2021/1
Applicant	Shire of Toodyay 15 Fiennes Street, TOODYAY WA 6566
ACN	97 352 024 603
File Number	DER2021/000401
Premises	Toodyay Waste Transfer Station, 266 Railway Road, TOODYAY WA 6566 Being Lot 105 (Crown Reserve 3014) (As defined by the coordinates in Schedule 2 of the Licence)
Date of Report	7/11/2021
Decision	Licence granted

Stephen Checker

**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

This Decision Report relates to the administrative reinstatement of ceased licence L7360/1999/8. Conditions have been reinstated in new format with no significant change or reassessment. The attached decision report for L7360/1999/8 documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the Premises. As a result of this assessment, Licence L9300/2021/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision 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 and overview of Premises

On 8 July 2021, the applicant submitted an application for a licence to replace ceased licence L7360/1999/8 to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The applicant has confirmed that there have not been any material changes made to the premises; infrastructure within the premises; and/or activities undertaken at the premises. Due to the administrative nature of this application, no additional risk assessment has been conducted for this premises. A copy of the Decision Document (L7360/1999/8) completed for the premises on Thursday, 6 August 2015 is attached as Appendix 2 of this Decision Report for reference.

The premises operates a waste transfer station facility where waste is accepted and sorted prior to transfer to disposal or recycling facilities. The site is located at Lot 105 (Crown Reserve 3014) Railway Road, West Toodyay, which is a prescribed premises within Schedule 1 of the *Environmental Protection Regulations 1987*.

This licence is the successor to Licence L7360/1999/8, Table 1 provides the history for L7360/1999/8 and L9300/2021/1. Table 2 provides the prescribed premises categories for the replacement Licence: L9300/2021/1.

Table 1: Licence history

Date	Reference number	Summary of changes
18/07/2005	L7360/1999/6	Licence re-issue
18/07/2005	L7360/1999/6	Licence amendment of conditions
09/05/2010	L7360/1999/7	Licence re-issue
07/05/2015	L7360/1999/7	Licence amendment to extend expiry date for 3 months
06/08/2015	L7360/1999/8	Licence re-issued to new format
7/11/2021	L9300/2021/1	Replacement licence issued

Table 2: Prescribed premises categories for the replacement licence

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production / design capacity
Category 62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	5,000 tonnes per annual period

2.3 Consolidation of Licence

As part of this replacement Licence, DWER has updated the Licence by incorporating the following changes:

- updated the format and appearance of the Licence;
- revised licence condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The obligations of the Licence Holder have not changed in updating the Licence. DWER has not undertaken any additional risk assessment of the Premises as a part of this process.

3. Consultation

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

Table 3: Consultation

Consultation method	Comments received	Department response
Applicant was provided with draft documents on (4/10/2021)	Applicant provided no comments till date	N/A

4. Conclusion

The Delegated Officer has determined that the replacement of the licence with no material changes made to the premises; infrastructure within the premises; and/or activities undertaken at the premises is an administrative function which does not alter the risk profile of the premises. Operations shall be undertaken in accordance with the conditions of the licence, and there is to be no changes in the potential emissions associated with the operation of the facility. Therefore, the application to replace Licence L7360/1999/8, with a new Licence number L9300/2021/1, will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements. Please note that the original Decision Report for L7360/1999/8 is attached in Appendix 2.

5. Summary of changes

Table 4 provides a summary of the changes to the revised Licence and will act as a record of implemented changes. All changes have been incorporated into the revised Licence as part of the licence replacement process.

Table 4: Licence conversion map for the new licence format

Existing Licence condition/ table/schedule	Condition summary	Revised Licence condition/ table/schedule	Conversion notes
N/A	Cover page		Updated to new format
N/A	Introduction		Section deleted
N/A	Instrument log	Licence History	Updated
N/A	Interpretations		Section separated
N/A	Definitions		Added as Table 6
1.2.1	General Conditions	1	Direct transfer
1.2.2		2	Direct transfer
1.2.3		3	Direct transfer
1.3.1 Table 1.3.1	Premises operation	4 Table 1	Direct transfer
1.3.2		5	Direct transfer
1.3.3 Table 1.3.2		6 Table 2	Direct transfer
1.3.4		7	Direct transfer
1.3.5		8	Direct transfer
1.3.6		9	Direct transfer
1.3.7		10	Direct transfer
2.1.1 Table 2.1.1	Monitoring	11 Table 3	Direct transfer
3.1.1	Information Records	12	Direct transfer
3.1.2		13	Direct transfer
3.1.3		14	Direct transfer
3.1.4		15	Direct transfer
3.2.1 Table 3.2.1	Reporting	16 Table 4	Direct transfer

3.3.1 Table 3.3.1	Notification	17 Table 5	Direct transfer
Schedule 1	Maps	Schedule 1	Direct transfer
Schedule 2	Reporting and Notification forms	Schedule 2	Removed AACR, Section A, Section B and Section C as now available on DWER's website

References

1. DER July 2015. Guidance Statement: Regulatory principles. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
2. DER, October 2015. Guidance Statement: Setting conditions. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
3. DER, August 2016. Guidance Statement: Licence duration. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
4. DER, February 2017. Guidance Statement: Risk Assessments. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
5. DWER, June 2019. Guideline: Decision Making. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au
6. DWER, June 2019. Guideline: Industry Regulation Guide to Licensing. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au

Appendix 1: Application validation summary

VALIDATION CHECKLIST FOR ADMINISTRATIVE REPLACEMENT OF EXPIRING LICENCE

Application type										
1.1	Check that the type of application being applied for, as indicated in the first section of the <i>IR-F01</i> application form is for a renewal Yes . <input checked="" type="checkbox"/> No <input type="checkbox"/>									
	Renewal	<input checked="" type="checkbox"/>	Current licence No. & expiry date:		L7360/1999/8 Expiry Date: 08/05/2020					
Prescribed premises categories				Yes	No	Proposed Action / Notes (if applicable)				
1.3	Has the applicant specified all prescribed premises categories that are relevant to the activities on the premises?			<input checked="" type="checkbox"/>	<input type="checkbox"/>					
<table border="1"> <thead> <tr> <th>Prescribed premises category and description</th> <th>Proposed production or design capacity</th> </tr> </thead> <tbody> <tr> <td>Category 62: Solid waste depot: premises – Premises on which waste is stored or sorted pending final disposal or re-use</td> <td>500 tonnes or more per year</td> </tr> </tbody> </table>				Prescribed premises category and description	Proposed production or design capacity	Category 62: Solid waste depot: premises – Premises on which waste is stored or sorted pending final disposal or re-use	500 tonnes or more per year			
Prescribed premises category and description	Proposed production or design capacity									
Category 62: Solid waste depot: premises – Premises on which waste is stored or sorted pending final disposal or re-use	500 tonnes or more per year									
Verification				Yes	No	Proposed Action / Notes (if applicable)				
1.4	Has a response been provided to all applicable sections of the application form?			<input type="checkbox"/>	<input type="checkbox"/>					
1.5	Date application received:			8/07/2021						
1.6	Date assigned to IR, BSU Officer			29/07/2021						
1.7	HPRM file reference number:			DER 2021/000401						
Applicant Details										
2.1	Valid applicant name provided	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	Shire of Toodyay					
	Valid ACN provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	97 352 024 603					
2.2	Trading name provided	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2.3	Accurate authorised representative details provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glenn Rodger					
	Consent given to correspondence being exclusively via email	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	spw@toodyay.wa.gov.au					
2.4	Physical address for notices served under the EP Act provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15 Fiennes Street Toodyay WA 6566					
2.5	Postal address for correspondence provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PO Box 96 Toodyay WA 6566					
2.6	Contact person details for DWER enquiries related to the application provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glenn Rodger					

2.7	Occupier status proven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Attachments					
2.8	Proof of occupier status provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2.9	ASIC current company information extract provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2.10	Authorisation to act as representative of the occupier provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Premises details					
3.1	Legal land description provided for all areas proposed to be included within the prescribed premises boundary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Premise street address provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Premises name provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.2	Local Government Authority area correctly identified	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3.3	Accurate GPS or map coordinates provided to identify the premises	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4.1 & 4.2	Infrastructure, equipment and proposed activities described in application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.8	Maximum production or design capacity for each category matches existing licence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.9	Estimated actual throughput provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other Approvals and Consultation					
6.2	Premises has EPA approval? Provide MS number and Report number?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.3 & 6.4	Does clearing permit exist for the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	If "yes", specify:				
6.5	Does groundwater well licence or surface water permit exist for the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	If "yes", specify:				
7.1, 7.2 & 7.3	Considered as a major project, State Agreement Act and lead agency framework.				
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing licence
7.4	Has the proposal been referred and/or assessed under the EPBC Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A
	If "yes", specify:				
7.5 & 7.6	Has the Applicant obtained all relevant planning approvals or mining approvals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	.				
7.7	Has the proposal obtained all other necessary statutory approvals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.8	Have all identified direct interest stakeholders been invited to make representations during the consultation period?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Existing licence

Attachments					
7.9	Has the applicant provided details of other approvals specified in Part 7 and consultation documentation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Attachments					
7.9	SM approval obtained for licence tenure less than 20 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Emissions and discharges and environmental siting of premises					
Part 9	Have all emission and discharges been identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Part 10	Have all nearby environmental receptors and receiving environments been considered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing licence, only administrative renewal

Table 2 of Decision Report

Condition / table	Description and Rationale

PROPOSED FEE CALCULATION

Determine if:

- appropriate premises fees component has been considered (for works approvals, licences, and renewals);
- appropriate 'Part 2 Waste' component has been considered (for licences and renewals);
- appropriate 'Emissions and Discharges' fees components have been considered (for licences and renewals); and
- appropriate fee units have been considered (licence amendments, transfers and registrations).

Note: It is the responsibility of the applicant to report all contaminants listed in Schedule 4, Part 1 of the EP Regulations which attract a fee of one fee unit or more.

Proposed fee calculation					
12.1	Has the applicant completed the relevant fee sections for their application type (i.e. 12.4)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Did not add the fees
12.2	Has all information and data used for the calculation of proposed fees been provided?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Replacement licence fee					
12.4	Part 1: Premises component				
	Correct category is referenced in the fee calculations and the correct fee units have been used in accordance with Schedule 4, Part 1 of the EP Regulations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Annual fees validated. Invoice to be issued
	Maximum production or design capacity used to determine premises component fees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	For multi-category premises, is the premises fees component based on the category which attracts the highest fees (based on design capacity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	For renewals/annual fees, is the nominated premises component fees consistent with current licence.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Premises component fee calculated:	\$324.40			
	Is the premises fee component calculation acceptable?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Part 2: Waste component				
	Does the premises discharge Part 2 Waste, as defined in regulation 5D of the EP Regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Appropriate fee units in accordance with the quantity of discharge of Part 2 Waste used	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

For premises with more than one Part 2 Waste stream, is the Part 2 Waste fee based on the discharge quantity of waste stream which attracts the highest fees (based on design capacity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 2 Waste component fee calculated (if applicable):	\$ _____			
Is the Part 2 Waste component fee calculation acceptable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 3: Discharge component				
Have emissions and discharges from all primary, secondary and contributory activities occurring within the prescribed premises boundary been calculated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Have applicable qualifiers for the premises (e.g. EPPs) or geographic locations which warrant different rates been taken into account in the fee calculation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Has discharge fee unit increases in the licence period been taken into account on a pro rata basis?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Have all contaminants (from point source emission or discharge points) as identified in the National Pollution Inventory (NPI) reporting data been considered in fees calculation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
For renewals/annual fees, have all contaminants including in the existing licence been considered in fees calculation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
For renewals/annual fees, have all contaminants included in previous monitoring reports been considered in fees calculation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 3 discharge fee calculated (if applicable):	\$ _____			
Is the Part 3 discharge component fee calculation acceptable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If the above is not applicable, the fee is determined based on the production or design capacity currently prescribed in the licence/works approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Amendment fee calculated:	\$ _____			
Is the amendment fee calculation acceptable?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Information and data used to calculate proposed fees					
12.8	Detailed calculations of fee components, including all information and data used for calculations provided as attachments. (As required/appropriate)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Calculation provided was incorrect. Rectified the calculations.
Confidential or commercially sensitive information					
13.1	Has the applicant claimed exemption from publication?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13.2	Attachment 10 of the application form correctly completed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13.3	Have grounds of exemption under Schedule 1 of the <i>Freedom of Information Act 1992</i> been specified in Attachment 4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13.4	Are grounds for exemption from publication of information acceptable?-	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Direct interest stakeholders					
Shire of Toodyay				Letter to be sent Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

IDENTIFICATION OF DIRECT INTEREST STAKEHOLDERS

- Refer to Part 7 and Part 10 of the application form.
- Identify public authorities and other decision making agencies which may be considered to be 'direct interest stakeholders'.
- Identify private individuals and/or other entities who may be considered direct interest stakeholders.
- Please list the stakeholders in the table below.

DIRECT INTEREST STAKEHOLDERS	
PUBLIC AUTHORITIES	
Shire of Toodyay	
COMMUNITY	
INDUSTRY	

DWER Task to be completed					
	Is GIS boundary up to date	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	IRBSU spreadsheet updated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	COMPASS and ILS tasks complete	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Recommend back to Sector to complete replacement licence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Advertising Task completed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Stakeholders notified? Specify the submission closing date?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

SECTION 4: VALIDATION RECOMMENDATION – LICENSING OFFICER (TO COMPLETE)

- ☒ I confirm that Part 15: Declaration and signature of the application form is complete (as per instructions in Part 15).
- ☒ I confirm that I have checked all the information within the application form.
- ☒ I confirm that there is sufficient information within the application and supporting documentation to undertake a risk assessment (refer to preliminary risk assessment in Section 3) relating to the emission source, pathway and receptor linkages.

RECOMMENDATION

- ☒ Validation is complete: I am satisfied with the validation and recommend that the Delegated Officer validate the application.
- ☐ Application in-complete and further information required. Request additional information and clarification from the applicant as outlined in Section 6 below.
- ☐ Recommend Decline to Deal.
- ☐ Return (for amendment applications only)

COMMENTS

Licence renewal to be issued for a period of 1 year

Name: Yash Pal

Date: 9/08/2021

SECTION 5: VALIDATION – DELEGATED OFFICER (TO COMPLETE)

RECOMMENDATION

- ☐ I am satisfied with the Licensing Officer's validation (Section 1 and 4) and will validate the application.
- ☐ I have reviewed Section 3 and agree with the preliminary risk assessment
- ☐ Further information is required. Park application and request additional information and clarification from the applicant as detailed in Section 6 below (Table to be included in Schedule 1 of formal RFI letter).
- ☐ Recommend Decline to Deal.
- ☐ Return (for amendment applications only)

COMMENTS	
Name:	Stephen Checker
Date:	9/08/2021

Appendix 2: Original Decision Report for L7360/1999/8



Government of Western Australia
Department of Environment Regulation

Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Toodyay

Licence: L7360/1999/8

Registered office: Shire of Toodyay
15 Fiennes Street
TOODYAY WA 6566

Premises address: Toodyay Waste Transfer Station
266 Railway Road
WEST TOODYAY 6566
Being Lot 105 on Plan 190648 (Crown Reserve 3014)

Issue date: Thursday, 6 August 2015

Commencement date: Sunday, 9 August 2015

Expiry date: Friday, 8 May 2020

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Rebecca Griffiths
Licensing Officer

Decision Document authorised by: Rebecca Kelly
Delegated Officer



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	62	5,000 tonnes per annual period
Application verified	Date: 16/03/2015	
Application fee paid	Date: 01/04/2015	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	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"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
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"/>	



3 Executive summary of proposal and assessment

The Shire of Toodyay's Waste Transfer Station (TWTS) is a manned facility operated on behalf of the Shire by Avon Skip Bins. The TWTS accepts local municipal waste material (predominantly putrescibles), which is sorted prior to being sent off-site for recycling or final disposal. Commercial and industrial waste is not accepted at the premises. TWTS also comprises a household hazardous waste facility which consists of a storage shed with portable bunds and spill kit stations.

Putrescible waste material arriving at the premises is taken to a drop-off hardstand area and immediately placed into skip bins for removal off-site within 24 hours. Green waste is chipped on-site and made available for the local community for mulching and other purposes.

Asbestos waste (asbestos-containing material (ACM), fibrous asbestos (FA) and asbestos fines (AF)) is not accepted at the premises and is directed to the Northam Landfill. All loads arriving at the premises are inspected prior to entering the premises. Where asbestos waste is identified or suspected, this material is not accepted.

White goods and scrap metal are accepted on-site. White goods are degassed and stockpiled away from the main transfer station. These items are removed on a regular basis and sent for recycling off-site to ensure volumes are kept to an acceptable limit.

1. Location and environmental setting

The TWTS is located on Lot 105 on Plan 190648, Crown Reserve 3014, Railway Road, West Toodyay, approximately 1.5 km north east from the Toodyay town site.

The Environmental Protection Authority's Guidance Statement No 3, *Separation Distances between Industrial and Sensitive Land Uses*, recommends a minimum buffer distance of 200 meters for a solid waste depot.

The closest human-health sensitive receptor to the TWTS is residential premises located approximately 40 metres west of the western property boundary. To mitigate any potential impacts to this residence, waste material delivered to the premises is unloaded and sorted approximately 120 meters away from the closest residence, in the central portion of Lot 105. A section of trees along the western property boundary also acts as a buffer to assist with the risk of noise and dust emissions.

The Avon River is located approximately 40 metres to east of the fence line on the eastern property boundary. To manage the risk of leachate and surface water run-off from the premises, all stormwater is contained within swales and retention basins.

The main potential risks associated with this premises are fugitive emissions in the form of odour, albeit unlikely to occur due to the nature of the operations.

This licence is the successor to L7360/1999/7 and includes a conversion into DER's new licence format. Additionally the expiry date has been changed to align with licence fee requirements.

4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.2 – L1.2.3	<p>Conditions 1.1.1 – 1.1.5 require that appropriate standards and guidelines are used. Condition 1.1.5 ensures that nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, including pollution or unreasonable emissions.</p> <p>Condition 1.2.1 has been included on the licence to require the occupier to ensure that any pollution control or monitoring equipment is managed as per the manufacturer's specifications.</p> <p>Condition 1.2.3 replaces the requirements of condition W2(a-c) in the previous licence in relation to hydrocarbon management.</p>	<p>Code of Practice for the Storage and Handling of Dangerous Goods.</p> <p>Department of Mines and Petroleum.</p> <p>Government of Western Australia</p>
	L1.2.3	<p>The site has dedicated hazardous chemical storage shed. This shed has a hardstand base and inside contains mobile bunding trays to contain any hazardous materials that are brought to the waste transfer station. This storage shed is equipped with four underground holding tanks, which are utilised for the collection of spills.</p> <p><u>Emission Description</u> <i>Emission:</i> Stormwater which may become contaminated after coming into contact with waste on-site <i>Impact:</i> Contamination of surrounding land, surface water drainage systems and the Avon River situated approximately 40 metres to the east of the premises. Potential impacts on ecology of surface water from the addition of nutrients and heavy metals.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i></p>

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation		<p>Controls: The drop-off hardstand area is graded to drain and divert stormwater away into dedicated stormwater drains. Stormwater drains then flow to dedicated swales or retention basins around the premises where stormwater either infiltrates or evaporates.</p> <p>Risk Assessment Consequence: Moderate Likelihood: Unlikely Risk Rating: Moderate</p> <p>Regulatory Controls Condition 1.2.3 replaces the requirements of condition W1(a-b) in the previous licence in relation to stormwater management</p> <p>Condition 1.2.3 requires the operator to ensure surface water is directed away from waste areas and which keeps stormwater that has come into contact with waste separated from that which has not. The condition also requires stormwater that has been exposed to waste to be considered and managed as leachate.</p> <p>Risk Assessment Consequence: Moderate Likelihood: Unlikely Risk Rating: Moderate</p>	
	L1.3.1	Condition 1.3.1 replaces condition G4 of the previous licence in relation to waste acceptance.	
	L1.3.2 and L1.3.3	Condition 1.3.2 replaces conditions G3 and G5 of the previous licence in relation to non-conforming waste and process limits	
	L1.3.4	Condition 1.3.4 replaces conditions G6(a-b) of the previous licence in relation to fencing of the premises.	

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
	L1.3.5	Condition 1.3.5 replaces condition G1(b) of the previous licence in relation to infestations of pests.	
	L1.3.6	Condition 1.3.6 replaces condition G7(a) of the previous licence in relation to prevent windblown waste from escaping the premises boundary.	
	L1.3.7	Condition 1.3.7 replaces condition A2 of the previous licence in relation to burning of waste on the premises.	
Emissions general	N/A	There are no specific conditions relating to general emissions in this licence.	
Point source emissions to air, surface water and groundwater including monitoring	N/A	There are no point source emissions to air, surface water or groundwater that require regulation though this section.	General provisions of the <i>Environmental Protection Act 1986</i> Environmental Protection (Unauthorised Discharges) Regulations 2004
Emissions to land including monitoring	N/A	No point source emissions to land from the premises that require regulation though this section.	General provisions of the <i>Environmental Protection Act 1986</i> Environmental

DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Fugitive emissions	N/A	The previous licence contained condition A1 for dust management. Fugitive emissions of dust can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> .	Protection (Unauthorised Discharges) Regulations 2004 General provisions of the <i>Environmental Protection Act 1986</i> .
Odour	N/A	<p><u>Emission description</u> <i>Emission:</i> Odour emanating from the receipt and short-term storage of malodorous waste on-site. <i>Impact:</i> Odour can negatively impact on the welfare and amenity of those on nearby properties. The closest human-health sensitive receptor to the TWTS is residential premises located approximately 40 meters from the western property boundary. However, it is 120 meters to where waste is unloaded and stored on the premises. <i>Controls:</i> Four skip bins are used to store waste materials. Putrescible waste is removed from the premises within 24 hours of receipt.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Odorous material is also accepted as per as per Table 1.3.2 waste processing.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely</p>	General provisions of the <i>Environmental Protection Act 1986</i> .

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		Risk Rating: Moderate Odour emissions can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> .	
Noise	N/A	<p><u>Emission description</u> <i>Emission:</i> Noise emanating from the acceptance of waste materials on the premises. Vehicle movements around the premises from pickup and delivery of recyclables and other waste. <i>Impact:</i> Noise can cause nuisance impacts on nearby residents. The closest sensitive receptor to the TWTS is residential premises located approximately 40 meters from the western property boundary. However, it is 120 meters to the area where waste is unloaded and stored on the premises. <i>Controls:</i> The operations of the TWTS are isolated to occur in the central area of the property. Operating hours for the premises are limited to 8-12pm Monday to Saturday and the last Sunday of every month 8am -3pm.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Noise emissions can be adequately regulated under the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p>	<i>Environmental Protection (Noise) Regulations 1997</i>

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DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Monitoring general	N/A	There are no specified conditions in relation to general monitoring required for the licence.	
Monitoring of inputs and outputs	L2.1.1	Condition 2.1.1 requires monitoring of inputs and outputs to require that the licensee is compliant with waste type and quantity acceptance limits as specified in Tables 1.3.1 and 1.3.2 and condition 1.3.2.	
Process monitoring	N/A	There are no conditions required for process monitoring.	
Ambient quality monitoring	N/A	No specified conditions in relation to ambient quality monitoring are required for the licence.	
Meteorological monitoring	N/A	There are no conditions required for meteorological monitoring.	
Improvements	N/A	There are no improvement conditions on this licence.	
Information	L3.1.1 – L3.1.4 L3.2.1 L3.3.1	Condition 3.1.1 sets out the requirements for any records that are required under this licence, such as ensuring they are legible and retained for 6 years. Condition 3.1.2 requires that any person left in charge of the Premises, is aware of the licence conditions and performs any tasks in compliance with the licence conditions. Condition 3.1.3 requires the completion of an Annual Audit Compliance Report (AACR). This condition replaces condition G2 of the previous licence. Condition 3.1.4 requires a complaints management system to be maintained. This condition replaces part of condition G1(b) of the previous licence.	



DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Licence Duration	N/A	Having considered the relevant issues in the guidance statement for licence durations, it is considered appropriate for a 5 year licence. There is no expiry on the planning approval for the premises.	

5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
27/07/2015	Application advertised in West Australian		
04/8/2015	Proponent sent a copy of draft instrument	Minor comments and changes	All comments were taken into account.
10/8/2015	Instrument was advertised in West Australian		



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High