

**SHIRE OF BODDINGTON
DEVELOPMENT APPLICATION A7**

RESPONSE TO ITEM 1 & 2



Kim Gorey

From: Kim Gorey
Sent: Wednesday, 20 July 2011 2:09 PM
To: ceo@boddington.wa.gov.au
Cc: Steve Thompson (planning@boddington.wa.gov.au);
bruce@bowmanassociates.com.au; Richard Atkins (ratkins@mcracelough.com);
'Andrew Howe'; Harold Clough
Subject: NORTH BODDINGTON LANDFILL
Attachments: STATE EPA APPROVAL.pdf; Referral decision instrument.pdf; Notification
proponent.pdf

Gary / Steve,

Attached is the formal notification of Approvals which have been received for the Landfill Site.

1. State EPA have assessed our project – NOT ASSESSED – PUBLIC NOTICE GIVEN – NO APPEALS
2. Federal EPA - DSEWPac – NOT A CONTROLLED ACTION

Please advise if you have any queries.

Regards,

Kim Gorey

Managing Director

Perthwaste / Green Recycling

PERTHWASTE



Perthwaste Pty Ltd

PO Box 6

Cottesloe WA 6911

Phone: (08) 9418 5577

Fax: (08) 9418 5588

Mobile: 0400 393 355

Email: kgorey@perthwaste.com.au

Web: www.perthwaste.com.au

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Office of the Environmental Protection Authority

The Atrium,
Level 8, 168 St Georges Terrace,
Perth, Western Australia 6000.
Telephone: (08) 6467 5600.
Facsimile: (08) 6467 5556.

Postal Address: Locked Bag 33,
Cloisters Square, Perth, Western Australia 6850.
Website: www.epa.wa.gov.au

Mr Kim Gorey
Managing Director
Perthwaste Pty Ltd
PO Box 6
COTTESLOE WA 6911

Our Ref: A402845
Enquiries: Chris Stanley, 6467 5265
Email: chris.stanley@epa.wa.gov.au

Dear Mr Gorey

PUBLIC ADVICE UNDER SECTION 39A(7)
Environmental Protection Act 1986

PROPOSAL:	North Boddington Landfill Facility
LOCATION:	Lot 2 Albany Highway
LOCALITY:	North Bannister
PROPONENT:	Perthwaste Pty Ltd
DECISION:	NOT ASSESSED - PUBLIC ADVICE GIVEN

Further to the Environmental Protection Authority (EPA) letter of 4 July 2011 with regard to the above proposal, the Office of the EPA (OEPA) advises that no appeals were received against the EPA's determination that your proposal should be treated as *Not Assessed-Public Advice Given*.

Accordingly, the OEPA provides the following advice:

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- a. Clearing of native vegetation
- b. Works Approval
- c. Visual amenity of Bibbulmun Track
- d. Wind blown rubbish

2. Advice and Recommendations regarding Environmental Issues

- a. Clearing of native vegetation

The EPA notes that the proposal involves the clearing of native vegetation.

Please visit the Department of Environment and Conservation's website at the following web address <http://www.dec.wa.gov.au/content/view/2914/2079/> for

information on the provisions of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and the procedures in relation to applying for a Clearing Permit. The Department of Environment and Conservation will make a decision to grant or refuse a permit. The decision of the EPA to not assess your proposal carries no presumption about the outcome of an application for a Clearing Permit.

It should be noted that clearing cannot be undertaken until the clearing permit application process is concluded.

b. Works Approval

Your project may require a Works Approval.

Please contact your local Department of Environment and Conservation on 9423 2900 to determine your obligations under Part V of the EP Act, if you have not already done so. The decision of the EPA to not assess your proposal carries no presumption about the outcome of an application for a Works Approval.

It should be noted that construction cannot commence until the Works Approval process has been completed.

c. Visual amenity of Bibbulmun Track

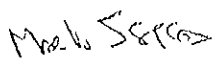
Due to the proximity of the site to the Bibbulmun Track the proposal should ensure landscaping and planting of vegetation is undertaken in such a way that the landfill and associated infrastructure doesn't not cause negative impacts on the visual amenity of the Bibbulmun Track.

d. Wind blown rubbish

Fencing and other management measures proposed in the EPA referral document for the project should be implemented to ensure rubbish cannot leave the landfill and cause impacts on the Bibbulmun Track and surrounding State Forest.

The EPA expects the relevant decision-making authorities to consider and implement this advice through the approvals process. If you have any enquiries, please contact the person cited above.

Yours sincerely


Anthony Sutton
Director
Assessment and Compliance Division

19 July 2011

CC: Mr. G Sherry, Shire of Boddington



Environmental Protection Authority

The Atrium,
Level 8, 168 St Georges Terrace,
Perth, Western Australia 6000
Telephone: (08) 6467 5000
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Cloisters Square, Perth, Western Australia 6850
Website: www.epa.wa.gov.au

Mr K Gorey
Managing Director
Perthwaste Pty Ltd
PO Box 6
COTTESLOE WA 6911

Our Ref A398675
Enquiries Chris Stanley
Phone 6467 5265

Dear Mr Gorey

NOTICE UNDER SECTION 39A(3) *Environmental Protection Act 1986*

PROPOSAL: North Boddington Landfill Facility
LOCATION: Lot 2 Albany Highway North Bannister
LOCALITY: Shire of Boddington
PROPONENT: Perthwaste Pty Ltd
DECISION: Not Assessed – Public Advice Given

The Environmental Protection Authority (EPA) understands that you wish to undertake the above proposal which has been referred to the Authority for consideration of its potential environmental impact.

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). Nevertheless, the staff of the Office of the EPA will provide advice to you and relevant authorities on the environmental aspects of the proposal. That advice will be forwarded following completion of the appeals process and made available to the public.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 18 July 2011, during which, on payment of the \$10 appeal fee, an appellant may ask the Minister to consider directing the EPA to reconsider this decision or conduct a formal assessment. Information on the outcome of the appeals process is available through the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190 after the closing date of appeals.


Yours sincerely

Anthony Sutton
Director
Assessment and Compliance Division

4 July 2011

ENVIRONMENTAL PROTECTION AUTHORITY

Weekly record of determinations for
development proposals

Title:	North Boddington Landfill Facility Lot 2 Albany Highway North Bannister Shire of Boddington	Determination:	Not Assessed - Public Advice Given		
Referral ID:	A398675	Date Received:	25/05/2011	Date Final Info:	10/06/2011
Referrer:	Shire of Boddington	Proponent:	Parthwaste Pty Ltd		
Contact:	Mr K Goroy	Telephone:	94185577		
LGA:		Procedure:			
Environmental Factors:	Noise, odour, visual amenity, fauna.	Chairman's Initials:			
Potential Significant Impacts:	Potential impacts of odour, noise and visual amenity on Bibbulmun Track which is 400m away of its closest point. Small amount of Black Cockatoo habitat disturbed including one possible breeding tree.	Date Signed:	28 6 11		
Public comments on referral information:	Not Assess 0 Assess (no public review) 0 Assess (with public review) 0 TOTAL COMMENTS 0				
Explanation of Decision:	Impacts on odour and noise can be managed through Part V Licence. Public advice that project needs to be managed to avoid visual impacts on Bibbulmun Track and to prevent rubbish leaving site and being blown on to track. Disturbance of Black Cockatoo habitat is not considered significant.				
Officer:	Chris Stanley				
Appeals Close: 18/07/2011					

ENVIRONMENTAL PROTECTION AUTHORITY

The following proposal has been submitted. The following assessment level has been assigned.

NOT ASSESSED - PUBLIC ADVICE GIVEN

1. North Boddington Landfill Facility, Lot 2 Albany Highway, North Bannister, Shire of Boddington.

RIGHT TO APPEAL: For information on appeal rights contact the Appeals Convenor, (08) 6467 5100. To be notified of EPA decisions and releases go to <http://www.epa.wa.gov.au/Pages/BSS/epo/s.aspx>

For more information on projects before the EPA please call PENNY WILLIAMS on (08) 6467 5419 or visit the EPA website at www.epa.wa.gov.au

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Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Mr Kim Gorey
Managing Director
Perthwaste Pty Ltd
PO Box 6
COTTLESLOE WA 6911

Date: 15 July 2011
EPBC Ref: 2011/5998
EPBC contact: Dionne Cassanell
(02) 6274 2114
Dionne.cassanell@environment.gov.au

Dear Mr Gorey

**Decision on referral
North Boddington Landfill, WA**

This is to advise you of my decision, under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), about the proposed action to construct and operate a putrescibles landfill facility located some 30km from Boddington, Western Australia.

As a delegate of the Minister for Sustainability, Environment, Water, Population and Communities, I have decided that the proposed action is not a controlled action. This means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed.

A copy of the document recording this decision is enclosed. This document will be notified publicly on the department's website.

Please note that this decision relates only to the specific matters protected under Chapter 2 of the EPBC Act.

This decision does not affect any requirement for separate state or local government environment assessment and approvals of the proposed action.

The department has an active audit program for proposals that have been referred under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned. You should be aware that your project may be selected for audit by the department at any time and all related records and documents may be subject to scrutiny. Information about the department's audit strategy is enclosed.

I have written separately to Mr Scott Bird, Managing Director, ENV Australia and Mr Anthony Sutton, Director, Assessment Compliance Services from the Office of the Environmental Protection Agency advising them of this decision.

If you have any questions about the referral process or this decision, please contact the EPBC project manager and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Barbara Jones
Assistant Secretary
Environment Assessment Branch



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

**Notification of
REFERRAL DECISION – not controlled action**

North Boddington Landfill, WA (EPBC 2011/5998)

This decision is made under Section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

person named in the referral Perthwaste Pty Ltd
ABN 94118 828 872

proposed action To construct and operate a putrescibles landfill facility located some 30 km north of Boddington, Western Australia, as described in the referral received by the department on 17 June 2011. [See EPBC Act referral 2011/5998]

Referral decision: Not a controlled action

status of proposed action The proposed action is not a controlled action.

Person authorised to make decision

Name and position Barbara Jones
Assistant Secretary
Environment Assessment Branch

signature

date of decision 15 July 2011