



## Amendment of a licence

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

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<b>Licence Number</b>	L7315/1998/8
<b>Licence Holder</b>	Shire of Wyndham - East Kimberley
<b>File Number</b>	DER2014/002738-1~6
<b>Premises</b>	<p>Kununurra Waste Disposal Site Reserve 28875, Victoria Highway KUNUNURRA WA 6743</p> <p>Legal description - Being Lots 2464 and 2465 on Plan 195310 KUNUNURRA WA 6743</p> <p>As defined by the Premises map and depicted in Schedule 1 of the issued licence.</p>
<b>Date of Report</b>	12 December 2023
<b>Decision</b>	To grant a licence

A/SENIOR ENVIRONMENTAL OFFICER  
INDUSTRY REGULATION  
Officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

## 1. Decision summary

The Delegated Officer has decided to align the licence expiry date with the licence annual fee periods by extending the expiry date by 119 days, from 30 June 2024 to 27 October 2024. The amended licence will ensure the next licence renewal has consistent fee periods and anniversary dates.

Under the regulatory framework the Delegated Officer decided to grant the amended licence L7315/1998/8 without conducting an additional risk assessment.

The licence format and appearance has been changed to the last licence format resulting in the removal of redundant licence sections editing of licence and page numbers. The licence condition numbering remains unchanged.

The licence conditions will be reviewed when the licence expires on 27 October 2024.

## 2. Scope of assessment

### 2.1 Application summary

The Shire of Wyndham - East Kimberley (licence holder) operates the Kununurra Waste Disposal Site (Premises) located on Reserve 28875, being Lots 2464 and 2465 on Plan 195310, Victoria Highway, under the terms and conditions of licence (L7315/1998/8). The amendment of this licence will be determined by the Delegated Officer without application from the licence holder.

The licence relates to prescribed premises categories 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 / design capacity
Category 57: Used tyre storage (general)	Not more than 500 tyres.
Category 61: Liquid waste facility	1,900 tonnes per annual period
Category 64: Class II or III putrescible landfill site	20,000 tonnes per annual period

## 3. 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>.

## 4. Considerations for issuing an amended licence

### 4.1 Compliance and enforcement actions

There have been no assessment of recent incidents or complaints identified at this Premises.

### 4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

### 4.3 Categories of the licence

The licensed categories and production capacities remain unchanged.

## 4.4 Planning approval

The licence holder is a Public Works Utility which is exempt from obtaining a planning approval.

## 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 resulting from emissions and/or discharges from the prescribed Premises.

There are no changes to the terms of the licence caused by the amendment, except to extend the expiry date to 27 October 2024.

Condition 5.1.3 and 5.2.1 have been edited to the new approved Annual Audit Compliance Report and biennial Environmental Report as described by Notice of Amendment dated 16 May 2022.

## 6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 1.

**Table 1: Consultation**

Consultation method	Comments received	Delegated Officer's response
Applicant was provided with draft documents on 7 December 2023 and asked to provide comments on or before 5 January 2024	Licence Holder responded on 11 December 2023 with no comment and waived the remaining consultation period.	N/A