



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Shire of Kellerberrin

**Licence:** L8496/2010/2

**Registered office:** 110 Massingham Street  
KELLERBERIN WA 6410

**Premises address:** Kellerberrin Waste Transfer Station  
Inverarity Road  
KELLERBERRIN WA 6410  
Being Crown Reserve 32086 as depicted in Schedule 1.

**Issue date:** Thursday, 19 November 2015

**Commencement date:** Friday, 29 November 2015

**Expiry date:** Saturday, 28 November 2020

**Prescribed premises category**

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
62	Solid waste depot – premises on which waste is stored or sorted pending final disposal or re-use	500 tonnes or more per year	5,000 tonnes per annual period

**Conditions**

Subject to this Licence and the conditions set out in the attached pages.

Date signed: 18 November 2015

.....  
**Alan Kietzmann**  
**Manager Licensing (Waste Industries)**  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to protect and conserve the state's environment on behalf of the people of Western Australia.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

### Licence requirements

This licence is issued under Part V of the Act. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- Environmental Protection (Unauthorised Discharges) Regulations 2004 – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- Environmental Protection (Controlled Waste) Regulations 2004 - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- Environmental Protection (Noise) Regulations 1997 – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

**Licence fees**

Operating without a licence is an offence under the Act. If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

**Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

**Premises description and Licence summary**

The Kellerberrin Waste Transfer Station (The Premises) is located on Crown Reserve 32086 approximately 5.5 kilometres (km) south of the Kellerberrin town centre. The nearest residential property identified on Department of Environment Regulation’s GIS mapping system appears to be over 4km to the north east. The surrounding land is primarily used for farming however the Crown Reserve is located on land allocated for recreational use which is located within a broad valley floor which is subject to inundation during heavy rainfall events. Any runoff from the area will enter the Salt River.. The transfer station is located on land through which minor ephemeral water courses flow. Depth to groundwater at the premises is unknown. There is no Public Drinking Water Source Area (PDWSA) within at least 10 km of the site.

The Premises accepts waste from the Kellerberrin community where it is stored prior to transport to the Northam landfill for final disposal. The facility is manned and is opened from 8 am to 5 pm Friday to Monday. Self cart household rubbish is deposited by the public into open top steel front lift bins which are removed as required by Avon Waste . Scrap metal waste is accepted by the transfer station and is stored in a stockpile on site before being removed by a scrap metal recovery contractor. Green waste is also accepted by the premises. No asbestos or construction and demolition waste is accepted. The transfer station is fully fenced and locked when not in operation. A waste oil collection facility is located on site.

This licence is the successor to licence L8496/2010/1. The licences and works approvals issued for the Premises since 6 June 2003 are:

Instrument log		
Instrument	Issued	Description
L7877/1997/1	06/10/2003	Licence re-issue
L7877/1997/2	09/08/2004	Licence re-issue
L7877/1997/3	05/09/2005	Licence re-issue
L8496/2010/1	25/11/2010	New licence as previous licence expired.
L8496/2010/1	16/01/2014	Licence amendment to new format.
L8496/2010/1	19/11/2015	Licence re-issue

**Severance**

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

**END OF INTRODUCTION**



## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

**'ACM'** means asbestos containing material and has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'the Act'** means the *Environmental Protection Act 1986*;

**'annual period'** means the inclusive period from 1 September until 31 August;

**'asbestos'** means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysotile, crocidolite, tremolite and any mixture containing 2 or more of those;

**'averaging period'** means the time over which a limit is measured or a monitoring result is obtained;

**'CEO'** means Chief Executive Officer of the Department of Environment Regulation;

**'CEO'** for the purpose of correspondence means;

Chief Executive Officer  
Department Administering the Environmental Protection Act 1986  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Email: info@der.wa.gov.au

**'Clean Fill'** has the meaning defined in Landfill Definitions;

**'controlled waste'** has the definition in Environmental Protection (Controlled Waste) Regulations 2004;

**'DER Asbestos Guidelines'** means the current version of the Guidelines for managing asbestos at construction and demolition waste recycling facilities as published by the Department of Environment and Conservation, Government Western Australia;

**'designated burning area'** means an area of a landfill site that has been designated by the occupier of the site as a designated burning area that is at least 50 metres from the premises boundary; has no flammable material on it, other than greenwaste and live trees, for a radius of 50 metres; is positioned in the area of the site where waste (other than greenwaste to be burned) has not been deposited; and is at least 500 metres from any person's residence or place of employment (other than the premises), or an educational institution, hospital or other public place;

**'green waste'** means waste that originates from flora and which does not contain or has not been treated or coated with, preserving agents, biocides, fire retardants, paint, adhesives or binders;

**'Hazardous waste'** has the meaning defined in Landfill Definitions;



**'Inert Waste Type 1'** has the meaning defined in Landfill Definitions;

**'Landfill Definitions'** means the document titled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Environment as amended from time to time;

**'Licence'** means this Licence numbered L8496/2010/2 and issued under the *Environmental Protection Act 1986*;

**'Licensee'** means the person or organisation named as Licensee on page 1 of the Licence;

**'Premises'** means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

**'Putrescible'** has the meaning defined in Landfill Definitions;

**'quarantined storage area or container'** means a hardstand storage area or sealed-bottom container that is separate and isolated from authorised waste disposal areas and is capable of containing all non-conforming waste and its constituents, these areas must be clearly marked and their access restricted to authorised personnel;

**'Schedule 1'** means Schedule 1 of this Licence unless otherwise stated;

**'Schedule 2'** means Schedule 2 of this Licence unless otherwise stated; and

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

1.1.4 Any reference to a guideline or code of practice in the Licence means the current version of the guideline or code of practice.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

## 1.2 General conditions

1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.3 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.<sup>1</sup>

Note1: The Environmental Protection (Unauthorised Discharges) Regulations 2004 make it an offence to discharge certain materials into the environment.



### 1.3 Premises operation

1.3.1 The Licensee shall only accept waste on to the Premises if:

- (a) it is of a type listed in Table 1.3.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.3.1;
- (c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance		
Waste type	Quantity Limit	Specification
Clean fill	Combined total of no more than 5,000 tonnes per annual period.	None specified
Inert Waste Type 1		Waste containing visible asbestos or ACM shall not be accepted.
Inert Waste Type 2		Plastics only
Putrescible waste		None Specified
Hazardous waste		Waste oil only

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.3.2 and in accordance with any process limits described in that Table.

Table 1.3.2: Waste processing		
Waste type	Process	Process limits
Clean Fill	Receipt, handling and storage prior to removal offsite.	None Specified
Hazardous waste		Waste oil must be stored in a fully enclosed bunded area/container.
Inert Waste Type 1		Crushing and screening of Inert Waste Type 1 is not permitted.
Inert Waste Type 2		Stored within skip bins.
Scrap metal		Scrap metal shall only be stored in the designated scrap storage area.
Putrescible waste	Disposal by burning	No more than 200 tonnes of scrap metal shall be stored on the Premises any one time.
		Putrescible waste other than green waste shall be stored within skip bins that will contain any leachate generated.  No more than 1000 m <sup>3</sup> of green waste shall be stored on the Premises at any one time.  A five metre fire break shall be maintained around the green waste storage area and the cardboard storage area.  No more than 50 m <sup>3</sup> of cardboard shall be stored on the Premises at any one time.
		Only green waste shall be burnt on site. Green waste shall only be burnt if; <ul style="list-style-type: none"> <li>• It has been dried and seasoned for at least 2 months before burning;</li> <li>• it takes place in a designated burning area;</li> <li>• it is done in a manner to minimise the generation of smoke;</li> </ul>



**Table 1.3.2: Waste processing**

		<ul style="list-style-type: none"> <li>• it takes place in trenches or windrows;</li> <li>• it takes place only when an adequate supply of water is available to effectively manage the burning process; and</li> <li>• it is free of any contaminants.</li> </ul>
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1.3.4 The Licensee shall implement the following security measures at the site:

- erect and maintain suitable fencing to prevent unauthorised access to the site;
- ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
- undertake regular inspections of all security measures and repair damage as soon as practicable.

1.3.5 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the premises.

1.3.6 The Licensee shall take all reasonable and practical measures to ensure that no windblown waste escapes from the Premises and that windblown waste is collected on at least a monthly basis and appropriately contained.

1.3.7 The Licensee shall ensure there are appropriate procedures in place at the premises so that any unauthorised fire is promptly extinguished.

## 2 Monitoring

### 2.1 Monitoring of inputs and outputs

2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

**Table 2.1.1: Monitoring of inputs and outputs**

Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Clean fill, Inert Waste Type 1, Putrescible Waste, Hazardous Waste	m <sup>3</sup>	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Definitions			Each load leaving or rejected from the Premises





### 3 Improvements

#### 3.1 Improvement program

3.1.1 The Licensee shall complete the improvements in Table 3.1.1 by the date of completion in table 3.1.1.

3.1.2 The Licensee, for improvements not specifically requiring a written submission, shall write to the CEO stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 3.1.1.

<b>Table 3.1.1: Improvement program</b>		
<b>Improvement reference</b>	<b>Improvement</b>	<b>Date of completion</b>
IR1	<p>The Licensee shall prepare and submit to the CEO an Asbestos Management Plan (AMP). As a minimum the AMP shall include;</p> <ul style="list-style-type: none"> <li>• Standard operational procedures (SOP's) for the pre-acceptance and acceptance of waste and how any asbestos detected on site will be managed; and</li> <li>• Identification of each person's roles and responsibilities under the AMP; and</li> <li>• Procedures for detailing incidents or emergencies associated with asbestos</li> </ul> <p>that are consistent with the DEC Asbestos Guidelines.</p>	1 March 2016
IR2	The Licensee shall comply with the submitted AMP	None Specified
IR3	<p>The Licensee shall prepare and submit to the CEO a post-closure rehabilitation plan for previously landfilled areas. As a minimum the AMP shall include;</p> <ul style="list-style-type: none"> <li>• Options for the use of the historic landfill site located on the Premises specifying the preferred option;</li> <li>• A conceptual design of the infrastructure needed for the preferred option;</li> <li>• The estimated final contours after allowing for settlement, and specifying to what extent settlement has been allowed for;</li> <li>• The capping materials proposed to be used;</li> <li>• A proposed system of drainage;</li> <li>• Measures proposed for the protection of the environment and the monitoring of the historic landfill site;</li> <li>• The estimated period for which the historic landfill site will require protection and monitoring; and</li> <li>• A timeline for implementation of the post-closure rehabilitation plan.</li> </ul>	1 December 2016
IR4	The Licensee shall comply with the submitted post-closure rehabilitation plan.	None Specified





## 4 Information

### 4.1 Records

- 4.1.1 All information and records required by the Licence shall:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
  - (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
  - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
    - (i) off-site environmental effects; or
    - (ii) matters which affect the condition of the land or waters.
- 4.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
  - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 4.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 4.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

### 4.2 Reporting

- 4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 60 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
-	Summary of the effectiveness of pest, vermin, dust and windblown waste controls and any actions proposed to increase effectiveness of these controls	None specified
-	The number and severity of any unauthorised fires on the Premises that occurred during the reporting period	None specified
-	Any changes to the premises boundaries and internal buffer zones	None specified
2.1.1	Outputs and monitoring data	None specified
IR3	Summary of any actions undertaken as required by the approved post-closure rehabilitation plan during the annual period.	None specified
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified



Note 1: Forms are in Schedule 2

4.2.1 The Licensee shall submit the information in Table 5.2.2 to the CEO according to the specifications in that table.

<b>Table 4.2.1: Non-annual reporting requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Reporting date</b>	<b>Format or form<sup>1</sup></b>
1.3.9	Any unauthorised fire not extinguished within 2 hours	Within 14 days of discovery of the fire	A report that details: <ul style="list-style-type: none"><li>• the date, time and location of the fire; and</li><li>• the cause or suspected cause of the fire.</li></ul>

Note 1: Forms are in Schedule 2



# Schedule 1: Maps

## Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.



**LEGEND**

<ul style="list-style-type: none"> <li>Local Government Authorities</li> <li>Public Drinking Water Source Areas (PDWSAs)</li> <li>Priority Not Assigned</li> <li>Priority Area#1</li> <li>Priority Area#2</li> <li>Priority Area#3</li> <li>Threatened Ecological Sites Buffered</li> <li>Priority</li> <li>Threatened</li> <li>Threatened Fauna</li> <li>Priority</li> <li>Threatened</li> <li>Presumed to be Extinct</li> <li>Specialty Protected</li> <li>Threatened Plant Communities</li> </ul>	<ul style="list-style-type: none"> <li>Threatened and Priority Flora</li> <li>Priority 1</li> <li>Priority 2</li> <li>Priority 3</li> <li>Priority 4</li> <li>Threatened</li> <li>Extinct</li> <li>Hydrography, linear</li> <li>Area Subject to Inundation</li> <li>Striketh Stream Area</li> <li>Drypan</li> <li>Coastal Waterlines</li> <li>Den Wall</li> <li>Den Wall - carrying road</li> <li>Drain - major</li> <li>Drain - minor</li> <li>Earth Den</li> <li>Estuarine</li> <li>Flood Liability Area</li> <li>Flow Direction Arrow</li> <li>Freshwater Flats or Sandbank</li> <li>Gypan Area</li> <li>Lake - artificial</li> <li>Lake - non-perennial</li> <li>Lake - perennial</li> <li>Levee Bank</li> <li>Marine Construction - wharf/jetty</li> <li>Marsh Area</li> <li>Natural Pool - non-perennial</li> <li>Natural Pool - perennial</li> <li>Road Area</li> <li>Rock Awash Offshoot</li> <li>Swamp</li> <li>Supply Channel</li> <li>Swamp - non-perennial</li> <li>Swamp - perennial</li> <li>Tidal Flat</li> <li>Wash Area</li> <li>Water Reservoir</li> <li>Watercourse - interfluvial</li> <li>Watercourse - major, non-perennial</li> <li>Watercourse - minor, perennial</li> <li>Watercourse - minor, non-perennial</li> </ul>	<ul style="list-style-type: none"> <li>Watercourse - minor, perennial</li> <li>Watercourse Bank - non-perennial</li> <li>Watercourse Bank - perennial</li> <li>Waterfalls</li> <li>Geodata, Lakes</li> <li>Hydrography, linear (hierarchy)</li> <li>Image Index</li> <li>Recently added</li> <li>Coverage</li> <li>Kellerberrin 58ppr Ordinance - Landgate 2004</li> </ul>	<p>Scale 1:13361 (Approximate when reproduced at A4)</p> <p>Geocentric Datum Australia 1994</p> <p>Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.</p> <p>Prepared by: jensipr      Prepared for: Date: 9/10/2013 4:13:12 PM</p> <p>Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.</p> <p>Government of Western Australia      Department of Environment Regulation      WA Crown Copyright 2012</p>
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\* Project Data. This data has not been quality assured. Please contact map author for details.



## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period: _____ to _____	

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the licence complied with within the reporting period? (please tick the appropriate box)

Yes  Please proceed to Section C  
No  Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



**SECTION B**  
**DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.**

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally            Date _____ <input type="checkbox"/> Reported to DER in writing            Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_





Licence: L8496/2010/1 Licensee: Shire of Kellerberrin  
 Form: N1 Date of breach:

**Notification of detection of the breach of a limit.**

These pages outline the information that the operator must provide.  
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

**Part A**

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

<b>Notification requirements for the breach of a limit</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	





## Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Shire of Kellerberrin	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Licensee: Shire of Kellerberrin**

**Licence: L8496/2010/2**

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**Registered office:** 110 Massingham Street  
KELLERBERIN WA 6410

**Premises address:** Kellerberrin Waste Transfer Station  
Inverarity Road  
KELLERBERRIN WA 6410  
Being Crown Reserve 32086 as depicted in Schedule 1.

**Issue date:** Thursday, 19 November 2015

**Commencement date:** Friday, 29 November 2015

**Expiry date:** Saturday, 28 November 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: Melissa Chamberlain  
Licensing Officer

Decision Document authorised by: Alan Kietzmann  
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	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	62	5000 tonnes per annual period
Application verified	Date: 14/10/2015	
Application fee paid	Date: 4/11/2015	
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"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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"/>
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 Kellerberrin Waste Transfer Station (The Premises) is located on Crown Reserve 32086 approximately 5.5 kilometres (km) south of the Kellerberrin town centre. The nearest residential property identified on Department of Environment Regulation's GIS mapping system appears to be over 4km to the north east. The surrounding land is primarily used for farming however the Crown Reserve is located on land allocated for recreational use which is located within a broad valley floor which is subject to inundation during heavy rainfall events. Any runoff from the area will enter the Salt River. The transfer station is located on land through which minor ephemeral water courses flow. Depth to groundwater at the premises is unknown. There is no Public Drinking Water Source Area (PDWSA) within at least 10 km of the site.

The Premises accepts waste from the Kellerberrin community where it is stored prior to transport to the Northam landfill for final disposal. The facility is manned and is opened from 8 am to 5 pm Friday to Monday. Self cart household rubbish is deposited by the public into open top steel front lift bins which are removed as required by Avon Waste . Scrap metal waste is accepted by the transfer station and is stored in a stockpile on site before being removed by a scrap metal recovery contractor. Green waste is also accepted by the premises. No asbestos or construction and demolition waste is accepted. The transfer station is fully fenced and locked when not in operation. A waste oil collection facility is located on site.



## 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	L1.2.1 -1.2.3	<p>Condition 1.2.1 has been included on the licence to require the occupier to maintain all pollution control and monitoring equipment in accordance with the manufacturer's specifications which assists in providing greater certainty and reliability in monitoring results as well as assisting in the reduction of emissions from the premises.</p> <p>As the premises is a waste facility there is the potential that environmentally hazardous materials may be brought or stored on site. Condition 1.2.2 requires the licensee to appropriately manage any spills that may occur outside of an engineered containment system.</p> <p><u>Emission Description</u>  <i>Emission:</i> Stormwater contaminated with leachate from waste received at the premises, particularly hazardous and putrescible wastes.  <i>Impact:</i> Contamination of surrounding land and surface water drainage systems. Potential impacts on ecology of surface water from the addition of nutrients and heavy metals. The premises is located on a broad valley floor which is subject to inundation during heavy rainfall events. The Salt River is located approximately 400m to the south east, and the Mournucking nature reserve is located adjacent to the southern boundary.  <i>Controls:</i> The licensee has not specified any stormwater controls.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Moderate</p>	Application supporting documentation



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Condition 1.2.3 has been added to the licence to require the operator to operate and maintain a surface water management system that directs stormwater around the landfill and which keeps stormwater that has come into contact with waste separated from that which has not. The condition also requires stormwater that has come into contact with waste to be considered and managed as leachate.</p> <p>Condition 1.3.3 requires waste oils to be stored in a fully enclosed and bunded area or container to prevent migration of offsite of any contaminated stormwaters. Condition 1.3.3 also requires putrescibles other than green waste are stored within skip bins to reduce the risk of leachate migration.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p>	
Premises operation	L1.3.1-1.3.7	<p>The licensee has advised that processes have remained the same as previous years and so there have been no changes to the requirements of premises operations conditions as part of this renewal.</p> <p>Condition 1.3.1 specifies the waste types and quantity limits that may be accepted at the premises, and condition 1.3.2 requires any waste not meeting these specifications are removed as soon as practicable. Condition 1.3.3 specifies the waste processing that can occur on site and any specifications.</p>	<p>L8496/2010/1</p> <p>Application supporting documentation</p>





DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>Condition 1.3.4 requires that security measures are implemented on site to prevent the illegal dumping of material.</p> <p>Condition 1.3.5 requires the licensee to control pests, flies and vermin at the premises. Pests, flies and vermin may impact the natural fauna and flora in the area by competing for resources, for example food and shelter. The premises is located adjacent to the Mournucking Nature Reserve which, and the presence of pests, flies or vermin may negatively impact the amenity of the area.</p> <p>Condition 1.3.6 requires the licensee to ensure no windblown waste escapes from the Premises and windblown waste is collected and contained. Windblown waste may impact the natural fauna and flora by spreading contaminants to neighbouring properties, particularly hazardous or putrescible waste types. Due to the proximity to Yilgarn River windblown waste may enter surface water areas and migrate downstream. Windblown waste also impacts the visual amenity of the surrounding land which is allocated as a nature reserve.</p> <p>Condition 1.3.7 requires the licensee to ensure unauthorised fires are promptly extinguished to avoid smoke and particulate emissions which may impact on the surrounding fauna and flora or the public health of individuals using the area for recreational purposes.</p>	
<b>Fugitive emissions</b>	N/A	<p><u>Emission Description</u> <i>Emission:</i> Dust emissions from activities on the premises such as driving vehicles, unloading waste. <i>Impact:</i> Dust can negatively impact on the health, welfare and amenity of those on nearby properties as well as flora and fauna. There are no residents within 4km of the premises. Ephemeral creeks are located within the premises which flow to the Yilgarn River. The surrounding land is allocated as a nature reserve.</p>	<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
		<p><i>Controls:</i> The licensee has not proposed any specific controls.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Fugitive emission are sufficiently regulated under the general provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p>	
Odour	N/A	<p><u>Emission Description</u> <i>Emission:</i> Odour from receipt and disposal of putrescible wastes. <i>Impact:</i> Odour can negatively impact on the welfare and amenity of those on nearby properties. The nearest residence is located 4km to the north east. The Mournucking Nature Reserve is located immediately adjacent to the south of the premises. <i>Controls:</i> The Licensee has not proposed any specific controls</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p>	<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
		<p><u>Regulatory Controls</u> Odour is appropriately managed under the general provisions of the <i>Environmental Protection Act 1986</i> and therefore no specific conditions are required.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p>	
Noise	N/A	<p><u>Emission Description</u> <i>Emission:</i> Noise from vehicle activity on the premises. <i>Impact:</i> Noise can cause a nuisance for people on nearby properties and may disturb native fauna. The nearest residence is located 4km to the north east. The Mournucking Nature Reserve is located immediately adjacent to the south of the premises. <i>Controls:</i> The licensee has not proposed any specific controls</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> No specific conditions are required in the licence relating to noise. The previous licence did not contain any conditions relating to noise. The <i>Environmental Protection (Noise) Regulations 1997</i> apply to this premises.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible</p>	<p><i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Noise) Regulations 1997</i></p>



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<i>Risk Rating: Low</i>	
<b>Monitoring of inputs and outputs</b>	L2.1.1	Condition 2.1.1 requires the licence to monitor waste inputs and outputs to monitor compliance with limits placed in condition 1.3.1.	N/A
<b>Improvements</b>	L3.1.1 – 3.1.2	The previous licence required submission of an Asbestos Management plan by April 2014 and a post-closure rehabilitation plan by January 2015. Neither plans have been submitted. These same improvement requirements have been carried over to the licence reissue.	L8496/2010/1
<b>Information</b>	L4.1.1 – L4.1.4, L4.2.1 and L4.3.1	<p>Condition 4.1.1 sets out the requirements for any records that are required under this licence, such as ensuring they are legible and retained for 6 years which assists DER in regulating the conditions of this licence.</p> <p>Condition 4.1.2 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 which assist in operations being undertaken as specified in this licence.</p> <p>Condition 4.1.3 requires the occupier to undertake an audit of their operations against the conditions of the licence and to report on this compliance in an Annual Audit Compliance Report (AACR). This condition assists DER in regulating the occupier's compliance with licence conditions and allows an opportunity for DER to review the occupier's environmental performance.</p> <p>Condition 4.1.4 requires a complaints management system to be implemented where the occupier can internally address any issues that arise from premises operations. DER will review these complaints as reported in the Annual Environmental Report (AER) and can consider the requirement for reassessment of any regulatory controls to address the complaints.</p> <p>Condition 4.2.1 requires the licensee to submit an AER. The AER is required to include</p>	N/A



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<p>the AACR and a summary of the complaints required under condition 4.1.4. The AER is also required to provide a number of other parameters relevant to premises activities. DER reviews all of the information provided in the AER to assess compliance with the licence conditions and to monitor the environmental impacts from the premises.</p> <p>Condition 3.3.1 requires the licensee to notify the CEO if there is any unauthorised fire not extinguished within 2 hours. The notifications required under this condition give DER appropriate notice of any environmental impacts at the premises so that DER can determine if any further action is required to address the incident.</p>	
<b>Licence Duration</b>	N/A	The premises is operated by the relevant planning authority. The premises is allocated moderate risk. Limited information has been provided as part of this licence renewal application. It is recommended that the licence be issued for five years.	Department of Environment Regulation's Licence Duration Guidance Statement, May 2015



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
09/11/2015	Application advertised in West Australian (7 day comment period)	No comments received	N/A
16/11/2015	Proponent sent a copy of draft instrument	<p>Licensee advised that tyres are not accepted at the premises</p> <p>Licensee advised that the requirement to remove putrescible waste within 3 day is too onerous. It is only viable for the Shire to have the waste removed when bins are filled (very 2-3 weeks)</p>	<p>Tyres are removed from waste acceptance table.</p> <p>This requirement was copied over from previous licence in force since January 2014. Controls are required on putrescibles storage due to leachate migration potential. Condition has been changed to require all non green waste putrescibles are stored in skip bins and there is no specification for removal date.</p>



## 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