



Mr Tony Nottle
Chief Executive Officer
Shire of Dandaragan
PO Box 676
JURIEN BAY WA 6515

Dear Mr Nottle

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises: Cervantes Waste Management Facility
Lot 1113 on Plan 31651, Estella Place via Cervantes Road, CERVANTES WA 6511.
Licence Number: L7003/1997/11

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment Regulation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Caroline Conway-Physick on (08) 9964 0901.

Yours sincerely

Ruth Dowd
Officer delegated under section 20
of the *Environmental Protection Act 1986*

18 June 2015



Licence

Environmental Protection Act 1986, Part V

Licensee: Shire of Dandaragan

Licence: L7003/1997/11

Registered office: 69 Bashford Street
JURIEN BAY WA 6516

Premises address: Cervantes Waste Management Facility
Estella Place via Cervantes Road
Crown Reserve 36638
CERVANTES WA 6511
Being Lot 1113 on Plan 31651 as depicted in Schedule 1.

Issue date: Thursday, 18 June 2015

Commencement date: Tuesday, 07 July 2015

Expiry date: Monday, 06 July 2020

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
62	Solid waste depot – premises on which waste is stored or sorted pending final disposal or re-use	500 tonnes or more per year	5 000 tonnes per annual period
63	Class I inert landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the CEO and as amended from time to time) is accepted for burial.	500 tonnes or more per year	500 tonnes per annual period

Conditions

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

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Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives 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 Cervantes Waste Management Facility is located approximately 1km from the Cervantes town site on Crown Reserve No 36638, within Lot 1113 on Plan 31651, Estella Place via Cervantes Road, Cervantes. The Premises is managed by the Shire of Dandaragan (Shire).

The Shire operates a solid waste depot and an inert landfill at the Premises. The facility is manned and carries out the following operations:

- Acceptance and burial of inert waste;
- Transfer of putrescible waste, asbestos waste and recyclables; and
- Mulching of green waste.

Wastes received at the Premises are generally transferred to the Jurien Waste Management Facility (L7004/1997/15).

The Shire have chosen to accept Asbestos waste for transfer only and does not accept asbestos waste for burial. All asbestos received is transferred for final disposal at Jurien Waste Management Facility. An 'Asbestos Management Plan' is in place at the premises to ensure asbestos is appropriately dealt with when received and not buried at the premises.

Waste types received and transferred offsite include:

- Caravan chemical toilet waste is received to the premises into a 250 litre holding tank which is emptied as required and disposed of at Water Corporation wastewater treatment facility in Jurien Bay (L8050/1991).
- Batteries are collected and stored on pallets in the recycling shed on an impermeable hardstand area and removed periodically by a contractor;
- Putrescible waste is stored within sealed skip bins which are stored on an impermeable (concrete) hardstand within a three sided metal shed has locked metal gates at one end, and has access on one side for receipt of waste;
- Glass is stored within containers for transfer and recycling;
- Cardboard is stored within a three sided metal shed on an impermeable (concrete) hard stand surface and baled for removal by a contractor for recycling;
- Waste oil is collected and stored on an impermeable (concrete) hard stand area and transferred to the Jurien Waste Management Facility for recycling.

Groundwater beneath the general area is "contained in an unconfined aquifer system in the superficial formations, and an unconfined to confined aquifer system in the Mesozoic formations" (*Rivers and Water Commission, 1997*).

The existing water scheme supplying Cervantes town site comes from the shallow aquifer, via a series of shallow bores located 4km east of the town. The Cervantes drinking water reserve, water source protection area (WSPA) P1 area for the town site is located 1.2km east of the premises. The depth to groundwater in the general Cervantes area is considered to be shallow (3-8m) and therefore the Tamala Limestone formation is vulnerable to contamination (*Water and Rivers Commission, 1999*). Depth to groundwater at the premises is estimated to be 6m below ground level (*Pers. comm, D. Gillam*).



The main potential emissions from the premises are considered to be odour, however the risk is low based on the assessment carried out for the premises.

This Licence is the successor to licence L7003/1997/10 and includes changes to conditions to update the Licence to the latest REFIRE version.

The licences and works approvals issued for the Premises since 25/01/2000 are:

Instrument log		
Instrument	Issued	Description
W2951/2000/1	25/01/2000	New prescribed premises
L7003/1997/4	13/09/2000	New licence
L7003/1997/5	16/10/2001	Licence reissue
L7003/1997/6	22/05/2002	Licence reissue
L7003/1997/7	07/07/2003	Licence reissue
L7003/1997/8	14/06/2004	Licence reissue
L7003/1997/9	27/06/2005	Licence reissue
L7003/1997/10	06/05/2010	Licence reissue
L7003/1997/10	10/1/2014	Licence amendment to convert licence to REFIRE format
L7003/1997/11	18/06/2015	Licence reissue

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:

'Acceptance Criteria' has the meaning defined in Landfill Definitions;

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

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

'annual period' means the inclusive period from 1 May until 30 April 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, chrysolite, crocidolite, tremolite and any mixture containing 2 or more of those;

'Asbestos Management Plan' means the '*Asbestos Management Plan, Cervantes Waste Management Facility, Document Id 32963*'.

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

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

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

'CEO' for the purpose of correspondence means;

Manager Licensing (Waste North)
Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: industry.regulation@der.wa.gov.au;

'code of practice for the storage and handling of dangerous goods' means the Storage and handling of dangerous goods - code of practice, Department of Mines and Petroleum, Government of Western Australia;

'construction and demolition waste' has the meaning defined in Landfill Definitions;

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

'dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'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;



'designated burning area' means an area of a landfill site that has been designated by the occupier of the site as a designated burning area;

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fugitive emissions' means all emissions not arising from point sources identified in Sections 2.2, 2.3, 2.4 and 2.5;

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

'hardstand' means a surface with a permeability of 10^{-9} metres/second or less;

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

'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 L7003/1997/11 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 Landfill Definitions;

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

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

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

'Special Waste Type 1' has the meaning defined in Landfill Definitions; and

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

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the current version of the guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.



1.2 General conditions

- 1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:
- (a) pollution;
 - (b) unreasonable emission;
 - (c) discharge of waste in circumstances likely to cause pollution; or
 - (d) being contrary to any written law.
- 1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.
- 1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.5 The Licensee shall:
- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

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

1.3 Premises operation

- 1.3.1 The Licensee shall only accept waste on to the Premises if:
- (a) it is of a type listed in Table 1.3.1; and
 - (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
 - (c) it meets any specification listed in Table 1.3.1.

Waste type	Quantity limit	Specification¹
Clean Fill	Combined total of 500 tonnes per annual period	None specified.
Inert Waste Type 1		
Special Waste Type 1		
Inert Waste Type 2		Tyres and plastic only.
Putrescible waste	Combined total of 5000 t/annual period	None specified.

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

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



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

Table 1.3.2: Waste processing		
Waste type	Process	Process limits
Clean Fill		None specified
Inert Waste Type 1 Inert Waste Type 2 (Tyres and plastics)	Receipt, handling and disposal of waste by landfilling.	<p>All waste types:</p> <ul style="list-style-type: none"> Disposal of waste by landfilling shall only take place within a defined trench or within an area enclosed by earthen or other bunds; No waste shall be temporarily stored or landfilled within 35 metres from the boundary of the premises; and The landfill tipping area shall be restricted to a maximum linear length of 30 meters. <p>Inert waste type 1:</p> <ul style="list-style-type: none"> Crushing and screening of Inert Waste Type 1 is not permitted.
Special Waste Type 1 (Asbestos Waste)	Receipt, handling and storage prior to off-site disposal.	<ul style="list-style-type: none"> Cement bonded asbestos shall be bagged and stored in a clearly labelled and secure container prior to removal; and Must comply with the 'Asbestos Management Plan' for the premises.
Inert Waste Type 2 (Tyres and plastics)	Receipt, handling and storage prior to disposal (landfilling or recycling).	<ul style="list-style-type: none"> Tyres to be stored in piles, up to a total volume of 100 units, with a 6m separation distance between piles.
Putrescibles waste	Receipt, handling and storage prior to disposal or off-site recycling.	<ul style="list-style-type: none"> Putrescible waste shall be removed from the premises within 7 days of receipt; Putrescible waste shall be stored in sealed skip bins prior to transfer; and Putrescible wastes, other than green waste, shall be stored within the waste receipt area. <p>Green waste shall be stored as follows;</p> <ul style="list-style-type: none"> A total of no greater than 2,000 cubic metres of mulch and green waste shall be stored at any one time; All mulch and green waste shall be stored in windrows, no higher than 2m; and A >5m fire break shall be maintained around the green waste storage area.
	Disposal by burning.	<p>Only green waste is to be burnt on site. Green waste shall only be burnt if:</p> <ul style="list-style-type: none"> It has been dried and seasoned for at least 2 months before burning; it takes place in a designated burning area at least 25m from the boundary of any active disposal areas; it takes place in trenches or windrows, no more than 2m high; it takes place only when an adequate supply of water is available to effectively manage the burning process; and it is free of any contaminants.



1.3.4 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 requirements¹

Waste Type	Cover Material	Depth	Timescales
Inert Waste Type 2	Type 1 inert waste or clean fill	100mm	<ul style="list-style-type: none"> By the end of the working day in which the waste was deposited; and Plastic waste with the potential to become windblown shall be covered as soon as practicable after deposit.
Inert Waste Type 1	No cover required		

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

- 1.3.5 The Licensee shall implement the following security measures at the site:
- (a) erect and maintain suitable fencing to prevent unauthorised access to the site; and
 - (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.
- 1.3.6 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information;
- (a) hours of operation;
 - (b) contact telephone number;
 - (c) warning indicating penalties for people lighting fires; and
 - (d) list of materials accepted for recycling and the location of where they can be deposited on the premises.
- 1.3.7 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.
- 1.3.8 The Licensee shall take all reasonable and practical measures to ensure that no windblown waste escapes from the Premises and that windblown waste is collected on at least a weekly basis and returned to the tipping area or appropriately contained.
- 1.3.9 The licensee shall ensure that there are appropriate procedures and equipment in place at the premises for extinguishing any unauthorised fires.
- 1.3.10 The licensee shall extinguish any fire that may occur at the site within eight hours of being notified of the fire.



2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

2.2-2.4 Point source emissions to air, surface water and groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.

2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

2.6 Fugitive emissions

2.6.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.

2.6.2 The Licensee shall ensure that no visible dust generated by the activities on the Premises crosses the boundary of the Premises.

2.7 Odour

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

2.8 Noise

There are no specified conditions relating to noise in this section.

3 Monitoring

3.1 General monitoring

The are no specified conditions relating to general monitoring of emissions in this section.

3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.

3.5 Monitoring of emissions to land

There are no specified conditions relating to monitoring of emissions to land in this section.

3.6 Monitoring of inputs and outputs

3.6.1 The Licensee shall undertake the monitoring in Table 3.6.1 according to the specifications in that table.



Table 3.6.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Inert Waste Type 1, Inert Waste Type 2, Special Waste Type 1, Clean Fill and Putrescible wastes	m ³ (where no weighbridge is present)	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)			Each load leaving or rejected from the Premises

3.7 Process monitoring

There are no specified conditions relating to process monitoring in this section.

3.8-3.9 Ambient environmental quality monitoring and meteorological monitoring

There are no specified conditions relating to ambient environmental quality monitoring or meteorological monitoring in this section.

4 Improvements

There are no specified improvement conditions in this section.

5 Information

5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.



5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

5.1.5 The Licensee shall maintain a register of volumes of Special Waste Type 1 received at the Premises which shall be managed according to the Asbestos Management Plan.

5.2 Reporting

5.2.1 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 5.2.1 in the format or form specified in that table.

Table 5.2.1: 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
-	Summary of the following: (a) the number and severity of any fires on site; (b) the measures taken to suppress dust; (c) the measures taken to control windblown waste; and (d) any changes to site boundaries, internal buffer zones, asbestos waste received for transfer, and surface drainage channels; and (e) any issues raised by DEC (e.g. arising from inspections) during the reporting period should also be summarised together with details on how these have been addressed/rectified or, if the required work has yet to be completed, how and when they will be rectified/completed.	None specified
1.3.7	Summary of the measures taken to control vermin and pests.	None specified
3.6.1	Summary of inputs and outputs	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified
5.1.5	Summary of Special Waste Type 1 received	None specified

Note 1: Forms are in Schedule 2

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

Table 5.2.2: Non-annual reporting requirements

Condition or table (if relevant)	Parameter	Reporting date	Format or form
-	Any unauthorised fire.	Within 14 days of discovery of the fire.	A report that details: <ul style="list-style-type: none"> the date, time and location of the fire; and the cause or suspected cause of the fire.



5.3 Notification

5.3.1 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 requirement¹	Format or form²
-	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

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

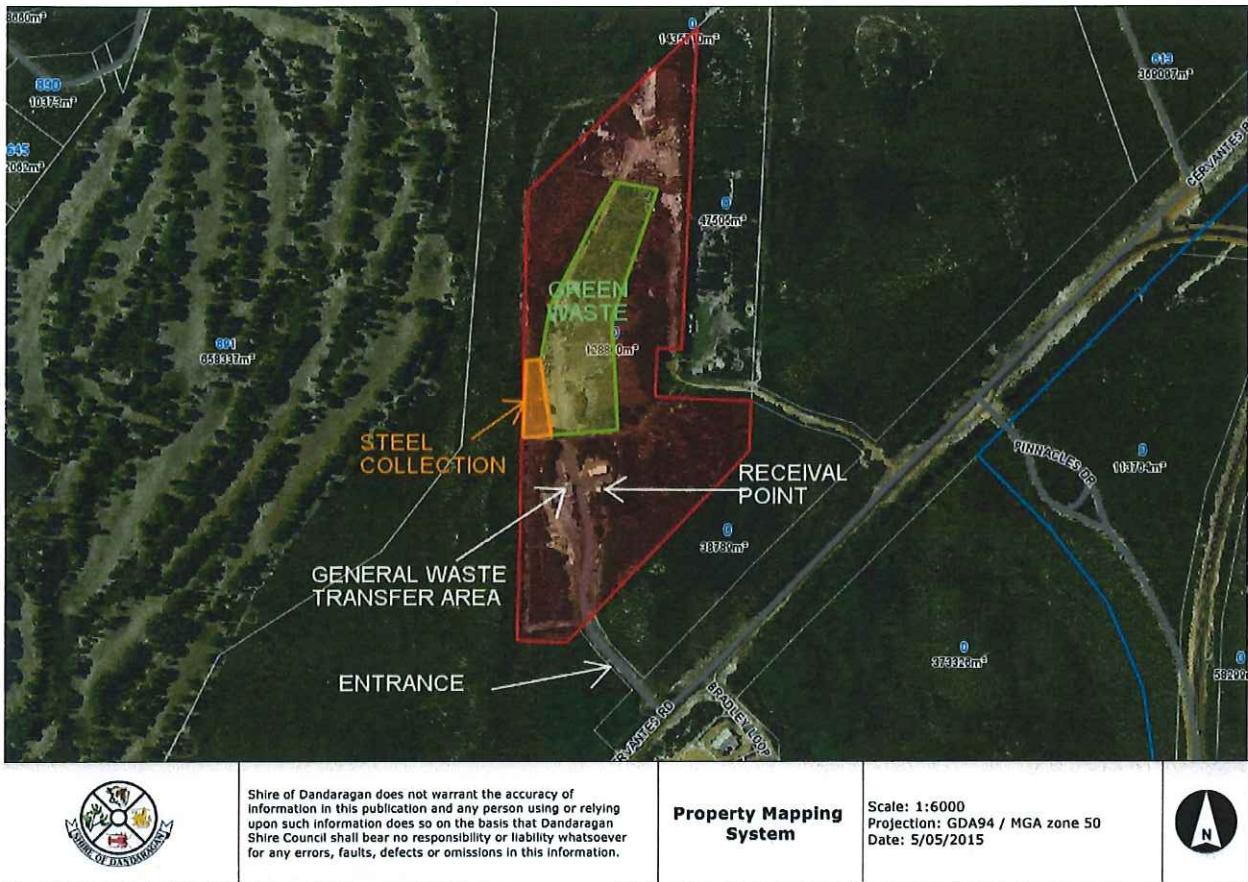
The Premises is shown in the map below. The red line depicts the Premises boundary.





Map of storage locations

The location of the storage areas defined in Table 1.3.1 are shown 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: Trading as:	ABN:
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

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

Yes Please proceed to Section C

No Please proceed to Section B

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

Initial:



SECTION 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: L7003/1997/11
Form: N1

Licensee: Shire of Dandaragan
Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

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	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



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 Dandaragan	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Dandaragan

Licence: L7003/1997/11

Registered office: 69 Bashford Street
JURIEN BAY WA 6516

Premises address: Cervantes Waste Management Facility
Estella Place via Cervantes Road
Crown Reserve 36638
CERVANTES WA 6511
Being Lot 1113 on Plan 31651

Issue date: Thursday, 18 June 2015

Commencement date: Tuesday, 07 July 2015

Expiry date: Monday, 06 July 2020

Decision

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

Decision Document prepared by:

C. Conway-Physick
Licensing Officer

Decision Document authorised by:

A. Kietzmann
A/ Manager Licensing



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Appendix A	Error! Bookmark not defined.

1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions is justified in Section 4 of this document.

Non standard conditions (NSC)

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in Section 4.



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	
	New Licence <input checked="" type="checkbox"/>	
	Licence amendment <input type="checkbox"/>	
	Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	62 – Solid waste depot	5,000 tonnes per annual period.
	63 – Class 1 inert landfill	500 tonnes per annual period.
Application verified	Date: 05/05/2015	
Application fee paid	Date: 07/05/2015	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome	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"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.		



3 Executive summary of proposal and assessment

The Cervantes Waste Management Facility is located approximately 1km from the Cervantes town site on Crown Reserve No 36638, within Lot 1113, Estella Place via Cervantes Road, Cervantes. The Premises is managed by the Shire of Dandaragan (Shire).

The Shire operates a solid waste depot and an inert landfill at the Premises. The facility is manned and carries out the following operations:

- Acceptance and burial of inert waste;
- Transfer of putrescible waste, asbestos waste and recyclables; and
- Mulching of green waste.

Wastes received at the premises are generally transferred from the premises to Jurien Waste Management Facility (L7004/1997/15).

The Shire haven chosen to accept Asbestos waste for transfer only and does not accept asbestos waste for burial. All asbestos received is transferred for final disposal at Jurien Waste Management Facility. An 'Asbestos Management Plan' is in place at the premises to ensure asbestos is appropriately dealt with when received and not buried at the premises.

Waste types received and transferred offsite include:

- Caravan chemical toilet waste is received to the premises into a 250 litre holding tank which is emptied as required and disposed of at Water Corporation wastewater treatment facility in Jurien Bay (L8050/1991).
- Batteries are collected and stored on pallets in the recycling shed on an impermeable hardstand area and removed periodically by a contractor;
- Putrescible waste is stored within sealed skip bins which are stored on an impermeable (concrete) hard stand within a three sided metal shed, has locked metal gates at one end, and has access on one side for receipt of waste;
- Glass is stored within containers for transfer and recycling;
- Cardboard is stored within a three sided metal shed on an impermeable (concrete) hard stand surface and baled for removal by a contractor for recycling;
- Waste oil is collected and stored on an impermeable (concrete) hard stand area and transferred to the Jurien Waste Management Facility for recycling.

Groundwater beneath the general area is "contained in an unconfined aquifer system in the superficial formations, and an unconfined to confined aquifer system in the Mesozoic formations" (*Rivers and Water Commission, 1997*).

The existing water scheme supplying Cervantes town site comes from the shallow aquifer, via a series of shallow bores located 4km east of the town. The Cervantes drinking water reserve, water source protection area (WSPA) P1 area for the town site is located 1.2km east of the premises. The depth to groundwater in the general Cervantes area is considered to be shallow (3-8m) and therefore the Tamala Limestone formation is vulnerable to contamination (*Water and Rivers Commission, 1999*). Depth to groundwater at the premises is estimated to be 6m below ground level (*Pers. comm, D. Gillam*).

The main potential emissions from the premises are considered to be odour, however the risk is considered low based on the assessment carried out for the premises.

The Decision Document is in relation to a Licence reissue and includes changes to conditions to update the Licence to the latest REFIRE version. A site assessment was carried out on 27 May 2015 to re-assess environmental risks at the premises. The premises is being recommended for reissue for a further five year period.

		provisions of the <i>Environmental Protection Act 1986.</i>
OSC	OSC 1.3.1-1.3.3 has been re-assessed for the premises on 27 May 2015 for waste acceptance, processing and cover requirement applicable for the premises. OSC1.3.1 and OSC 1.3.2 now identifies the use of the 'Asbestos Management Plan' that has been created and is currently in operation by the Shire for the premises.	Contaminated Sites Management Series - Assessment levels for Soil, Sediment and Water, 2010. <i>Environmental Protection (Controlled Waste) Regulations 2004.</i> <i>Environmental Protection (Rural Landfill)</i>
OSC	OSC1.3.4 condition has been updated to version 2.8.	
OSC	OSC1.3.5-1.3.10 have not been reassessed through the reissue process and are considered acceptable to the standard operation of the premises.	



DECISION TABLE				
Works Approval / Licence section	Condition number W = Works Approval L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
				<i>Regulations 2002.</i>
Emissions general	L2.1.1	OSC	Descriptive limits will be set through condition 2.6 and 2.7 of the licence and therefore OSC regarding recording and investigation of exceedances of targets has been included. OSC2.1.1 has not been reassessed through this reissue process.	<i>Environmental Protection (Unauthorised Discharges) Regulations, 2004.</i>
Point source emissions to air, surface water and groundwater including monitoring	L2.2 and L3.2	N/A	No point source emissions to air, surface water and groundwater have been identified at the Premises. Point source emissions to air including monitoring have not been reassessed through the reissue process.	General provisions of the <i>Environmental Protection Act 1986.</i>
Emissions to land including monitoring	L2.5 and L3.5	N/A	Point source emissions to land including monitoring have not been re-assessed through the reissue process.	
Fugitive emissions	L2.6	OSC	OSC2.6.1 and 2.6.2 exist within the Licence in relation to dust conditions. Fugitive emissions have not been reassessed through the reissue process. No issues or complaints have been identified in this regard for the premises.	General provisions of the <i>Environmental Protection Act 1986.</i>
Odour	L2.7	OSC	OSC2.7.1 in relation to odour emissions from the premises already exists within this section. No issues or complaints have been identified for the premises with regards to odour.	General provisions of the <i>Environmental Protection Act 1986.</i>

N/A	No additional conditions have been included within this section as part of the reissue process.	
N/A	Process monitoring has not been reassessed through the reissue process. No conditions have been included within this section of the Licence.	
N/A	Ambient environmental quality monitoring has not been reassessed through the reissue process. No conditions have been included within this section of the Licence.	
N/A	Meteorological monitoring has not been reassessed through the reissue process. No conditions have been included within this section of the Licence.	
N/A	Improvement condition IR1 and IR2 have been removed from the Licence as these requirements have been completed by the proponent and have been implemented for the premises. No additional improvements have been proposed through the reissue process.	
	SC5.1.1-SC5.1.4 are requirements for annual reporting placed upon all premises in the management of Licenced premises.	



DECISION TABLE				
Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
	L5.1.5	OSC	OSC5.1.5 has been included for improved record keeping of special waste types received at the premises for on site management and annual reporting purposes.	
	L5.2	OSC	OSC5.2.1 has been expanded to more comprehensively reflect the reporting requirements of the premises as identified within the Licence.	
Licence Duration	N/A	N/A	<p>The Licence has been recommended for a period of 5 years. This is in line with current DER procedure.</p> <p>There are no issues of concern in the operation of the premises that would require the length of the Licence to be reduced. No complaints have been received due to the operation or management of the premises.</p>	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
11/05/2015	Application advertised in West Australian (or other relevant newspaper)	Nil	N/A
26/05/2015	Proponent sent a copy of draft instrument	Draft reviewed and approved by Shire. Site visit carried out at the premises on 27/05/2015 to confirm details with Dennis Gillam (EHO).	Additional information included regarding the operation of the facility and waste types managed within the premises description.



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