



Department initiated Amendment

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

Licence Number	L9160/2018/1
Licence Holder	Shire of Chittering
File Number	DER2018/001437
Premises	<p>Bindoon Landfill & Recycling Centre</p> <p>18 Mingah Road</p> <p>MOOLIABEENEE, WA 6504</p> <p>Legal description –</p> <p>Lot 101 on Diagram 48571</p> <p>Certificate of Title Volume 1509 Folio 766</p> <p>As defined by the premises map attached to the revised licence</p>
Date of Report	11 October 2024
Decision	Revised licence granted

Melissa Chamberlain

MANAGER WASTE INDUSTRIES

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

1. Decision summary

The Delegated Officer has determined to make amendments to Licence L9160/2018/1. The amendments are administrative in nature therefore they do not alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This amendment report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing Licence will remain on the department's website for future reference and will act as a record of the department's decision making.

1.1 Regulatory framework

In amending the licence, 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>.

1.2 Amendment summary

Licence L9160/2018/1 is held by Shire of Chittering (Licence Holder) for the Bindoon Landfill and Recycling Centre (the premises), located at 18 Mingah Road, Mooliabeenee.

The premises relates to the category and the assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Licence L9160/2018/1.

The department considers there to be insufficient time to complete a licence renewal prior to the current licence expiry. Therefore, the licence duration will be extended for a short period to ensure the current licence continues to remain in force until a full assessment is able to be completed.

On 30 August 2024, the department initiated an amendment to Licence L9160/2018/1. The amendment is limited to extending licence expiry date; renumbering of conditions; typographical errors; updating/deletions/inclusion of definitions and updating the licence to the revised licensing format.

2. Consultation

The licence holder was provided with the draft amendment report on 20 September 2024. On 25 September 2024, the licence holder advised the department that the changes to the licence were acceptable and that no further changes were required.

3. Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	<p>Updated to revised licensing format.</p> <p>Cover page restructured to clearly indicate what prescribed activities have been risk assessed.</p> <p>Information from Table 1 moved to cover page - category description updated and assessed production / design capacity added.</p> <p>Date of amendment added.</p> <p>Premises details updated and reference to the premises map updated to 'As defined by the premises map in Schedule 1'.</p>
Duration	Extended to 21/11/2030.
Interpretation	Added based on departmental legal advice.
Licence history	<p>Licence history table added to licence.</p> <p>History of previous, inactive licence and this amendment added to licence history table.</p>
Preamble	<p>Production / design capacity moved to cover page.</p> <p>Remaining information deleted consistent with revised licensing format.</p>
All	<p>Reference to 'licensee' replaced with 'licence holder' and 'shall' updated to 'must' as per current licensing wording.</p> <p>Condition numbering updated as per revised licensing format.</p> <p>Bulleting updated to alphabetical bullets as per revised licensing format.</p> <p>Minor wording changes to update conditions into current licensing format with no changes to requirements or intentions of conditions.</p> <p>Correction of grammatical errors.</p>
Licence conditions	<p>Licence conditions heading added as per current licensing format.</p> <p>'The licence holder must ensure that the following conditions are complied with' added as per current licensing format and wording.</p>
Condition G1	<p>Renumbered to condition 1 as per revised licensing format.</p> <p>Waste types reworded as per revised <i>Landfill Waste Classification and Waste Definitions 1996 (as amended December 2019)</i> waste definitions.</p>
Condition G2(a)	Renumbered to condition 2 as per revised licensing format.
Condition G2(b)	Renumbered to condition 3 as per revised licensing format.
Condition G2(c)	Renumbered to condition 4 as per revised licensing format.

Condition no.	Proposed amendments
Condition G2(d)	Renumbered to condition 5 as per revised licensing format and reference to condition G2(b) updated to condition 3 to reflect new numbering.
Condition G2(e)	Renumbered to condition 6 as per revised licensing format.
Condition G3	Renumbered to condition 7 as per revised licensing format and reference to condition G3(iv) updated to condition 7(d) to reflect new numbering and bulleting.
Condition G4(a)	Renumbered to condition 8 as per revised licensing format.
Condition G4(b)	Renumbered to condition 9 as per revised licensing format.
Condition G4(c)	Renumbered to condition 10 as per revised licensing format.
Condition G5	Renumbered to condition 11 as per revised licensing format.
Condition G6(a)	Deleted as per <i>Notice of Amendment of Licence Reporting Requirements</i> effective 16 May 2022, in accordance with sections 59(2), 59(1)(a) and 59(1)(b) of the <i>Environmental Protection Act 1986</i> . The Notice of Amendment removes the requirement to submit an Annual Monitoring Report / Annual Environmental Report for licences listed in Schedule 1.
Condition G6(b)	
Condition G7	Renumbered to condition 12 as per revised licensing format. Condition updated and Annual Audit Compliance Report (AACR) due date amended as per <i>Notice of Amendment of Licence Reporting Requirements</i> effective 16 May 2022, in accordance with sections 59(2), 59(1)(a) and 59(1)(b) of the <i>Environmental Protection Act 1986</i> . Condition restructured as per current condition wording with no changes made to the condition requirements.
Condition A1	Renumbered to condition 13 as per revised licensing format.
Condition A2(a)	Renumbered to condition 14 as per revised licensing format.
Condition A2(b)	Renumbered to condition 15 as per revised licensing format.
Condition A2(c)	Renumbered to condition 16 as per revised licensing format.
Condition A2(d)	Renumbered to condition 17 as per revised licensing format.
Condition A2(e)	Renumbered to condition 18 as per revised licensing format.
Condition W1(a)	Renumbered to condition 19 as per revised licensing format.
Condition W1(b)	Renumbered to condition 20 as per revised licensing format.
Condition W1(c)	Renumbered to condition 21 as per revised licensing format.

Condition no.	Proposed amendments
Condition W2(a)	Renumbered to condition 22 as per revised licensing format and 'three' amended to '3' consistent with licence wording.
Condition W2(b)	Renumbered to condition 23 as per revised licensing format.
Definitions	<p>Definitions moved to Table 2 and definitions text amended to 'in this licence, the terms in Table 2 have the meanings defined' as per revised licensing format and wording.</p> <p>Definitions updated: 'AACR', 'annual period', 'clean fill', 'DWER', 'Landfill Waste Classification and Waste Definitions 1996', 'licence', 'putrescible', 'putrescible waste', 'type 1 inert waste', 'type 1 special waste' and 'type 2 special waste'.</p> <p>Definitions added: 'discharge', 'emission', 'EP Act', 'EP Regulations', 'licence holder', 'prescribed premises', and 'waste'.</p> <p>Definitions added / updated as per <i>Notice of Amendment of Licence Reporting Requirements</i> effective 16 May 2022, in accordance with sections 59(2), 59(1)(a) and 59(1)(b) of the <i>Environmental Protection Act 1986</i>: 'approved form', 'CEO', 'condition' and 'premises'. 'Premises' definition updated as per revised licensing wording.</p> <p>Definitions removed: 'Act' and 'the Act' (reference to 'Act' and 'the Act' updated to EP Act throughout the licence).</p>
Premises map	<p>'Attachment 1' amended to 'Schedule 1: Maps'.</p> <p>Premises map heading and Figure 1 label added. Figure 1 description updated.</p>