



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Shire of Yilgarn

**Licence:** L8603/2011/2

**Registered office:** 23 Antares Street  
SOUTHERN CROSS WA 6426

**Premises address:** Southern Cross New Waste Management Facility  
Crown Reserve 37892  
Southern Cross South Road  
SOUTHERN CROSS WA 6426  
As depicted in Schedule 1.

**Issue date:** Friday, 23 January 2015

**Commencement date:** Friday, 30 January 2015

**Expiry date:** Wednesday, 29 January 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
64	Class II or III 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 and as amended from time to time) is accepted for burial.	20 tonnes or more per year	5000 tonnes per annual period
61	Liquid waste facility: premises on which liquid waste produced on others premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	100 tonnes or more per year	250 tonnes per annual period

**Conditions**

This Licence is subject to the conditions set out in the attached pages.

Date signed: 11 February 2016

.....  
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. 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 within 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 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 new Southern Cross Waste Management Facility is located approximately 8.5km south west of the Southern Cross Township. The site is approximately 12.5ha in size and is located within Reserve 37892 and Lot 994 off the Southern Cross South Road. The 12.5ha component is on the southern central side of Reserve 37892.

The Shire of Yilgarn previously utilised Reserve 30776 Lot 925 of the Southern Cross Road as a landfill site for at least 35 years. The space available at this site became limited so the new landfill site was required. This landfill site services the towns of Southern Cross and Marvel Loch (approximate population of 850 to 900 people) with an expected maximum of 500 – 700 tonnes per annum of waste predicted to be disposed of at the site. This landfill is expected to operate for approximately 50 years.

Regional groundwater is generally hyper-saline flowing in a north-west direction. Groundwater levels in the area are found to generally exceed 10 metres. Any landfilled waste will be greater than three metres from the highest groundwater level and there is no potable groundwater in the area. There are no water courses or surface water bodies within 5km of the proposed landfill.

Reserve 37892 where the landfill is located has previously been used as a gravel pit. There are no residential developments, dwellings or other sensitive land uses within 5km of the proposed landfill location.

The landfill layout consists of 30 trenches. It is estimated that each trench will have a maximum operational life of 2 years based on an estimated annual rubbish volume of 500-700 tonnes.

Access to the landfill is limited and is not open to the general public. The kerbside waste collection truck is expected to make two trips to the site to deposit waste collected on the weekly collection. The old Southern Cross landfill located on Reserve 30776 Lot 925 of Southern Cross South Road is being used as a transfer station for local residents to exclude the public from the landfill site. The public will be able to take household waste to the transfer station and waste from the transfer station will be trucked to the new landfill approximately three times per week.

Green waste (large tree pruning including street tree pruning, whole bushes and trees removed from lots) will be placed in a designated green waste area where the material will be held and allowed to dry for a minimum of 3 months. It is expected that the green waste will be either chipped or mulched for use by the Shire in public gardens or made available to local residents for use on their properties.

This Licence is the result of an amendment sought by the Licensee for the operation of a septage pond constructed under works approval W5820/2015/1. The septage pond is 50m long x 10m wide x 0.9m deep and have raised embankments to prevent stormwater entry. The pond is lined with a 1.5 mm high density polyethylene (HDPE) liner to hold all liquids and prevent any seepage into the ground below. The liner has a permeability of  $<2 \times 10^{-10}$  m/s which is more conservative than DER's standard requirement of  $<1 \times 10^{-9}$  m/s.

The main emissions from the facility will be dust and odour. It is anticipated that these emissions can be adequately managed under the provisions of the *Environmental Protection Act 1986* and mitigation measures put in place by the Licensee.

As a result of this amendment, the Licence has been converted into DER'S new licence template. Administrative changes have also been incorporated in accordance with DER licensing protocol.

The licences and works approvals issued for the Premises since 07/12/2009 are:



Instrument log		
Instrument	Issued	Description
W4569/2009/1	07/12/2009	Putrescible landfill works approval (category 64)
L8603/2011/1	25/01/2012	New Application
L8603/2011/2	23/01/2015	Licence re-issue and amendment to REFIRE format
L8603/2011/2	11/02/2016	Licence amendment- include category 61 to the Licence

### 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*;

**'AHD'** means the Australian height datum;

**'annual period'** means the inclusive period from 1 November until 31 October in the following 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);

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

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

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

**'clean fill'** has the meaning defined in Landfill Definitions;

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

**'Contaminated Solid Waste'** means contaminated solid waste meeting the Acceptance Criteria for Class II landfills, as specified in the Landfill Definitions;

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

**'DER Asbestos Guidelines'** means document titled "Guidelines for managing asbestos at construction and demolition waste recycling facilities", published by the Department of Environment and Conservation, as amended from time to time;

**'green waste'** means waste that originates from untreated trees or plants;

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

**'Inert Waste Type 2'** 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 L8603/2011/2 and issued under the Act;



**'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 the Landfill Definitions;

**'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 Definitions' and

**'spot sample'** means a discrete sample representative at the time and place at which the sample is taken.

**'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 version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

## **1.2 General conditions**

1.2.1 The Licensee shall immediately recover, or remove and dispose of spills of any waste (as defined in Table 1.3.1) outside of an engineered containment system or landfill trench.

1.2.2 The Licensee shall employ and maintain earthen bunds and stormwater drains at the premises to ensure that uncontaminated stormwater runoff does not come into contact with waste (as defined in table 1.3.1) on the premises.

## **1.3 Premises operation**

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

1.3.2 The Licensee shall only accept waste on to the Premises or landfill 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; and
- (d) in the case of Contaminated Solid Waste, is supported by documentation that demonstrates compliance with the acceptance criteria for Class II landfills.



**Table 1.3.1: Waste acceptance**

Waste type	Quantity limit tonnes/ annual period	Specification <sup>1</sup>
Clean Fill	Combined total of up to 5,000 tonnes per year	None specified
Inert Waste Type 1		
Inert Waste Type 2		
Putrescible Waste (including green waste)		None specified
Special Waste Type 1 (Asbestos)		
Special Waste Type 2 (Clinical Waste)		None specified
Contaminated Solid Waste		Must meet the acceptance criteria for Class II landfills.
Liquid Waste	250 tonnes per year	Septage (K210) <sup>2</sup> and grease trap waste (K110) <sup>2</sup>

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

Note 2: New Controlled Waste category group and waste code

1.3.3 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.2 it is removed from the Premises by the delivery vehicle or, where that is not possible, the Licensee shall contact the CEO to agree a course of action in relation to the waste.

1.3.4 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.3.1 and in accordance with any process limits described in that Table.

**Table 1.3.2: Waste processing**

Waste type	Process(es)	Process limits <sup>1, 2</sup>
All	Receipt, handling, associated storage and disposal of waste by landfilling	<ul style="list-style-type: none"> <li>No waste shall be temporarily stored or landfilled within 35 metres from the boundary of the premises;</li> <li>Place waste within a defined trench or within an area enclosed by earthen or other bunds;</li> <li>Restrict the tipping area to a maximum linear length of thirty (30) metres;</li> <li>Maintain an undisturbed separation distance of at least three (3) metres between the base of the landfill disposal area to the highest level of groundwater;</li> <li>Maintain a minimum horizontal distance of at least one-hundred (100) metres between the previously filled areas of the premises or the tipping area and any surface water body;</li> <li>Cover completed trenches with a final soil cover of at least one (1) metre; and</li> <li>Shall manage the active landfill area such that at no time does landfilling result in an exposed face exceeding two (2) metres in vertical height.</li> </ul>
Clean Fill		None specified
Inert Waste Type 1		None specified
Inert Waste Type 2 - Tyres		Less than 100 units to be stored at the premises.
Putrescible Waste (including green waste)		<ul style="list-style-type: none"> <li>No greater than 240m<sup>3</sup> of green waste shall be stored at any one time;</li> <li>No greater than 240m<sup>3</sup> of mulched green waste shall be stored at any one time;</li> </ul>





		<ul style="list-style-type: none"> <li>All mulched green waste shall be stored in windrows;</li> <li>Temperatures within mulched green waste windrows shall be monitored on a weekly basis;</li> <li>Windrows with an internal temperature exceeding 80 degrees Celsius shall be turned/mixed, or otherwise treated to reduce the temperature;</li> <li>All green waste storage areas shall be on an impermeable surface; and</li> <li>A five (5) metre windbreak shall be maintained around green waste storage areas and each windrow.</li> </ul>
	Disposal by burning	<p>Burning of Green Waste Only</p> <ul style="list-style-type: none"> <li>to be dried and seasoned for at least 2 months before burning;</li> <li>to take place in a designated burning area at least 25m from the boundary of any active disposal areas;</li> <li>to take place in trenches or windrows;</li> <li>to take place only when an adequate supply of water is available to effectively manage the burning process;</li> <li>to be burnt in a manner to minimise smoke generation; and</li> <li>ensure burning does not commence before 0800 hours and the Fire Control Officer for the premises declares the area safe by 1700 hours on the same day;</li> </ul>
Special Waste Type 1 (material containing asbestos)	Disposal of waste by landfilling under the supervision of the Licensee, or person nominated by the Licensee	<ul style="list-style-type: none"> <li>Only to be disposed of into a designated asbestos disposal area within the landfill;</li> <li>Not to be deposited within 2m of the final tipping surface of the landfill; and</li> <li>No works should be carried out on the landfill that could lead to a release of asbestos fibres.</li> </ul>
Special Waste Type 2 (Clinical Waste)	Disposal of waste by landfilling under the supervision of the Licensee, or person nominated by the Licensee	<ul style="list-style-type: none"> <li>Only to be disposed of into a designated clinical waste disposal area within the landfill;</li> <li>Not to be deposited within 2m of the final tipping surface of the landfill; and</li> <li>No works shall be carried out on the landfill that could lead to clinical wastes being excavated or uncovered.</li> </ul>
Liquid Waste	Disposal of waste by landfilling under the supervision of the Licensee, or person nominated by the Licensee	<ul style="list-style-type: none"> <li>Only to be disposed of into the designated septage pond, as shown in the Landfill area map in Schedule 1</li> </ul>

Note 1: Requirements for landfilling tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

Note 2: 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*.

1.3.5 The Licensee shall manage the landfilling activities to ensure:

- waste is levelled and compacted as soon as practicable after it is discharged;
- waste is placed and compacted to ensure all faces are stable and capable of retaining rehabilitation material; and
- restoration of a landfill phase takes place within 6 months after disposal has been completed.

1.3.6 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.3.3 and that sufficient stockpiles of cover are maintained on site at all times.





**Table 1.3.3: Cover requirements <sup>1</sup>**

Waste Type	Material	Depth	Timescales
Special Waste Type 1 and 2	Type 1 Inert waste or soil	300mm	As soon as practicable after deposit and prior to compaction
		1000mm	By the end of the working day in which the waste was deposited
All other wastes	Clean fill	150mm	By the end of the working day in which the waste was deposited.  Plastic waste with the potential to become windblown shall be covered as soon as practicable after deposit.

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

- 1.3.7 The Licensee shall implement the following security measures at the site:
- (a) erect and maintain suitable fencing to prevent unauthorised access to the site;
  - (b) 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.
- 1.3.8 The Licensee shall take all reasonable and practical measures to ensure that no wind-blown waste escapes from the Premises and that wind-blown waste is collected on at least a monthly basis and returned to the tipping area.
- 1.3.9 The Licensee shall maintain a sign at the entrance to the premises which clearly displays the following information:
- a) hours of operation;
  - b) a contact number for information and complaints or notification of fires;
  - c) a list of materials that are accepted at the premises and the location of where they can be deposited on the premises;
  - d) types of wastes not accepted by the premises and a contact number for alternative disposal options; and
  - e) a warning, indication penalties for people lighting fires.

### Landfill Trench Construction

- 1.3.10 The Licensee shall notify the CEO in writing 30 days prior to the construction of a new landfill trench, as depicted in the Landfill Area Map in Schedule 1, on the premises.
- 1.3.11 The Licensee shall construct each new landfill trench in accordance with the document entitled "Shire of Yilgarn – Landfill Design Report 6006122", SMEC Urban Consulting Group, May 2008
- 1.3.12 Subject to condition 1.3.11, the Licensee shall submit a compliance document(s) to the CEO following the construction of each landfill trench. The compliance document(s) shall certify that the landfill trench was constructed in accordance with condition 1.3.11 and shall be signed by an authorised officer of the Shire of Yilgarn with the printed name and position of that person within the company, and preferably will contain the company seal.

## 2 Monitoring

### 2.1 General monitoring

- 2.1.1 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.
- 2.1.2 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.



## 2.2 Monitoring of inputs and outputs

2.2.1 The Licensee shall undertake the monitoring in Table 2.2.1 according to the specifications in that table.

Table 2.2.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Inert 1, Inert 2, Special Waste 1, Special Waste 2, Clean Fill, Contaminated Solid Waste, Putrescible Waste & liquid waste.	tonnes (where a weighbridge is present on the site)  m <sup>3</sup> (where no weighbridge is present)	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined by the <i>Landfill Waste Classification and Waste Definitions 1996 (As amended)</i> .			Each load rejected from the Premises

## 3 Improvements

### 3.1 Improvement program

3.1.1 The Licensee shall complete the improvements in Table 3.1.2 by the date of completion in Table 3.1.2.

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 3.1.2.

Table 3.1.2: Improvement program		
Improvement reference	Improvement	Date of completion
IR1	The Licensee shall prepare and submit to the CEO an Asbestos Management Plan (AMP). As a minimum the AMP shall include; <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 that are consistent with the DER Asbestos Guidelines.</li></ul>	Within 90 days of issue of licence (i.e. 25 April 2015)
IR2	The Licensee shall comply with the AMP	None Specified

## 4 Information

### 4.1 Records

4.1.1 All information and records required by the Licence shall:

- be legible;
- 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 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.

4.1.3 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.

4.1.4 The Licensee shall maintain a register of Special Waste Type 1 and Special Waste Type 2 disposed of at the Premises which shall include a plan showing the position of Special Waste Type 1 and Special Waste Type 2 disposed of at the Premises.

## 4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 30 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 any changes to the premises boundary, internal buffer zones, asbestos and clinical waste disposal areas, location of groundwater monitoring bores, surface drainage channels and on-site or off-site impacts or pollution during the annual period	None specified
-	Summary of any issues raised from inspections or incident responses during the annual period and any action taken	None specified
1.3.8	Measures taken to control windblown waste	None specified
-	Number of fires at the premises	None specified
Table 2.2.1	Summary of inputs and outputs	None specified
4.1.2	Compliance	Annual Audit Compliance Report (AACR)
4.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2

4.2.2 The Licensee shall submit the information in Table 4.2.2 to the CEO according to the specifications in that table.



**Table 4.2.2: Non-annual reporting requirements**

Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form
1.3.12	New landfill trench construction compliance document(s)	Not Applicable	Following the construction of each landfill trench	As condition 1.3.12

### 4.3 Notification

4.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

**Table 5.3.1: Notification requirements**

Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
-	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
-	Unauthorised fire	Notify the CEO if the fire is not extinguished within two (2) hours	Email or telephone call
-	The date, time, cause and location of any unauthorised fire on the premises	Within fourteen (14) days of a fire	Written report
1.3.10	Construction of a new landfill trench	Notify the CEO thirty (30) days prior to the construction of a new landfill trench	In writing

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

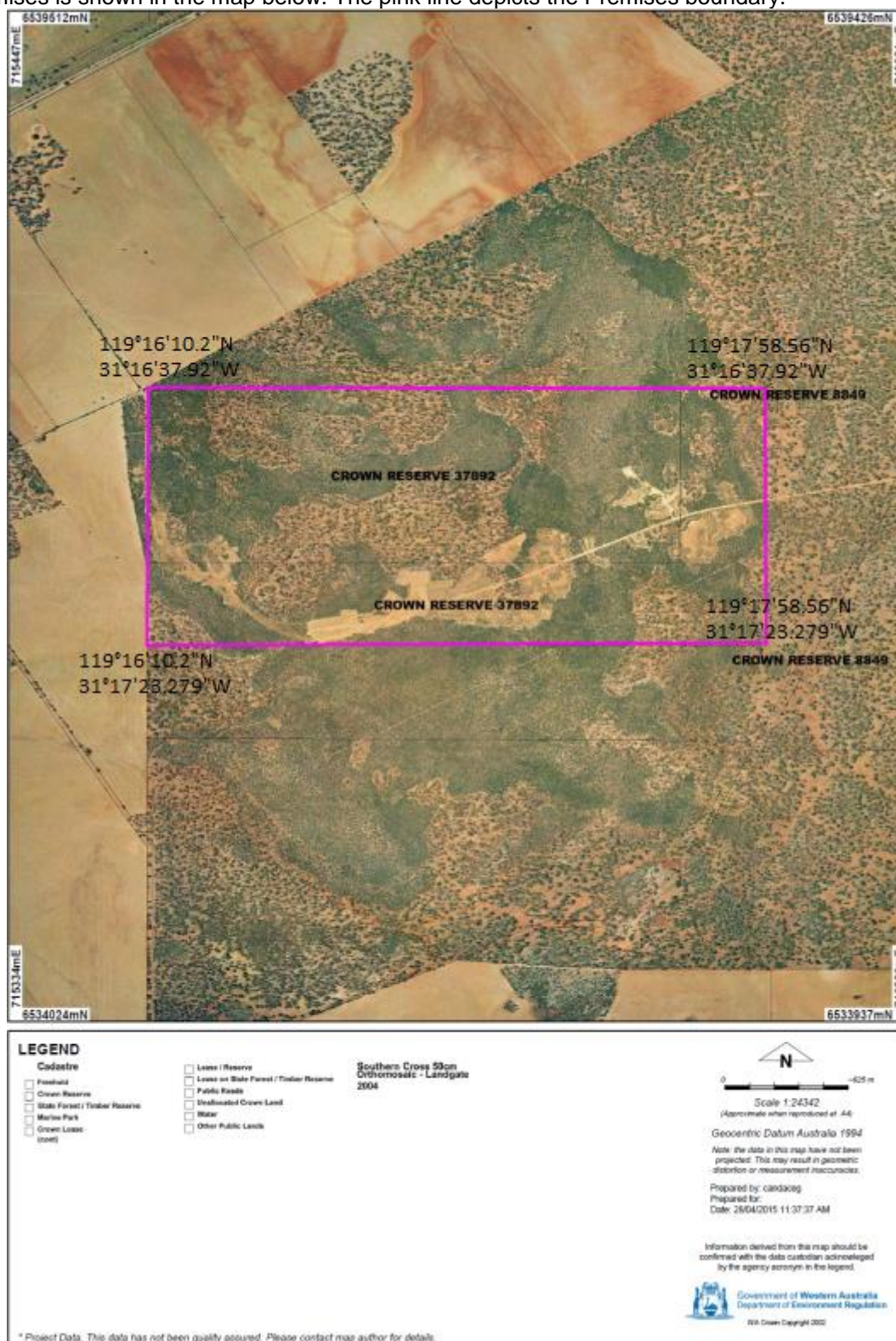




## Schedule 1: Maps

### Premises map

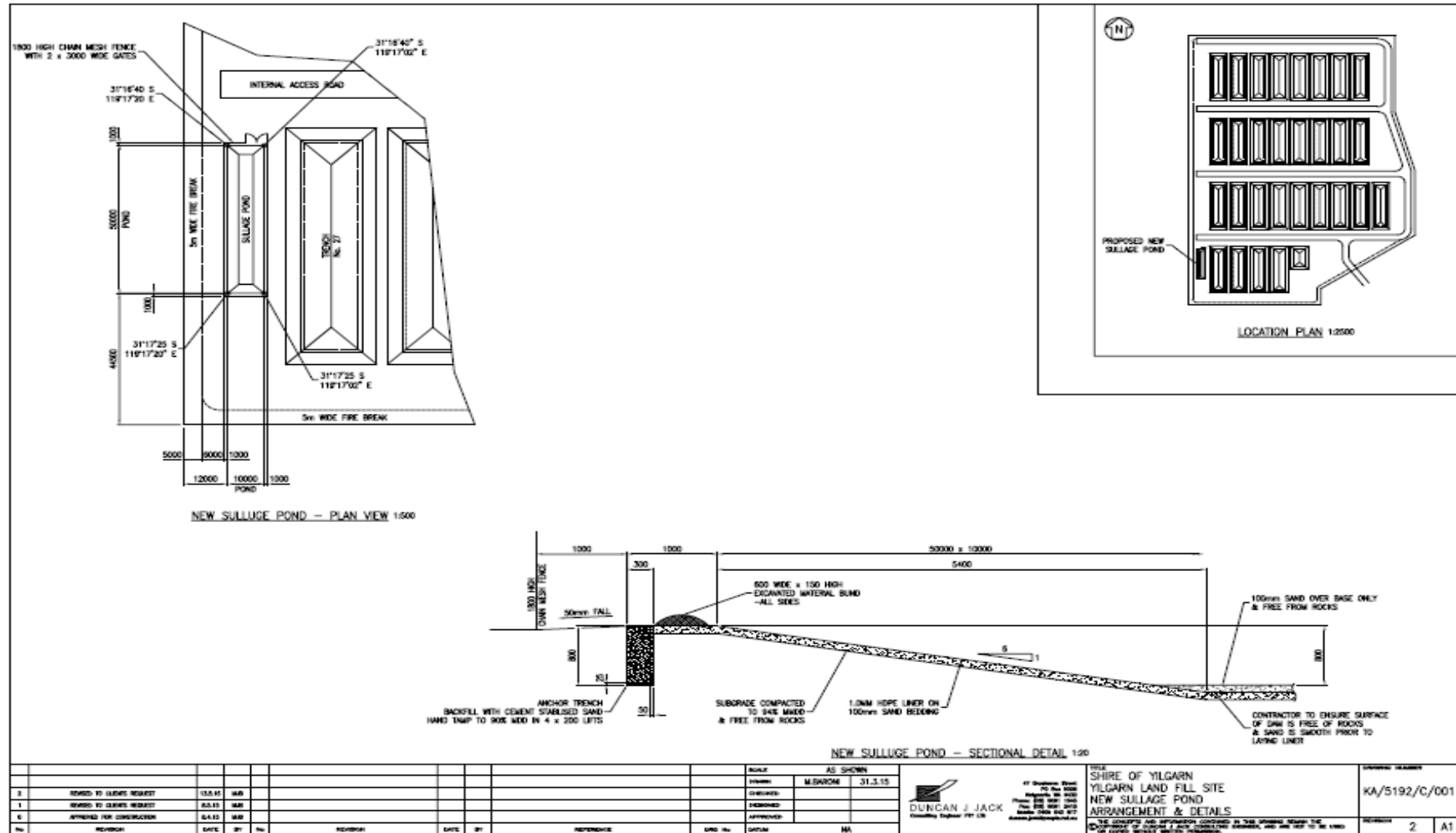
The Premises is shown in the map below. The pink line depicts the Premises boundary.





## Landfill Area Map

The area in which the disposal of waste by may take place in the trenches show in the map below.







## 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.

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### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number: L8603/2011/2	Licence File Number: 2011/009016
Company Name: Shire of Yilgarn Trading as: Southern Cross New Waste Management Facility	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 <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: \_\_\_\_\_

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

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

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

SEAL (if signing under seal)

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

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

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

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



Licence: L8603/2011/2  
Form: N1

Licensee: Shire of Yilgarn  
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 Yilgarn	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Shire of Yilgarn

**Licence:** L8603/2011/2

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**Registered office:** 23 Antares Street  
SOUTHERN CROSS WA 6426

**Premises address:** Southern Cross New Waste Management Facility  
Crown Reserve 37892  
Southern Cross South Road  
SOUTHERN CROSS 6426

**Issue date:** Friday, 23 January 2015

**Commencement date:** Friday, 30 January 2015

**Expiry date:** Wednesday, 29 January 2020

### **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: Abnesh Chetty  
Licensing Officer

Decision Document authorised by: Steve Checker  
Delegated Officer





## Contents

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## 1 Purpose of the Decision 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	<b>Category Number(s)</b>	<b>Design Capacity</b>
	64: Putrescible landfill	5,000 tonnes per annual period
	61: Liquid waste facility	250 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	Not applicable	
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 <sub>2</sub> requirements of Kwinana EPP.		



### 3 Executive summary of proposal

The new Southern Cross Waste Management Facility is located approximately 8.5km south west of the Southern Cross Township. The site is approximately 12.5ha in size and is located within Reserve 37892 and Lot 994 off the Southern Cross South Road. The 12.5ha component is on the southern central side of Reserve 37892.

The Shire of Yilgarn previously utilised Reserve 30776 Lot 925 of the Southern Cross Road as a landfill site for at least 35 years. The space available at this site became limited so the new landfill site was required. This landfill site services the towns of Southern Cross and Marvel Loch (approximate population of 850 to 900 people) with an expected maximum of 500 – 700 tonnes per annum of waste predicted to be disposed of at the site. This landfill is expected to operate for approximately 50 years.

Regional groundwater is generally hyper-saline flowing in a north-west direction. Groundwater levels in the area are found to generally exceed 10 metres below ground level. Any landfilled waste will be greater than three metres from the highest groundwater level and there is no potable groundwater in the area. There are no water courses or surface water bodies within 5km of the proposed landfill.

Reserve 37892 where the landfill is located has previously been used as a gravel pit. There are no residential developments, dwellings or other sensitive land uses within 5km of the proposed landfill location.

The landfill layout consists of 30 trenches. It is estimated that each trench will have a maximum operational life of 2 years based on an estimated annual rubbish volume of 500-700 tonnes.

Access to the landfill is limited and is not open to the general public. The kerbside waste collection truck is expected to make two trips to the site to deposit waste collected on the weekly collection. The old Southern Cross landfill located on Reserve 30776 Lot 925 of Southern Cross South Road is being used as a transfer station for local residents to exclude the public from the landfill site. The public will be able to take household waste to the transfer station and waste from the transfer station will be trucked to the new landfill approximately three times per week.

Green waste (large tree pruning including street tree pruning, whole bushes and trees removed from lots) will be placed in a designated green waste area where the material will be held and allowed to dry for a minimum of 3 months. It is expected that the green waste will be either chipped or mulched for use by the Shire in public gardens or made available to local residents for use on their properties.

This Licence is the result of an amendment sought by the Licensee for the operation of a septage pond constructed under works approval W5820/2015/1. The septage pond is 50m long x 10m wide x 0.9m deep and have raised embankments to prevent stormwater entry. The pond is lined with a 1.5 mm high density polyethylene (HDPE) liner to hold all liquids and prevent any seepage into the ground below. The liner has a permeability of  $<2 \times 10^{-10}$  m/s which is more conservative than DER's standard permeability requirement of  $<1 \times 10^{-9}$  m/s.

The main emissions from the facility will be dust and odour. It is anticipated that these emissions can be adequately managed under the provisions of the *Environmental Protection Act 1986* and mitigation measures put in place by the Licensee.

As a result of this amendment, the Licence has been converted into DER'S new licence template. Administrative changes have also been incorporated in accordance with DER protocol.

## 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			
Licence Section	Condition Number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference Documents
Front page	N/A	<p>Typographical error noted. Approved Premises production design capacity changed to 5000 tonnes per year which is in line with previous assessment and condition 1.3.1 (Table 1.3.1).</p> <p>Category 61 added to the Licence with maximum approved capacity of 250 tonnes per annual period.</p>	P4 Form
Introduction	N/A	<p>Table of contents updated.</p> <p>Administrative changes have been included within the Licence amendment process in accordance with DER protocol.</p> <p>Premises description and Licence summary section updated.</p> <p>Instrument log table updated.</p>	
Interpretation	L1.1.1	Administrative changes have been included within the Licence amendment process to reflect the definitions in version 2.9 of DER's Licence template.	DER Licence template v2.9
General conditions	L1.2.1 L1.2.2 L1.2.3 L1.2.5	<p>Condition 1.2.1, relating to authorisation of emissions, has been identified as redundant and removed as it was a statement of advice rather than an enforceable condition.</p> <p>Condition 1.2.2, relating to maintaining all pollution control and monitoring equipment, has been removed as the condition was unclear as to the equipment and internal management systems referenced.</p> <p>Condition 1.2.3, relating to storage of environmentally hazardous materials has been removed as the code of practice referred to is administered by the</p>	DER Licence template v2.9



DECISION TABLE			
Licence Section	Condition Number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference Documents
		Department of Mines and Petroleum. Condition 1.2.4 has been updated to reference spills of specific waste types and now becomes 1.2.1. Condition 1.2.5 (now 1.2.2) relating to stormwater runoff has been updated to reference specific onsite infrastructure.	
Premises operation	L1.3.1 L1.3.2  Table 1.3.1	Licence condition 1.3.1 has been added to the Licence to require the investigation of any licence limit exceedances.  The previous Licence in table 1.3.1 specified that any asbestos material must be wrapped in heavy duty plastic prior to acceptance at the landfill. However in order to avoid any duplication relating to the transportation of asbestos containing materials (since legislative requirements are now stipulated under Regulation 44 of the <i>Environmental Protection (Controlled Waste) Regulations 2004</i> ) this requirement will be removed from the amended Licence.  Previous Licence condition 1.3.1 relating to the types and quantity of waste to be accepted on site now becomes 1.3.2.	DER Licence template v2.9
Emissions general	L2.1 – 2.5	All sections with no specified conditions have been removed in accordance with current DER licensing protocol.	

DECISION TABLE			
Licence Section	Condition Number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference Documents
Fugitive emissions	L2.6	<p><u>Emission Description</u>  <i>Emission:</i> Dust from transportation of waste to the refuse and liquid waste facility.  <i>Impact:</i> Dust nuisance to sensitive receptors outside of the premises. Impacts are expected to be limited since the site is 2 km away from the nearest receptors. DER is not aware of any dust complaints from the operation of the current facility.  <i>Controls:</i> The implementation of dust suppression methods such as use of water carts and point source suppression techniques. Visual monitoring will take place during hours of operation.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u>  The previous Licence contained condition 2.6.1 for generic dust management. However the risk of emissions is considered low. Fugitive emissions of dust can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>. In accordance with DER's licensing process, no specified conditions for fugitive emissions have been included on this licence.</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Low</p>	DER Licence template v2.9





DECISION TABLE			
Licence Section	Condition Number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference Documents
Odour	L2.7	<p><u>Emission Description</u> <i>Emission:</i> Odour emissions from operations at the premises due to storage of septic waste, grease trap waste and putrescible waste. <i>Impact:</i> Nuisance odour impacts are expected to be limited since the site is 2 km away from the nearest receptors. DER is also not aware of any odour complaints from the operation of the refuse facility. <i>Controls:</i> Lime will be sprinkled over the waste to help reduce the odour if it becomes an issue.</p> <p><u>Risk Assessment</u> Consequence: Minor Likelihood: Rare Risk Rating: Low</p> <p><u>Regulatory Controls</u> The previous Licence contained condition 2.7 for generic odour management. However the risk of emissions is considered low. Odour emissions therefore can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>. In accordance with DER's licensing process, no specified conditions for fugitive emissions have been included on this licence.</p> <p><u>Residual Risk</u> Consequence: Minor Likelihood: Rare Risk Rating: Low</p>	DER Licence template v2.9
Noise	L2.8	Consistent with DER's licensing protocol, this section was deleted because it did not contain any conditions.	DER Licence template v2.9



DECISION TABLE			
Licence Section	Condition Number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference Documents
Monitoring	L3.1 L3.2– 3.5 L3.7- 3.9	Licence conditions 3.1.1 and 3.1.2 now become 2.1.1 and 2.1.2 respectively. Sections 3.2- 3.5, and 3.7-3.9 were removed because they did not contain conditions in accordance with DER protocol.	DER Licence template v2.9
	L3.6	Previous Licence condition 3.6 relating to monitoring of inputs and outputs the types and quantity of waste to be accepted on site now becomes 2.2.	
Improvements	L3	Licence conditions 4.1.1 and 4.1.2 now become 3.1.1 and 3.1.2.	
Information	L5.1 L5.1.1 L5.1.2 L5.1.3 L5.1.4 L5.1.5 L4.2.1 Table 4.2.1	Consistent with DER's licensing protocol, conditions 5.1.2 were removed. Licence condition 5.1 now becomes 4.1 Licence condition 5.1.1 now becomes 4.1.1 Licence condition 5.1.3 now becomes 4.1.2 Licence condition 5.1.4 now becomes 4.1.3 Licence condition 5.1.5 now becomes 4.1.4 Licence condition 5.2.1 now becomes 4.2.1 Table 4.2.1 updated to reflect the changes made to the documents. All referrals to table 5.2.1 now becomes 4.2.1	DER Licence template v2.9
Licence Duration	N/A	The Licence duration has not been reassessed through this amendment process. The Licence expires on 06 April 2020.	N/A
Maps	NA	Updated maps attached	N/A

## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
22 January 2016	Proponent sent a copy of draft instrument	Confirmation and acceptance of the draft amended instrument was provided on 10 February 2016.	Finalisation of instrument

## 6 Emissions and discharges risk assessment matrix

*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