



Licence

Environmental Protection Act 1986, Part V

Licensee: Shire of York

Licence: L7307/1998/10

Registered office: 1 Joaquina Street
 YORK WA 6302

Premises address: York Waste Treatment Facility
 Lot 8 on Diagram 42561 Great Southern Highway
 DALIAK WA 6302

Issue date: Thursday, 27 June 2013

Commencement date: Thursday, 11 July 2013

Expiry date: Saturday, 10 July 2027

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 |
|-----------------|--|--|---|
| 61 | Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated. | 100 tonnes or more per year | 300 tonnes per annual period |

Conditions

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

Date signed: 18 March 2016

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



Contents

| | |
|--|----|
| Licence | 1 |
| Contents | 2 |
| Introduction | 2 |
| Licence conditions | 4 |
| 1 General | 4 |
| 2 Monitoring | 6 |
| 3 Improvements | 7 |
| 4 Information | 7 |
| Schedule 1: Maps | 9 |
| Schedule 2: Reporting & notification forms | 11 |

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 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 Shire of York (Shire) holds licence L7307/1998/10 for a Category 61 (liquid waste facility) prescribed premises. The Premises is located in an area zoned General Agriculture. The premises accepts up to 300 tonnes per year of septage and grease trap wastes.

The site is located approximately 4km west of the York town site. The Environmental Protection Authority's Guidance Statement No. 3, *Separation Distances between Industrial and Sensitive Land Uses* (June 2005), recommends that separation distances between a liquid waste facility and sensitive receptors are considered on a case by case basis, with noise and odour identified as the predominant emissions.

A map of the Premises surroundings was provided with the application and includes the locations of the nearest residents. The following distances between the Premises operations and residents were confirmed using DER's GIS mapping software and determined to be approximately:

- 425m north-east;
- 1.12km west;
- 1.15km north-west;
- 1.24km and 2km south-west; and
- 1.43km south

There are no areas of environmental significance (i.e. Environmentally Sensitive Areas, threatened flora or fauna) within a minimum 3km radius of the Premises. The site is located within the Avon River Catchment area and depth to groundwater, based on information provided with the application, is approximately 8m below ground level with flow direction easterly towards the Avon River located 5.4km east of the Premises.

The premises is currently comprised of a liquid waste discharge point (fitted with underground pipes), treatment pond, surface water drainage swales and an overflow pond. The liquid waste is brought onto the site from local contractors and consists predominantly of septage and grease trap wastes. The tankers discharge to the discharge point which then gravity feeds through the underground pipes into the treatment pond. The liquids evaporate from the pond with the solid component requiring removal to an authorised disposal facility. The Premises receives approximately 300 tonnes per year of liquid waste.

The Shire has submitted a licence amendment application to construct a second treatment pond and discharge point onsite. The second pond is proposed to be located to the north of the existing overflow pond and will be connected to this pond in case of overflow. The Shire does not intend to accept any additional liquid waste and the second pond is intended to allow one pond to be in use for the acceptance of the liquid waste while the other pond is being dried out pending desludging and removal of biosolids, to improve the efficiency of the current site operations.

This amendment also includes a conversion into the new licence format and a full licence review. The expiry date of the licence has also been extended to a total duration of 15 years in accordance with DER's *Guidance Statement: Licence Duration*, Revised May 2015.

The licences issued for the Premises since 2010 are:

| Instrument log | | |
|----------------|------------|------------------|
| Instrument | Issued | Description |
| L7307/1998/9 | 11/07/2010 | Licence reissue |
| L7307/1998/10 | 27/06/2013 | Licence re-issue |



| | | |
|---------------|------------|--|
| L7307/1998/10 | 11/03/2016 | Licence amendment to construct new pond and conversion into new licence format |
|---------------|------------|--|

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*;

'annual period' means the inclusive period from 1 July until 30 June;

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

'Biosolids' means sludge from a wastewater treatment plant that has undergone further treatment to reduce disease causing pathogens and volatile organic matter significantly, resulting in a stabilised material suitable for beneficial use;

'Biosolids Guidelines' means the current version of the *Western Australian guidelines for biosolids management*, Department of Environment and Conservation, Government of Western Australia;

'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

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

'freeboard' means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point;

'Licence' means this Licence numbered L7307/1998/10 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;



‘**Schedule 1**’ means Schedule 1 of this Licence unless otherwise stated;

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

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

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the 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 environmentally hazardous materials, including liquid wastes, which occur outside of the wastewater treatment ponds.

1.2.2 The Licensee shall maintain surface water diversion drains and/or swales to prevent stormwater run-off becoming contaminated by the activities on the Premises, and to prevent stormwater run-off from entering the wastewater treatment ponds.

1.2.3 The Licensee shall construct the works in accordance with the documentation detailed in Table 1.2.1:

Table 1.2.1: Construction Requirements¹

| Document | Parts | Date of Document |
|--|-------|------------------|
| Amendment Application Form | All | 10 December 2015 |
| Shire of York <i>Works Approval Application York Wastewater Treatment Facility</i> | All | 10 December 2015 |

Note 1: Where the details and commitments of the documents listed in condition 1.2.1 are inconsistent with any other condition of this works approval, the conditions of this works approval shall prevail.

1.2.4 The Licensee shall ensure that the liner in the wastewater treatment pond constructed in accordance with Table 1.2.1:

- (a) covers the whole pond including embankments; and
- (b) is free of holes, tears or failure of welds

1.2.5 The Licensee shall submit a compliance document to the CEO, following the construction of the works specified in Table 1.2.1 and condition 1.2.4 and prior to waste being discharged into the new pond.

1.2.6 The compliance document shall:

- (a) certify that the works were constructed in accordance with the conditions of licence;
- (b) be signed by a person authorised to represent the Licensee and contain the printed name and position of that person within the company.

1.3 Premises operation

1.3.1 The Licensee shall only allow waste to be accepted on to the Premises if:

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



Table 1.3.1: Waste acceptance

| Waste | Waste Code | Quantity Limit | Specification ¹ |
|--|------------|--|---|
| Putrescible and Organic wastes | | | |
| Waste from grease traps | K110 | Combined total no more than 300 tonnes per annual period | Tankered into the premises and discharged in the dumping point via an enclosed pipeline into the following disposal areas: (a) wastewater treatment pond 1 (as depicted in Schedule 1); or (b) wastewater treatment pond 2 (as depicted in Schedule 1) after completion of the requirements specified in conditions 1.2.3, 1.2.4 and 1.2.5. |
| Septage wastes (Sewage) – domestic wastes from apparatus for the treatment of sewage | K210 | | |

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

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, the Licensee shall contact the CEO to agree a course of action in relation to the waste.

1.3.3 The Licensee shall manage all wastewater treatment ponds such that:

- (a) overtopping of the ponds does not occur;
- (b) a freeboard equal to, or greater than, 500 mm is maintained;
- (c) the integrity of the containment infrastructure is maintained;
- (d) trapped overflows are maintained on the outlet of ponds to prevent carry-over of surface floating matter; and
- (e) vegetation and floating debris (emergent or otherwise) is prevented from encroaching onto pond surfaces or inner pond embankments

1.3.4 The Licensee shall treat, manage and dispose of biosolids in accordance with the Biosolids Guidelines.

2 Monitoring

2.1 Monitoring of inputs and outputs

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

Table 2.1.1: Monitoring of inputs and outputs

| Input/Output | Parameter | Units | Averaging period | Frequency |
|---------------|--|--------|------------------|---|
| Waste Inputs | Grease trap waste (K110) and septage waste (K210) | Tonnes | N/A | Each load arriving at the Premises |
| Waste Outputs | Waste types as listed in Schedule 1 of the <i>Environmental Protection (Controlled Waste) Regulations 2004</i> | | | Each load leaving or rejected from the Premises |



3 Improvements

3.1 Improvement program

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

| Improvement reference | Improvement | Date of completion |
|------------------------------|---|---|
| IR1 | The Licensee shall install a liner within wastewater treatment pond 1 (as depicted in Schedule 1) with the following requirements: <ul style="list-style-type: none">• have a permeability of less than 1×10^{-9} m/s;• be installed over 100mm of clean sand;• be overlain with a 100mm layer of yellow sand and a 200mm layer of white sand;• cover the whole pond including embankments;• be free of holes, tears or failure of welds. | |
| IR2 | The Licensee shall engage the services of an independent suitably qualified professional to conduct a test on the integrity of wastewater treatment pond 1 to demonstrate it meets the requirements specified in IR1. | Following completion of IR1 and prior to placement of waste |
| IR3 | The Licensee shall provide to the CEO in writing, the result of the test specified in IR2. | Within one month of IR2 being completed |

4 Information

4.1 Records

4.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

4.1.2 The Licensee shall 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.



4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 32 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 2.1.1 | Inputs/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

4.3 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 |
|----------------------------------|--|---|-----------------------------|
| - | Breach of any limit specified in the Licence | Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable | N1 |
| - | Desludging of wastewater pond | No less than 14 days prior to desludging of any wastewater treatment pond | None specified |
| 4.1.1 (IR1) | Completion of liner installation specified in IR1 of Table 4.1.1 | No less than 7 days after completion of IR1 | None specified |
| 4.1.1 (IR2) | Completion of certification required by IR2 of Table 4.1.1 | No less than 7 days after completion of IR2 | 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 pink line depicts the Premises boundary.





Pond location

The location of the wastewater treatment ponds and overflow pond is shown in the image 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.

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: L7307/1998/10 Licensee: Shire of York
 Form: N1 Date of breach:

Notification of detection of the breach of a limit.

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

Part A

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

| 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 York | |
| Date | |



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of York

Licence: L7307/1998/10

Registered office: 1 Joaquina Street
YORK WA 6302

Premises address: York Waste Treatment Facility
Lot 8 on Diagram 42561 Great Southern Highway
DALIAK WA 6302

Issue date: Thursday, 27 June 2013

Commencement date: Thursday, 11 July 2013

Expiry date: Saturday, 10 July 2027

Decision

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

Decision Document prepared by: Lauren Fox
Licensing Officer

Decision Document authorised by: Alan Kietzmann
Delegated Officer



Contents

| | |
|--|----|
| Decision Document | 1 |
| Contents | 2 |
| 1 Purpose of this Document | 2 |
| 2 Administrative summary | 3 |
| 3 Executive summary of proposal and assessment | 4 |
| 4 Decision table | 5 |
| 5 Advertisement and consultation table | 13 |
| 6 Risk Assessment | 14 |

1 Purpose of this Document

This decision document explains how the DER CEO delegated officer has assessed and determined the application and provides a record of the 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 |
| | 61 | 300 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"/> |
| Is the proposal subject to Ministerial Conditions? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| | | |
| Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| | | |
| Is the Premises within an Environmental Protection Policy (EPP) Area | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Is the Premises subject to any EPP requirements? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |



3 Executive summary of proposal and assessment

The Shire of York (Shire) holds licence L7307/1998/10 for a Category 61 (liquid waste facility) prescribed premises. The Premises is located in an area zoned General Agriculture. The premises accepts up to 300 tonnes per year of septage and grease trap wastes.

The site is located approximately 4km west of the York town site. The Environmental Protection Authority's Guidance Statement No. 3, *Separation Distances between Industrial and Sensitive Land Uses* (June 2005), recommends that separation distances between a liquid waste facility and sensitive receptors are considered on a case by case basis, with noise and odour identified as the predominant emissions.

A map of the Premises surroundings was provided with the application and includes the locations of the nearest residents. The following distances between the Premises operations and residents were confirmed using DER's GIS mapping software and determined to be approximately:

- 425m north-east;
- 1.12km west;
- 1.15km north-west;
- 1.24km and 2km south-west; and
- 1.43km south

There are no areas of environmental significance (i.e. Environmentally Sensitive Areas (ESA), threatened flora or fauna) within a minimum 3km radius of the Premises. The site is located within the Avon River Catchment area and depth to groundwater, based on information provided with the application, is approximately 8m below ground level with flow direction easterly towards the Avon River located 5.4km east of the Premises.

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The Shire has submitted a licence amendment application to construct a second treatment pond and discharge point onsite. The second pond is proposed to be located to the north of the existing overflow pond and will be connected to this pond in case of overflow. The Shire does not intend to accept any additional liquid waste and the second pond is intended to allow one pond to be in use for the acceptance of the liquid waste while the other pond is being dried out pending desludging and removal of biosolids, to improve the efficiency of the current site operations.

The application includes clearing of 0.16 hectares of native vegetation for the purpose of constructing the second wastewater treatment pond. The proposed clearing is exempt and not subject to the *Environmental Protection Act 1986* as the proposal appears to meet the requirements of regulation 5, item 1 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* which authorises the clearing of up to 5 hectares of native vegetation for the lawful construction of a building or other structure, as long as other relevant approvals have been obtained, and provided that the clearing is not within an ESA. A wastewater treatment pond is considered a structure and the proposed clearing of 0.16 hectares does not occur within an ESA.

This amendment also includes a conversion into the new licence format and a full licence review. The expiry date of the licence has also been extended to a total duration of 15 years in accordance with DER's *Guidance Statement: Licence Duration*, Revised May 2015.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

| DECISION TABLE | | | |
|----------------------------------|---|---|--------------------------------------|
| Works Approval / Licence section | Condition number W = Works Approval L = Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| General conditions | L1.2.1 to L1.2.6 | <p>The previous licence included 'General Conditions' G1(a), G1(b) and G2. These conditions related to the requirements to submit an Annual Monitoring Report, specific information on the liquid wastes disposed of at the Premises (i.e. date of delivery, contractor name, waste description, volume), and the requirement to submit an Annual Audit Compliance Report, respectively. These previous conditions have been relocated into the 'Information' section of this licence.</p> <p>Operation</p> <p><u>Emission Description</u> <i>Emission:</i> Stormwater contaminated with liquid waste. <i>Impact:</i> Contamination of surrounding land and impacts to the native vegetation. <i>Controls:</i> The site has existing drainage lines around the wastewater pond to assist in preventing any stormwater from entering the pond.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Condition L1.2.1 has been included on the licence to require any spills of liquid waste and other environmentally hazardous materials that occur outside of the wastewater ponds, to be recovered or removed and disposed of. This condition assists in</p> | Application supporting documentation |
| General | | | |



| DECISION TABLE | | | |
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| conditions continued | | <p>preventing hazardous materials from entering the environment. Any spills of liquid wastes or other hazardous materials may also be subject to the provisions of the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</p> <p>Licence condition L1.2.2 has been included on the licence to manage stormwater run-off at the Premises to prevent it becoming contaminated by the activities occurring on site, and to prevent run-off entering the wastewater ponds. By preventing stormwater run-off entering the ponds, there is a greater certainty that the minimum pond freeboard will be maintained and overtopping of the ponds will not occur. This assists in preventing liquid wastes from entering the environment and causing detriment to the surrounding native vegetation. This condition replaces in part, condition W1 of the previous licence.</p> <p><u>Residual Risk</u> <i>Consequence</i>: Insignificant <i>Likelihood</i>: Unlikely <i>Risk Rating</i>: Low</p> <p>Construction L1.2.3 has been included on the licence to authorise the construction of a second wastewater treatment pond. The pond is proposed to have the same dimensions as the existing wastewater treatment pond, which has a diameter of approximately 16 metres and will have a storage capacity of 620m³. The pond will be lined with a 1.5mm geomembrane product called Enviro Liner 6060 HD. The liner is a hybrid liner which has the flexibility of low-density polyethylene (LDPE) however it maintains the properties of the high-density polyethylene liner (HDPE) liner such as chemical and UV resistance.</p> <p>The liner will be installed over 100mm of clean sand and will be overlain with 100mm layer of yellow sand and a 200mm layer of white sand to assist in providing a visual aid</p> | |
| General conditions | | | |



| DECISION TABLE | | | |
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| Works Approval / Licence section | Condition number W = Works Approval L= Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| continued | | <p>when desludging the pond to avoid liner perforation, as well as providing cushioning from the machinery. The sand underlying the liner will also assist to stabilise the liner in the event of seismic activity.</p> <p>L1.2.4 has been included on the licence to require the wastewater treatment pond liner to cover the whole of the pond, including embankments, and be free of holes, tears or failure of welds. These requirements assist in containing liquid waste within the pond and reduces the risk of waste entering the environment.</p> <p>Conditions L1.2.5 and L1.2.6 require the Licensee to submit a compliance document following completion of the works authorised under L1.2.3 and prior to waste being discharged into the new pond, to state that works were undertaken as authorised. The compliance document provides confirmation that the works undertaken have been carried out as per the approval.</p> | |
| Premises operation Premises operation continued | L1.3.1 – L1.3.4 | <p>Condition L1.3.1 and Table 1.3.1 states the liquid wastes that are authorised to be accepted onto the Premises as well as stating the annual volumes authorised and specifying where liquid wastes are to be deposited at the site. This condition has been included to limit the wastes to the types and volumes that have been assessed as acceptable and can be sufficiently managed in the specified infrastructure without causing an impact to the environment and public health.</p> <p>Condition L1.3.2 requires that any wastes accepted onsite that do not meet the authorised waste types specified in L1.3.1, are removed from the Premises. This assists in reducing the risk of other wastes entering the environment and impacting on the surrounding site ecology and public health.</p> <p>L1.3.3 specifies how the wastewater treatment ponds should be managed to prevent overflows occurring reducing the risk of liquid wastes entering the environment. Condition L1.3.4 requires the Licensee to manage, treat and dispose of biosolids in accordance with the <i>Western Australian guidelines for biosolids management</i> published by the Department of Environment and Conservation. This condition</p> | <i>Western Australian guidelines for biosolids management</i> , Department of Environment and Conservation, December 2012 |



| DECISION TABLE | | | |
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| Works Approval / Licence section | Condition number W = Works Approval L= Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| | | replaces condition S1(b) of the previous licence and has been retained on the licence to require biosolids, that are generated during desludging, to be manage it a way that limits risk to the environment and public health. | |
| Fugitive emissions | N/A | <p><u>Emission Description</u> <i>Emission:</i> Dust emissions from vehicle lift-off, dust during earthworks for pond construction and dust generated during the removal of native vegetation. <i>Impact:</i> Reduced local air quality. Blocking photosynthesis abilities of native vegetation within the Premises. Impacts to amenity and health of residents located 425m from the Premises activities. <i>Controls:</i> The site is surrounded by native vegetation and trees which offer a natural control to minimise offsite dust emissions. The Licensee has proposed to utilise water sprays to reduce dust generated during construction works and from vehicle movements.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> The previous licence included condition A1 which required the Licensee to ensure that dust was not discharged beyond the premises boundary. Dust emissions impacting on residents is unlikely which is considered to be acceptable. Dust emissions can be sufficiently regulated under the provisions of section 49 of the <i>Environmental Protection Act 1986</i> therefore this condition has been removed from the licence and there are no specific conditions for dust emissions that have been included on this licence.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely</p> | <p>Application supporting documentation</p> <p><i>Environmental Protection Act 1986</i></p> |
| Fugitive emissions continued | | | |



| DECISION TABLE | | | |
|----------------------------------|--|---|--|
| Works Approval / Licence section | Condition number W = Works Approval L= Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| | | <i>Risk Rating: Moderate</i> | |
| Odour | N/A | <p><u>Emission Description</u> <i>Emission:</i> Odour emissions from the acceptance and storage of liquid wastes such as grease trap and septage wastes <i>Impact:</i> Impacts to amenity and health of residents located 425m from the Premises activities. <i>Controls:</i> No specific controls are used for odour management, other than maintaining a crust over the wastewater treatment pond to assist in reduction of odours from the liquid waste.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Odour emissions can be sufficiently regulated under the provisions of section 49 of the <i>Environmental Protection Act 1986</i> therefore there are no specific conditions for odour emissions included on this licence.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> | Application supporting documentation <i>Environmental Protection Act 1986</i> |
| Noise | N/A | <p><u>Emission Description</u> <i>Emission:</i> Unreasonable noise emissions generated during clearing and earthworks activities during pond construction. Noise emissions generated from vehicles unloading liquid waste at the Premises.</p> | Application supporting documentation |



| DECISION TABLE | | | |
|---|---|--|--|
| Works Approval / Licence section | Condition number W = Works Approval L= Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| | | <p><i>Impact:</i> Nuisance impacts to sensitive receptors. <i>Controls:</i> No specific controls for noise emissions are proposed however the Licensee is committed to undertaking operations in compliance with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Noise emissions can be sufficiently regulated under the provisions of section 49 of the <i>Environmental Protection Act 1986</i> and the <i>Environmental Protection (Noise) Regulations 1997</i> therefore no specific conditions for noise have been included on the licence.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> | <i>Environmental Protection Act 1986</i> |
| Monitoring of inputs and outputs | L2.1.1 | Condition L2.1.1 and Table 2.1.1 have been included on the licence as a means of checking compliance with condition L1.3.1 to monitor that the waste types and volumes authorised for the Premises are being complied with. This condition replaces in part, condition G1(b) of the previous licence. | N/A |
| Improvements | L3.1.1 | IR1 of improvement condition L3.1.1 (and Table 3.1.1) has been included onto the licence to require wastewater treatment pond 1 to be upgraded with a liner to provide containment of all liquid waste in the pond to prevent emissions entering the environment. IR2 requires certification that the liner has been installed as per the specifications of IR1 and IR3 has been included to require that certification to be | 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 |
| | | provided to the CEO. | |
| Information | L4.1.1 – L4.1.3, L4.2.1 and L4.3.1 | <p>Condition L4.1.1 sets out the requirements for any records that are required under this licence, such as ensuring they are legible and retained for 6 years which assist DER in regulating the conditions of this licence.</p> <p>Condition L4.1.2 requires the occupier to undertake an audit of their operations against the conditions of the licence and to report on this compliance in an Annual Audit Compliance Report (AACR). This condition assists DER in regulating the occupier's compliance with licence conditions and allows an opportunity for DER to review the occupier's environmental performance. This condition replaces condition G2 of the previous licence.</p> <p>L4.1.3 requires a complaints management system to be implemented where the occupier can internally address any issues that arise from premises operations. DER will review these complaints as reported in the Annual Environmental Report (AER) and can consider the requirement for reassessment of any regulatory controls to address the complaints.</p> <p>L4.2.1 requires the occupier to submit an AER. The AER is required to include the AACR, a summary of the complaints required under condition 4.1.3. The AER is also required to provide the results for the monitoring of inputs/outputs which was previously required to be submitted under conditions G1(a) and G1(b) of the previous licence. The occupier is also required to provide a summary of any malfunction of pollution control equipment or any environmental incidents. DER reviews all of the data provided in the AER to assess compliance with the licence conditions and to monitor the environmental impacts from the premises.</p> <p>Condition L4.3.1 requires the occupier to notify the CEO if there is a breach of any licence limit (i.e. waste acceptance limits) as well as provide notification prior to desludging of any wastewater treatment ponds. This condition also requires the</p> | N/A |
| Information continued | | | |



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| | | Licensee to notify the CEO at the completion of IR1 and IR2 required under condition 4.1.1. The notifications required under this condition give DER sufficient notice of any environmental impacts at the premises so that DER can determine if any further action is required to address the incident. | |
| Licence Duration | N/A | There is currently no specified expiry for planning approval therefore it is recommended that the licence be issued for a period of up to 20 years in accordance with DER's <i>Guidance Statement: Licence Duration</i> (Revised May 2015). | N/A |



5 Advertisement and consultation table

| Date | Event | Comments received/Notes | How comments were taken into consideration |
|-----------|---|---|---|
| 2/10/2015 | The Shire undertook its own community consultation for this proposal. | <p>The Shire received two submissions.</p> <p>One submission stated that there were no objections to the proposal.</p> <p>The other submission objected to the proposal and noted the following: Concerns over the facility being located in a Crown Reserve; Concerns over the facility being expanded; Facility location is not remote; and Rare remnant bushland located within the Reserve.</p> | <p>DER has considered the comments provided to the Shire in objection to the proposal as part of the assessment of the application.</p> <p>DER notes that any clearing undertaken for the proposal is exempt from requiring a clearing permit and that the additional pond will not result in expanded site throughput.</p> |
| 11/3/2016 | Proponent sent a copy of draft instrument | The occupier signed the 21 day comment period waiver requesting the licence be issued be as soon as possible | Licence issued as soon as practicable. |



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 |