



Licence

Environmental Protection Act 1986, Part V

Licensee: **Shire of Augusta Margaret River**

Licence: **L6989/1997/13**

Registered office: 41 Wallcliffe Road
MARGARET RIVER WA 6285

Premises address: Davis Road Putrescible Landfill
Davis Road
FOREST GROVE WA 6286
Being Lot 5011 on Plan 192309 as depicted in Schedule 1.

Issue date: Thursday, 12 December 2013

Commencement date: Thursday, 19 December 2013

Expiry date: Sunday, 18 December 2016

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
64	Class II putrescible landfill site: premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer, as amended from time to time) is accepted for burial.	20 tonnes or more per year	20,000 tonnes per annual period

Conditions

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

Date signed: 21 January 2016

.....
Caron Goodbourn
A/ Manager Licencing (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 advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

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 monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements 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

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

Premises description and Licence summary

The 'Davis Road Putrescible Landfill' (landfill) is located approximately 13 kilometres (km) south of the Margaret River Town site and is run by the Shire of Augusta-Margaret River (Shire). Lot 5011 on Plan 192309 is approximately 48.7 hectares and has historically been used by the Shire for sand and gravel extraction and landfill.

The Class II putrescible landfill has been in operation since 1996 for the disposal of municipal solid waste from domestic waste collection provided throughout the Shire, and includes construction and demolition, commercial and industrial waste generated from the region. The landfill has a design capacity of up to 20,000 tonnes per annual period receiving waste from four (4) transfer stations located around the Shire. The landfill also undertakes a recycling program and collection service for the "Chem Collect" program.

The current active cell is nearing capacity and an active works approval (W5544/2013/1) seeks to extend the Premises' landfill life by approximately 2 – 3 years by constructing a new cell east of the existing landfill cells. The Shire intends after this time to close the landfill. The new cell covers an area of 0.8 ha, and will be built in three stages of approximately 0.2-0.3 ha for each stage. The cells will be lined using a clay base liner (after excavation of 0.5m), separation geotextile layer and a leachate collection system with the hydraulic conductivity of the liner being 3×10^{-8} m/s (Environmental Strategies, Ref. W14028LR02_v01, 3 October 2014).

A desktop assessment of groundwater bore (site id. 20004687) located approximately 324m south of the premises boundary, identified depth to groundwater at 1.83 m. The groundwater forms part of the Hardy Estuary, Blackwood River catchment. The Chapman Brook (minor river) is located approximately 603 m east of the premises boundary.

The nearest residential sensitive receptor is approximately 150 m from the new cell. DER will include an improvement condition into the Licence (on completion of the works upgrade) to require an update of the closure plan to include a landfill gas investigation and management plan for the site, particularly focussing on the post-capping phase.

The primary emissions from the operation of the premises are considered to be dust, odour and emissions to groundwater from leachates. The Shire have developed an Environmental Improvement Plan for the landfill.

This Licence is the result of an administrative amendment sought by the proponent ('P4 form' submitted to DER 28 October 2015) for an update of the premises active landfilling map and operational areas within the prescribed premises. The amendment also includes administrative changes to update the Licence format. An additional amendment to the Licence to update all details will be required on completion of works and submission of the compliance report in accordance with works approval W5544/2013/1.



The licences and works approvals issued for the Premises since 19/12/2000 are:

Instrument log		
Instrument	Issued	Description
L6989/1997/4	19/12/2000	Licence re-issue
L6989/1997/5	19/12/2001	Licence re-issue
L6989/1997/6	19/12/2002	Licence re-issue
L6989/1997/7	19/12/2003	Licence re-issue
L6989/1997/8	19/12/2004	Licence re-issue
L6989/1997/9	19/12/2006	Licence re-issue
L6989/1997/10	19/12/2008	Licence re-issue
L6989/1997/11	19/12/2011	Licence re-issue
L6989/1997/12	19/12/2012	Licence re-issue
L6989/1997/13	19/12/2013	Licence re-issue and conversion to REFIRE format
W5544/2013/1	27/11/2014	Works approval issued
L6989/1997/13	21/01/2016	Licence amendment to update premises map boundary

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:

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

'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);

'Acceptance Criteria' has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009), published by the CEO and as amended from time to time;

'annual period' means the inclusive period from 1 January until 31 December in that year;

'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;

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

'averaging period' means the time over which a limit or target 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 Waste Classification and Waste Definitions 1996 (As amended December 2009), published by the CEO and as amended from time to time;

'Contaminated Solid Waste' has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009) published by the CEO and as amended from time to time;

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

'cover material' means clean fill or subsoil used for covering waste;

'fugitive emissions' means all emissions not arising from point source;



'Hazardous waste' has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009), published by the CEO and as amended from time to time;

'Inert Waste Type 1' has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009), published by the CEO and as amended from time to time;

'Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)' means the document entitled "Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009) published by the Chief Executive Officer and as amended from time to time;

'Licence' means this Licence numbered L6989/1997/13 and issued under the *Act*;

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

'NATA' means the National Association of Testing Authorities, Australia;

'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'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 Waste' means the component of the waste stream likely to become putrid;

'rehabilitation' means the completion of the engineering of a landfill cell and includes capping and/or final cover;

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

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

'Special Waste Type 1' has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009) published by the CEO and as amended from time to time; 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 standard in force from time to time during the term of this Licence.

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 in force from time to time and shall include any amendments or replacements to that guidelines or code of practice made during the term of this Licence.

1.2 Premises operation

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

- (a) it is of a type listed in Table 1.2.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.2.1;
- (c) it meets any specification listed in Table 1.2.1; and
- (d) in the case of solid contaminated waste, is supported by documentation that demonstrates compliance with the acceptance criteria for Class II landfills.



Table 1.2.1: Waste acceptance

Waste type	Quantity limit tonnes/ year	Specification ¹
Clean Fill	Combined total of 20,000 tonnes per annual period.	None specified
Inert Waste Type 1		
Special Waste Type 1		
Putrescible Waste		Must meet the acceptance criteria for Class I and Class II landfills.
Contaminated Solid Waste		
Hazardous waste		Waste oil, vehicle batteries, paint and metal and plastic chemical containers only.

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

1.2.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 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.

1.2.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 1.2.2 and in accordance with any process limits described in that Table.

Table 1.2.2: Waste processing

Waste type	Process	Process limits ¹
All	Disposal of waste by landfilling	<ul style="list-style-type: none"> Disposal of waste by landfilling shall only take place within the landfill area shown on the Landfill Area Map (green line) as defined within Schedule 1: Maps, Landfill Area Map. The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2 m.
Clean Fill	Receipt, handling and disposal of waste by landfilling, or storage prior to removal offsite	<ul style="list-style-type: none"> None specified.
Inert Waste Type 1		
Contaminated Solid Waste		
Special Waste Type 1		<ul style="list-style-type: none"> Only to be disposed of into a designated asbestos disposal area within the landfill; Not to be deposited within 2m of the final tipping surface of the landfill; and No works shall be carried out on the landfill that could lead to a release of asbestos fibres.
Hazardous waste	Receipt, handling and storage prior to removal offsite	<ul style="list-style-type: none"> DrumMuster products must be triple rinsed prior to acceptance on the premises; Waste oil, paint, vehicle batteries must be stored in a fully enclosed bunded area/container
Putrescible Waste	Receipt, handling and storage prior to disposal by landfilling	<u>Greenwaste</u> <ul style="list-style-type: none"> No more than 10,000 cubic meters of green waste shall be stored at any one time; Green waste shall not be stored in a dried state; No more than 6,000 cubic meters of mulched green



		<p>waste shall be stored at any one time;</p> <ul style="list-style-type: none"> • All mulched green waste shall be stored in windrows; and • A 5 metre fire break shall be maintained around all areas used to store green waste.
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Note 1: Additional requirements for the acceptance and landfilling of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

1.2.4 The Licensee shall ensure that leachate is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.2.3.

Table 1.2.3: Containment infrastructure		
Storage vessel or compound	Material	Infrastructure requirements
Leachate evaporation Pond and storage sump	Leachate	<ul style="list-style-type: none"> • Lined to achieve a permeability of a least $\leq 1 \times 10^{-9}$ m/s or equivalent; • Designed to contain leachate and stormwater produced as a result of a '1 in 100' year storm event.

1.2.5 The Licensee shall manage the landfilling activities to ensure:

- the size of the tipping face is kept to a minimum and not larger than 2 meters in vertical height;
- waste is levelled and compacted to ensure all faces are stable and capable of retaining rehabilitation material;
- waste is covered as soon as possible after it is discharged and not later than by the end of the working day;
- rehabilitation of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed.

1.2.6 The Licensee shall ensure that cover is applied to waste in accordance with Table 1.2.4 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.2.4: Cover requirements ¹			
Waste Type	Material	Depth	Timescales
Special Waste Type 1	Inert Waste Type 1 or soil	300mm	As soon as practicable after deposit and prior to compaction.
		1,000mm	By the end of the working day in which the asbestos waste was deposited.
Clean fill		150mm	By the end of the working day in which the waste was deposited.
Inert waste type 1			
Putrescible waste			
Contaminated solid waste			
Hazardous waste			

Note 1: Additional requirements for the covering of tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

1.2.7 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



- (c) undertake regular inspections of all security measures and repair damage as soon as practicable.
- 1.2.8 The Licensee shall ensure that wind-blown waste is contained within the boundary of the Premises and that wind-blown waste is returned to the tipping area on at least a weekly basis.
- 1.2.9 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information:
 - (a) hours of operation;
 - (b) contact telephone number;
 - (c) a warning indicating penalties for people lighting fires; and
 - (d) list of materials accepted for recycling and the location of where they can be deposited on the premises.
- 1.2.10 The Licensee shall take all reasonable and practical measures to ensure that no windblown waste escapes from the Premises and that windblown waste escaping the boundary is collected on at least a monthly basis and returned to the tipping area.
- 1.2.11 The licensee shall ensure that vermin, birds, flies and other insects do not give rise to nuisance at the premises or in the immediate area of the premises. Any method used by the licensee shall not cause environmental pollution.
- 1.2.12 The Licensee shall undertake activities on the Premises in accordance with Environmental Improvement Plan (Environmental Improvement Plan – Davis Road Waste Management Facility, ASK Waste Management, July 2012). The EIP shall be updated on an annual basis with amendments being submitted to DER for its agreement.
- 1.2.13 The licensee shall ensure stormwater does not pond on the surface of the active cell.



2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit in this section.

2.2 Odour

- 2.2.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.



3 Monitoring

3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- (c) all laboratory samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

3.1.2 The Licensee shall ensure that :

- (a) six monthly monitoring is undertaken at least 5 months apart; and
- (b) annual monitoring is undertaken at least 9 months apart.

3.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications.

3.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of inputs and outputs

3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of inputs and outputs

Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Clean Fill, Inert Waste Type 1, Special Waste Type 1, Putrescible Waste, Contaminated Solid Waste and Hazardous waste.	m ³	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)			Each load leaving or rejected from the Premises



3.3 Ambient environmental quality monitoring

3.3.1 The Licensee shall undertake groundwater monitoring as outlined in Table 3.3.1, according to the specifications in that table.

Table 3.3.1: Monitoring of ambient groundwater				
Monitoring point reference and location on Map.	Parameter	Units	Averaging period	Frequency
Monitoring bores: M1, P1 and P2	NH ₃ -N	mg/L	Spot sample	Six monthly
	Chemical Oxygen Demand			
	NO ₃ -N			
	NO ₂ -N			
	Total Phosphorus			
	Total Nitrogen			
	Total Dissolved Solids			
	Total Organic Carbon			
	Calcium			
	Magnesium			
	Potassium			
	Sodium			
	Chloride			
	Bicarbonate			
	Aluminium			
	Arsenic			
	Cadmium			
	Chromium			
	Copper			
	Total Iron			
	Lead			
	Manganese			
	Mercury			
	Nickel			
	Selenium			
	Zinc			
	pH ¹	pH units		
	Electrical conductivity ¹	µS/cm		
	Standing Water Level ¹	m AHD		
	Eh (redox potential) ¹	mV		
	Dissolved Oxygen ¹	mg/L		
	Benzene	mg/L		Annually
Ethyl benzene				
Toluene				
Xylenes				
Total Petroleum Hydrocarbons				
Organochlorins				
Phenols				
Polycyclic Aromatic Hydrocarbons				
Polychlorinated Biphenals				

Note 1: In-field non-NATA accredited analysis permitted.



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 5.1.1(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.
- 4.1.5 The Licensee shall maintain a register of Special Waste Type 1 (Asbestos waste) disposed of at the Premises which shall include a plan showing the position of Special Waste Type 1 disposed of at the Premises.

4.2 Reporting

- 4.2.2 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 ¹
-	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
Table 3.2.1	Monitoring of inputs and outputs	
Table 3.3.1	Monitoring of ambient groundwater quality	
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2



- 4.2.3 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) an assessment of the information contained within the report against previous monitoring results and Licence limits; and
 - (b) a list of any original monitoring reports submitted to the Licensee from third parties for the annual period and make these reports available on request.

4.3 Notification

- 4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution.	Part A: As soon as practicable, but no later than 5pm of the next usual working day. Part B: As soon as practicable.	N1
1.3.1 and 2.1.1	Breach of any limit specified in the Licence		
4.1.4	Calibration report	As soon as practicable.	None specified

Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

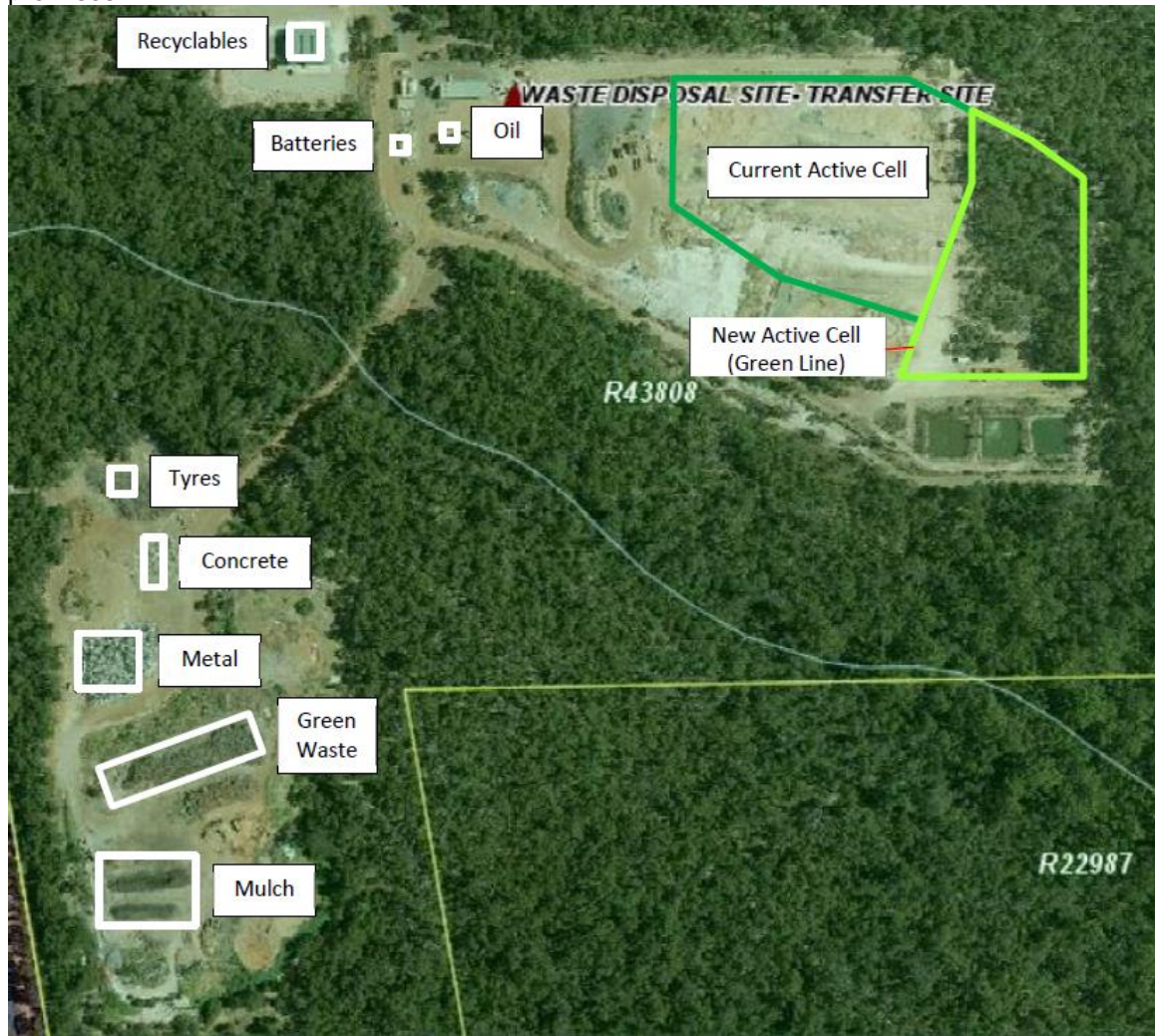
The Premises is shown in the map below. The purple line depicts the Premises boundary.





Landfill Area Map

The map defines the area in which the disposal of waste by landfilling occurs within the prescribed premises.





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:	ABN:
Trading as:	
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 <i>Corporations Act 2001</i> ; 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:

/ /

/ /

Seal (if signing under seal)



Licence: L6989/1997/13
Form: N1

Licensee: Shire of Augusta Margaret River
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	

Notification requirements for the breach of a limit	
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 Augusta Margaret River	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Augusta Margaret River

Licence: L6989/1997/13

Registered office: 41 Wallcliffe Road
MARGARET RIVER WA 6285

Premises address: Davis Road Putrescible Landfill
5011 Bussell Highway
FOREST GROVE WA 6286
Being Lot 5011 on Plan 192309

Issue date: Thursday, 21 January 2016

Commencement date: Monday, 25 January 2016

Expiry date: Sunday, 18 December 2016

Decision

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

Decision document prepared by: Caroline Conway-Physick
Licensing Officer

Decision document authorised by: Caron Goodbourn
Delegated Officer



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application for a works approval or licence, 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 type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	64: Class II Putrescible landfill	20,000 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
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	N/A	
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"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.		



3 Executive summary of proposal and assessment

The Davis Road Putrescible Landfill (landfill) is operated by the Shire of Augusta Margaret River (Shire) under Licence L6989/1997/13, accepting up to 20,000 tonnes of putrescible waste per annum. It is located approximately 270 km south of Perth and supports a population of approximately 13,000 people with the addition of more than 2 million tourists visiting the region annually.

The Class II putrescible landfill has been in operation since 1996 for the disposal of municipal solid waste from domestic waste collection provided throughout the Shire, and includes construction and demolition, commercial and industrial waste generated from the region. The landfill has a design capacity of up to 20,000 tonnes per annual period receiving waste from four (4) transfer stations located around the Shire. The landfill also undertakes a recycling program and collection service for the “Chem Collect” program.

The current active cell is nearing capacity and an active works approval (W5544/2013/1) seeks to extend the Premises’ landfill life by approximately 2 – 3 years by constructing a new cell east of the existing landfill cells. The Shire intends after this time to close the landfill. The new cell covers an area of 0.8 ha, and will be built in three stages of approximately 0.2-0.3 ha for each stage. The cells will be lined using a clay base liner (after excavation of 0.5m), separation geotextile layer and a leachate collection system with the hydraulic conductivity of the liner being 3×10^{-8} m/s (Environmental Strategies, Ref. W14028LR02_v01, 3 October 2014).

A desktop assessment of groundwater bore (site id. 20004687) located approximately 324m south of the premises boundary, identified depth to groundwater at 1.83 m. The groundwater forms part of the Hardy Estuary, Blackwood River catchment. The Chapman Brook (minor river) is located approximately 603 m east of the premises boundary.

The nearest residential sensitive receptor is approximately 150 m from the new cell. DER will include an improvement condition into the Licence (on completion of the works upgrade) to require an update of the closure plan to include a landfill gas investigation and management plan for the site, particularly focussing on the post-capping phase.

The primary emissions from the operation of the premises are considered to be dust, odour and emissions to groundwater from leachates. The Shire has developed an Environmental Improvement Plan for the landfill.

An administrative amendment is being carried out for the inclusion of an updated premises active landfilling map with additional administrative changes to update the Licence format. An additional amendment to the Licence to update all details will be required on completion of works and submission of the compliance report in accordance with works approval W5544/2013/1.



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	L1.1 L1.2	Condition 1.1 has been updated to reflect current definitions within Licence templates. Condition 1.2 has been removed from the Licence as current DER procedure requires the removal of any redundant conditions that do not specifically relate to the operations of the premises. This is in accordance with DER procedure where redundant conditions are considered not to meet the requirements for conditions as per DER's <i>Guidance Statement: Setting Conditions, October 2015</i> 'as they are not valid, not enforceable or not risk-based'.	N/A
Premises operation	L1.3.3 L1.3.4	Condition 1.3.3, Table 1.3.2 has been updated to redefine the landfilling operational area within the prescribed premises boundary. An updated map has also been included within 'Schedule 1: Maps' of the Licence. Condition 1.3.4, Table 1.3.3 has had an administrative change included within 'Infrastructure requirements'.	Application supporting documentation. General provisions of the <i>Environmental Protection Act 1986</i> . <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .
Emissions general	L2	Section 2 numbering has been revised as a result of administrative changes in the format of current DER licences, in accordance with DER ' <i>Guidance statement: Setting conditions, October 2015</i> '. Conditions 2.2-2.5 and 2.8 are considered redundant conditions and have	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
		been removed.	
Fugitive emissions	L2.6.1 – L2.6.2	<p>Operation</p> <p><u>Emission Description</u> <i>Emission:</i> Fugitive dust emissions from machinery and vehicle movements during operation. <i>Impact:</i> Localised dust during the drier, summer months with potential annoyance to nearby sensitive receptors, residences. There are two residences within 100 m of the Premises boundary. <i>Controls:</i> The proponent has committed to managing dust through visual monitoring, ensuring roads and working areas are compacted or sealed, speed limits enforced for vehicles accessing the site, all loads are covered, roads are sprayed during high traffic and/or dry periods and completed landfill cells will be revegetated. If none of the above reduces the dust emissions at the time, the dust generating activities will cease until more favourable conditions are present. Additionally areas of existing vegetation will be maintained and cleared areas that are no longer of operational use will be progressively rehabilitated with native vegetation.</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> Generic conditions 2.6.1 and 2.6.2 are considered to be adequately addressed under section 49 of the <i>Environmental Protection Act, 1986</i> and in conjunction with submitted supporting documentation through the works approval process for W5544/2013/1. These conditions have been removed from section 2 of the Licence.</p> <p>The Licence may have additional conditions included in the management of</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
		dust emissions at the premises, once a full reassessment is carried out on completion and review of the works approval compliance report (W5544/2013/1). Residual Risk <i>Consequence:</i> Minor <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate	
Odour	L2.7	Administrative changes in Section 2 have resulted in condition 2.7 being renumbered to 2.2.	General provisions of the <i>Environmental Protection Act 1986</i> .
Monitoring general	L3.1.4 L3.2 - L3.5 L3.7	Administrative changes have been undertaken within condition 3.1.4 with the term 'Director' changed to 'CEO' as per current DER Licence template format. Conditions 3.2-3.5 and 3.7 have been revised as a result of administrative changes. These are redundant conditions which have been removed in accordance with DER ' <i>Guidance statement: Setting conditions, October 2015</i> '.	N/A
Monitoring of inputs and outputs	L3.6	Administrative changes have resulted in condition 3.6 being renumbered to 3.2.	N/A
Ambient quality monitoring	L3.8	Administrative changes have resulted in condition 3.8 being renumbered to 3.3.	N/A
Meteorological monitoring	L3.9	Condition 3.9 has been revised as a result of administrative changes through the Licence amendment process. These are redundant conditions which have been removed in accordance with DER ' <i>Guidance statement: Setting conditions, October 2015</i> '.	N/A



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Improvements	L4	Section 4 has been revised as a result of administrative changes through the Licence amendment process. These are redundant conditions which have been removed in accordance with DER 'Guidance statement: Setting conditions, October 2015'.	N/A
Information	L5	Administrative changes have resulted in 'section 5' being renumbered 'section 4' and with the term 'Director' changed to 'CEO' as per current DER Licence template format. The Landfill Area map has been updated within 'Schedule 1: Maps'. The reporting forms have been updated within 'Schedule 2: Reporting and notification forms'.	N/A
Licence duration	N/A	The current active Licence expires on 18 December 2016 and has not been reassessed through this Licence amendment process. The premises operation has not been fully reassessed through this administrative amendment process which is expected to be undertaken on completion of the current works upgrade at the premises.	N/A



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
15/01/2016	Proponent sent a copy of draft instrument	Completed waiver form received from Shire of Augusta Margaret River, Alison Edmunds, 20/01/2016.	N/A



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