



Government of Western Australia  
Department of Environment Regulation

Your ref: L7016/1997/9  
Our ref: L205/97  
Enquiries: Nanette Schapel  
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Greg Hadlow  
CEO  
Shire of Kulin  
PO Box 125  
KULIN WA 6365

Dear Mr Hadlow

**ENVIRONMENTAL PROTECTION ACT 1986 – AMENDMENT TO LICENCE**

**Licence: L7016/1997/9**  
**Premises: Kulin Landfill Facility**

Further to my letter dated 19 March 2015, please find enclosed your amended *Environmental Protection Act 1986* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on (08) 9333 7486 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment, you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely,

Rebecca Kelly  
Officer delegated under Section 20  
of the *Environmental Protection Act 1986*

Thursday 16 April 2015

Encl: Amended licence and Decision Document



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Shire of Kulin

**Licence:** L7016/1997/9

**Registered office:** 24 Johnston Street  
KULIN WA 6365

**ABN:** 54 830 263 951

**Premises address:** Kulin Landfill Facility  
Location 13428 (Crown Reserve 20485) Truebody Street  
KULIN WA 6365  
as depicted in Schedule 1.

**Issue date:** Thursday 23 June 2011

**Commencement date:** Tuesday 19 July 2011

**Expiry date:** Monday 18 July 2016

**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
62	Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	500 tonnes or more per year	4,000 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**

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

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 Kulin landfill facility and solid waste depot are located on Crown Reserve 20485 Truebody Street, Kulin, approximately 280 km south east of Perth. The closest single residence is approximately 500m east of the landfill and the town of Kulin is approximately 2km in a south east direction. The landfill and solid waste depot currently service the Shire of Kulin, including the town sites of Kulin, Pingaring, Dudinin and Jitarning.

Kulin is located within an area which experiences high summer temperatures and low rainfall (approximately 370 to 400mm per annum). Groundwater is at least 3m below the level of the landfill and advice received from the Department of Water is that the landfill site is located on fractured and weathered rock of low permeability with the possibility of local aquifers. The groundwater is saline and there are no known groundwater users within the vicinity. The town of Kulin relies on water piped from the nearby Harris Dam. There are no surface water bodies located within 2km of the landfill.

The Kulin landfill includes a solid waste depot which is surrounded by a 2.0m high fence with lockable gates. An inert landfill is located at the rear of the solid waste depot where access is restricted to Shire personnel only and the gates to the landfill are always kept locked.

The Department first issued a Category 64 licence for a putrescible landfill in 1997 where the approximate throughput was 400 tonnes per annum. The burial of putrescible wastes ceased in 2008/2009 following construction of the solid waste depot. Now, all putrescible wastes and non-recyclable wastes are taken to the Eastern Districts Regional Waste Management Site for disposal. This landfill is registered with DER as a Category 89 Putrescible landfill site - R1959/2007/1 where the Licensee is the Shire of Kondinin.

DER understands that no below ground landfilling has occurred at the premises historically. The Shire has indicated that the underlying geology was too hard to excavate and bury waste below ground. The landfill is an unlined mound structure.

#### *Landfill:*

The Kulin Landfill currently accepts Inert Waste Type 1 such as soil, sand, rubble and clean fill which mainly originates from works carried out by the Shire. The inert wastes are placed on top of the old putrescible cells. The landfill is also licensed to accept Special Waste Type 1 asbestos and asbestos contaminated material where acceptance procedures and burial activities are documented in the Shire's *Asbestos Management Procedure*. All asbestos wastes accepted at the landfill are noted in a permanent register and buried in a specific burial pit. Only two loads of asbestos waste were received at the landfill during the previous reporting year of 2013/2014.

#### *Solid Waste Depot:*

The solid waste depot is located next to the landfill and it is manned and open for use by the public on Mondays, Thursdays and Sundays from 10am – 3pm. The depot accepts small quantities of household wastes; recyclables, scrap metal, green waste, used oil and some hazardous waste which mainly consists of paint and vehicle batteries.

### **Current Amendment:**

The Shire requested a licence amendment to remove Category 64 (Class II putrescible landfill site) from the licence and replace it with Category 63 (Class I inert landfill site) as the Shire no longer accepts putrescible wastes for burial. As part of this amendment process, the licence has been converted to a REFIRE licence. DER has not re-assessed the acceptability or impacts of emissions and discharges from the premises or re-visited any existing emission control levels.



The licences issued for the Premises are:

Instrument log		
Instrument	Issued	Description
L7016/1997/1		New Licence
L7016/1997/2	30/06/2000	Licence re-issue
L7016/1997/3	04/07/2001	Licence re-issue
L7016/1997/4	20/09/2002	Licence re-issue
L7016/1997/5	27/10/2003	Licence re-issue
L7016/1997/6	19/07/2004	Licence re-issue
L7016/1997/7	19/07/2005	Licence re-issue
L7016/1997/8	26/06/2006	Licence re-issue
L7016/1997/9	23/06/2011	Licence re-issue
L7016/1997/9	16/04/2015	Licence amendment to remove Category 64 and replace with Category 63.

### Severance

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

### END OF INTRODUCTION





## Licence conditions

### 1 General

#### 1.1 Interpretation

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

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

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

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

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

**'annual period'** means the inclusive period from 1 July until 30 June 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 fibres'** has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'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 Industries)  
Department of Environment Regulation  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Telephone: (08) 9333 7510  
Facsimile: (08) 9333 7550  
Email: grswanbooragoon@der.wa.gov.au;

**'code of practice for the storage and handling of dangerous goods'** means document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

**'Contaminated Solid 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;



**'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;

**'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 L7016/1997/9 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;

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

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

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

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

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.<sup>1</sup>

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

1.3 Premises operation

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

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

**Table 1.3.1: Waste acceptance**

Waste type	Quantity limit tonnes / annual period	Specification <sup>1</sup>
Inert Waste Type 1 Clean Fill and soils Greenwaste	500 tonnes per annual period	None specified
Special Waste Type 1		Asbestos containing material to be accepted for buried in the designated asbestos disposal pit. No fibrous asbestos shall be accepted for burial on site.
Putrescible Wastes	4,000 tonnes per annual period (not to be disposed of by landfilling at the premises)	Waste shall only be stored within designated storage bays
Inert Waste Type 2		Used tyres and plastic only
Recycling material		Recyclables such as scrap metal, newspapers and cardboard shall be stored within designated storage areas
Hazardous waste		Limited to waste oil, paint, vehicle batteries, DrumMuster products

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos) 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 conditions 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 ensure that wastes accepted onto the Premises are only subjected to the processes 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(es)	Process limits <sup>1</sup>
Inert Waste Type 1	Receipt, handling, associated storage and disposal of waste by landfilling	<u>All waste types</u> <ul style="list-style-type: none"> <li>Disposal of waste by landfilling shall only take place within the landfill area shown on the Landfill Area Map in Schedule 1.</li> <li>No waste shall be temporarily stored or landfilled within 35 metres from the boundary of the premises.</li> <li>The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2m.</li> </ul>
Clean Fill and soils		
Special Waste Type 1	Receipt, handling, associated storage and disposal of waste by landfilling	<u>Special Waste Type 1</u> <ul style="list-style-type: none"> <li>Only to be disposed of into a designated asbestos disposal area within the landfill;</li> <li>Not to be deposited within 2m of the final tipping surface of the landfill; and</li> <li>No works shall be carried out on the landfill that could lead to a</li> </ul>





		release of asbestos fibres.
Greenwaste	Receipt, handling, associated storage and disposal by burning at the solid waste depot	<p>Only greenwaste is to be burnt on site. Greenwaste shall only be burnt if;</p> <ul style="list-style-type: none"> <li>• It has been dried and seasoned for at least 2 months before burning;</li> <li>• It takes place in a designated burning area at least 25m from the boundary of any active disposal or storage areas;</li> <li>• It takes place in trenches or windrows;</li> <li>• It takes place only when an adequate supply of water is available to effectively manage the burning process; and</li> <li>• It is free of any contaminant.</li> </ul>
Putrescible wastes	Receipt, handling and storage prior to disposal off site	<ul style="list-style-type: none"> <li>• Only to be stored and sorted in an area which has a hardstand and is bunded to prevent run-off; and</li> <li>• Shall not be stored onsite for longer than one week.</li> </ul>
Recycling materials		None Specified
Hazardous wastes		None Specified

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 requirements**

Waste Type	Material	Depth	Timescales
Special Waste Type 1 (Asbestos)	Type 1 Inert waste or soil	300mm	As soon as practicable after deposit and prior to compaction
		1000mm	By the end of the working day in which the asbestos waste was deposited
Inert Waste Type 1	No cover required		

- 1.3.5 The Licensee shall implement the following security measures at the site:
- maintain suitable fencing around the solid waste depot;
  - prevent unauthorised access to the landfill facility and the solid waste depot;
  - ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
  - undertake regular inspections of all security measures and repair damage as soon as practicable.
- 1.3.6 The Licensee shall take all reasonable and practical measures to ensure that no wind-blown waste escapes from the Premises and that wind-blown waste is collected on at least a weekly basis and appropriately contained.
- 1.3.7 The Licensee shall maintain a sign at the entrance to the Premises which clearly displays the following information;
- hours of operation;
  - contact telephone number;
  - warning indicating penalties for people lighting fires;
  - list of materials that can be accepted for burial; and
  - list of materials accepted for temporary storage at the solid waste depot.
- 1.3.8 The Licensee shall undertake activities on the Premises and manage asbestos and ACM in accordance with the Asbestos Management Plan [*Asbestos Management Plan* for the Corrigin, Kondinin, Kulin and Narembeen Shires, created February 2014 and updated October 2014].



## **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 these sections.

### **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 of the Premises crosses the boundary of the Premises.

### **2.7 Odour**

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

### **2.8 Noise**

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

## **3 Monitoring**

### **3.1 General monitoring**

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

### **3.2 Monitoring of point source emissions to air**

There are no specified conditions relating to monitoring of point source emissions to air in this section.

### **3.3 Monitoring of point source emissions to surface water**

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

### **3.4 Monitoring of point source emissions to groundwater**

There are no specified conditions relating to monitoring of point source emissions to 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 1, Inert 2, Inert 3, Special Waste 1, Clean Fill, Contaminated Solid Waste	m <sup>3</sup>	N/A	Each load arriving at the Premises
Waste Outputs	Putrescible wastes, Recyclables and Hazardous wastes			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 Ambient environmental quality monitoring

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

### 3.9 Meteorological monitoring

There are no specified conditions relating to 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 Special Waste Type 1 disposed of at the Premises which shall include a plan showing the location of Special Waste Type 1 disposed of at the Premises.

## 5.2 Reporting

5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within **28** 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 <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 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

Note 1: Forms are in Schedule 2

## 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 requirement <sup>1</sup>	Format or form <sup>2</sup>
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	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



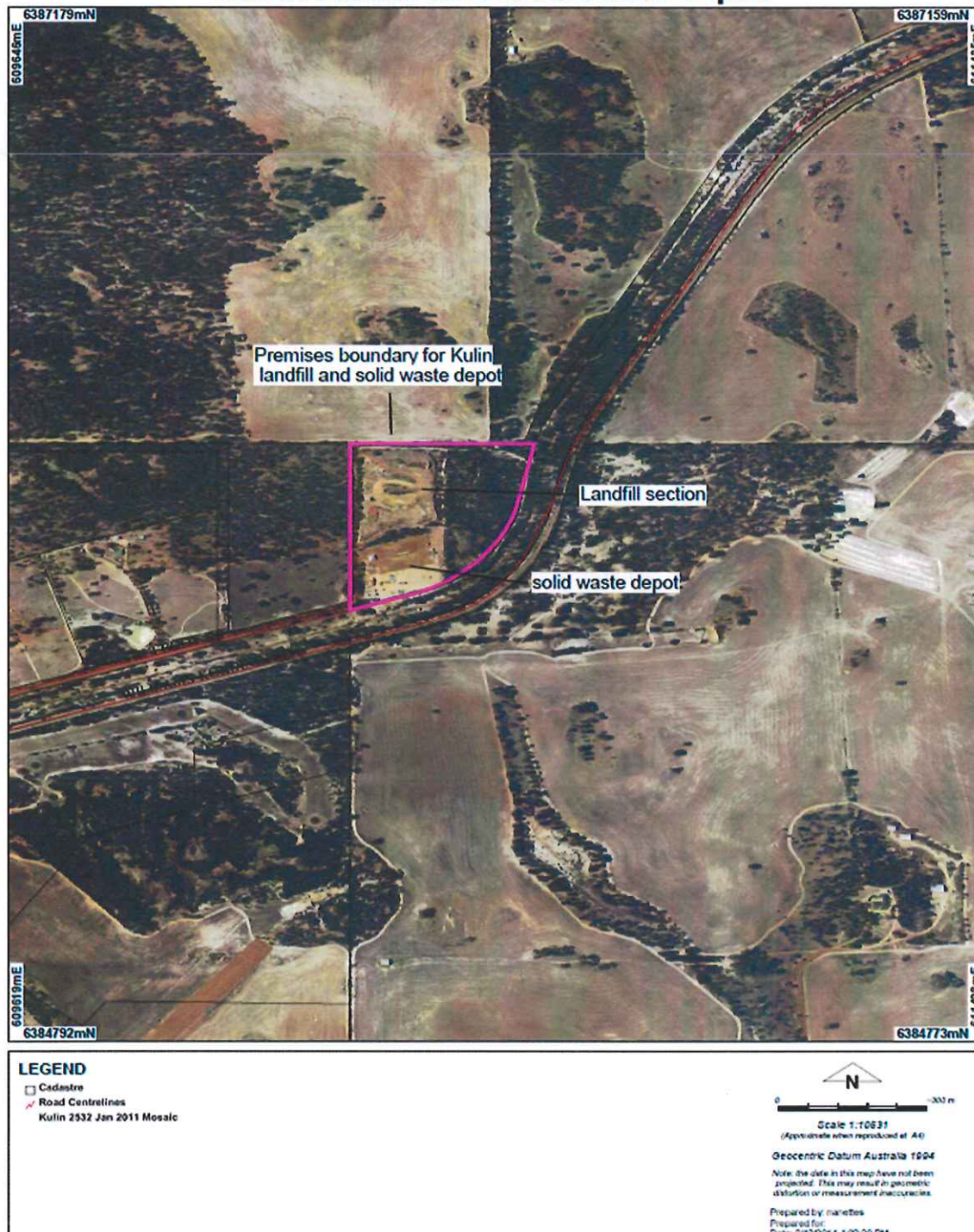


## Schedule 1: Maps

### Premises map

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

### Kulin landfill and solid waste depot





## Schedule 2: Reporting & notification forms

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

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### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A

##### LICENCE DETAILS

Licence Number:	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: \_\_\_\_\_

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

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

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

SEAL (if signing under seal)

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

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

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

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





Government of Western Australia  
Department of Environment Regulation

Licence: L7016/1997/9  
Form: N1

Licensee: Shire of Kulin  
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 Kulin	
Date	





# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:**     **Shire of Kulin**

**Licence:**        **L7016/1997/9**

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**Registered office:**     24 Johnston Street  
                                 KULIN WA 6365

**Premises address:**     Shire of Kulin Landfill Facility  
                                 Location 13428 (Crown Reserve 20485) Truebody Street  
                                 KULIN WA 6365

**Issue date:**             Thursday 23 June 2011

**Commencement date:**   Tuesday 19 July 2011

**Expiry date:**            Monday 18 July 2016

### **Decision**

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

Decision Document prepared by:                             Nanette Schapel  
   Licensing Officer

Decision Document authorised by:                           Rebecca Kelly  
   Manager Licensing Waste (South A)



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## 1 Purpose of this Document

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

### 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 type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the Premises to become prescribed Premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	62 Solid waste depot	4,000 tonnes per year
	63 Inert landfill facility	500 tonnes per year
Amendment Application verified	Date: 27 October 2014	
Application fee paid	Date: NA – amendment to licence	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.		



### 3 Executive summary of proposal and assessment

#### 1. Background and Previous Putrescible Landfilling

The Kulin landfill facility and solid waste depot are located on Crown Reserve 20485 Truebody Street, Kulin and is operated by the Shire of Kulin ('the Shire'). The town of Kulin is approximately 300 kms east-south-east of Perth and is located between the Shires of Kondinin to the north and the Shire of Lake Grace to the south. Population of the town of Kulin is 350 and population of the Shire is 800 people where the local economy is based on agriculture - predominantly cereal grains and sheep.

In addition to solid waste depot and inert landfilling operations, the Premises previously accepted putrescible waste for burial. The Department first issued a Category 64 licence for a putrescible landfill in 1997 and the burial of putrescible wastes ceased in 2008/2009 following construction of a solid waste depot. When operating as a putrescible landfill, approximate throughput was 400 tonnes per annum. In 2006, the Shire, as part of the Roe Regional Organisation of Councils, commenced investigations of an alternative combined facility and it was decided to divert all putrescible wastes, including kerb side rubbish collections to the Eastern Districts Regional Waste Management Site (Bendering) landfill, which is registered as a Category 89 landfill (R1959/2007/1). This is a regional landfill where the Shire of Kondinin is the Licensee and the rural landfill services the Shires of Kulin, Kondinin, Narembeen and Corrigin.

DER understands that no below ground landfilling has occurred at the premises historically. The Shire has indicated that the underlying geology was too hard to excavate and bury waste below ground. The landfill is an unlined mound structure.

Advice received from the Shire notes that the landfill is in an area of low rainfall, high summer temperatures and high evaporation rates. Based on this information and the annual waste acceptance volumes, DER is of the opinion that a limited quantity of leachate is likely to be generated.

The Shire has informed DER that landfilling of putrescible waste has ceased at this Premises and has requested that Prescribed Premises Category 64 be removed from Licence L7016/1997/9. A post closure and rehabilitation plan for the putrescible landfill has been requested by DER.

#### 2. Current Site Operations

Since 2008/2009, the Premises has been operating as a Category 62 solid waste depot and an inert landfill where inert wastes are placed on top of the historic putrescible cells. This does not include asbestos containing material which is buried in a designated cell. Kulin landfill services the Shire of Kulin and the townsites of Kulin, Pingaring, Dudinin and Jitarning. Due to closure of the Dudinin landfill, household waste from Dudinin is now sent on a weekly basis to the Kulin solid waste depot, collected by Avon Waste on a weekly basis and transferred for disposal at Bendering landfill.

##### *Solid Waste Depot / Transfer Station:*

The solid waste depot is located next to the landfill and is surrounded by a 2 m high fence with a lockable gate. It is manned and open for use by the public on Mondays, Thursdays and Sundays from 10am – 3pm. Wastes accepted at the depot include:

- recycling bins for residents who are not on the kerbside recycling collection service provided by Avon Waste. This includes nearby farms and surrounding small townsites;
- a cardboard recycling cage;
- large 6m<sup>3</sup> bins for household waste which are emptied weekly by Avon waste;
- a used oil collection tank;
- a DrumMuster collection facility;
- a Greenwaste collection area where it is stored in windrows and allowed to dry prior to burning on site;
- small quantities of Inert Waste Type 2;





- building rubble collection area;
- a scrap metal collection area; and
- a household hazardous waste collection shed which includes paints and vehicle batteries.

#### *Inert Landfill:*

The Kulin inert landfill is located at the rear of the transfer station and currently accepts Inert Waste Type 1 such as soil, sand, rubble and clean fill which mainly originates from works carried out by the Shire. Annual throughput is less than 500 tonnes and access to the landfill is restricted to Shire personnel only.

Special Waste Type 1 (asbestos and asbestos containing material) is also accepted where acceptance and burial activities are documented in the Shire's *Asbestos Management Procedure*. All asbestos wastes accepted at the landfill are noted in a permanent register and buried in a specific burial pit. Only two loads of asbestos waste were received at the landfill during the previous reporting year of 2013/2014.

The landfill as it is surrounded by paddocks and bush on all sides except the southern side where it abutts the fence surrounding the solid waste depot.

### **3. Location and Environmental Setting**

The landfill is located in an area zoned rural. The nearest residence is approximately 500m from the landfill. The Environmental Protection Authority Guidance Statement #3 *Separation Distances between Industrial and Sensitive Land Uses* (June 2005) recommends a buffer of 150m between an putrescible landfill and a single residence. Kulin landfill meets these recommended buffer requirements.

The geology of the area is heavy clay with underlying granite rock. Advice received from the Department of Water (DoW) in an email dated 24 February 2015 titled "depth to groundwater in the Kulin Region" notes that the landfill site is located on fractured and weathered rock of low permeability with the possibility of local aquifers. Due to the landfill being located on a hill slope, it is likely that the groundwater depth is greater than 3 metres and the quality of the groundwater in the area is saline. Further advice received from DoW (telephone conversation on 19/02/2015) is that the area is unproclaimed which means that groundwater abstraction licences are not required, there are no known groundwater users in the area and the water for the town of Kulin is provided by the Water Corporation with water piped from the nearby Harris Dam. There are no surface water bodies located within 2km of the landfill.

### **4. Current Amendment**

The Shire requested a licence amendment to remove Category 64 (Class II putrescible landfill site) from the licence and replace it with Category 63 (Class I inert landfill site) as the Shire no longer accepts putrescible wastes for burial.

As part of this amendment process, the licence has been converted to a REFIRE licence. Changes to the licence conditions include removing the requirement to install groundwater monitoring bores. The Department has assessed the potential risk to the groundwater, taking into account the following:

- the putrescible landfill site was levelled in 2008/2009 and cells covered with clean fill;
- only small amounts of inert wastes are now accepted;
- the site is located over heavy clay with underlying granite rock;
- there are no surface water bodies within 2 km of the landfill;
- the groundwater in the area is known to be saline and there are no known groundwater users in the area; and
- Kulin has a high evaporation rate coupled with low rainfall which reduces the risk for leachate percolating through from the old putrescible cells.



## 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	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
<b>General conditions</b>	L1.2.5 L1.3.1 L1.3.2 and L1.3.3 L1.3.4	OSC OSC OSC OSC	OSC 1.2.5 manages stormwater and replaces previous conditions 22, 23 and 24. OSC 1.3.1 lists the types of wastes that can be accepted at the inert landfill and solid waste depot and replaces previous condition 3. Putrescible wastes are not accepted for burial at the landfill (ceased in 2008/2009) and this licence amendment is to remove Category 64. Small amounts of putrescible wastes are accepted at the solid waste depot and removed offsite for burial at an authorised landfill on a weekly basis. As a result, Category 64 (Class II Putrescible landfill) has been replaced by Category 63 (Class I inert landfill). OSC 1.3.2 and L1.3.3 replaces previous condition 4 concerning the acceptance of asbestos waste, condition 5 concerning the management of landfill activities and condition 18 regarding the burning of greenwaste. OSC 1.3.4 replaces previous condition 4 regarding the disposal / burial and coverage of asbestos waste.	General provisions of the <i>Environmental Protection Act 1986 (EP Act)</i>  <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>
<b>Premises operation</b>	L1.3.5 L1.3.6 L1.3.7 L1.3.8	OSC OSC	OSC L1.3.5 replaces previous condition 6 which restricts unauthorised access to the Premises, condition 7 where the entrance gates to the Premises are to be locked when the Premises are unattended and condition 8 which requires inspections of the fence and gates and maintenance to repair any damage. OSC L1.3.6 replaces previous conditions 9 and 10 which requires the Licensee to contain wind blown wastes within the boundaries of the premises and collect any waste that has blown away from the tipping area on a weekly basis. Landfilling of putrescible wastes does not occur which minimises the issue of windblown wastes.	General provisions of the <i>EP Act</i>



the health and safety of operators on site as well as members of the surrounding community and nearby fauna.

*Controls:* The Shire of Kulin has an Asbestos Management Plan, assessed and approved by DER, which regulates the acceptance, landfilling and coverage of ACM brought onto the site. Asbestos awareness and management training are provided for operators on site. ACM is only accepted when wrapped and labelled correctly. ACM is buried in a designated pit and covered with clean fill at least 300 mm in thickness as soon as practicable where the asbestos disposal pit(s) are not disturbed. The asbestos burial pit(s) are recorded on a Premises plan containing grid references. All ACM brought to the site is noted in an Asbestos Register. Only two asbestos deliveries were accepted during the previous reporting year of 2013/2014.

Risk Assessment:

*Consequence:* Moderate. The distance to the nearest sensitive receptor is a single farmhouse located approximately 500m distance.

*Likelihood:* Unlikely. Quantities are small and operators have been trained in the receipt and burial of ACM.

*Risk Rating:* Moderate

Regulatory Controls:

OSC 1.3.8 has been included in the licence to ensure that the disposal of ACM is accepted and buried in the landfill according to the Asbestos Management

and updated with DER recommendations in October 2014.



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
			Plan and any risk to the surrounding environment is managed. <u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Residual Risk Rating:</i> Low	
Emissions general			There are no general emissions expected from the site	General provisions of the <i>EP Act</i>
Point source emissions to air including monitoring		N/A	No conditons required as there are no point source emissions to air	General provisions of the <i>EP Act</i>
Point source emissions to surface water including monitoring		N/A	No conditons required as there are no point source emissions to surface water	General provisions of the <i>EP Act</i>
Point source emissions to groundwater including monitoring		N/A	No conditons required as there are no point source emissions to groundwater	General provisions of the <i>EP Act</i>
Emissions to land including monitoring		N/A	No conditons required as there are no point source emissions to land	General provisions of the <i>EP Act</i>
Fugitive emissions	L2.6.1 and L2.6.2	OSC	OSC L2.6.1 and L2.6.2 replace previous condition 16. Internal gravel roads are compacted with gravel to minimise the potential for dust emissions from vehicles on site.	General provisions of the <i>EP Act</i>
Odour		N/A	No odour emissions are expected from the site. Small amounts of putrescible wastes are stored in bins in the solid waste depot and removed on a weekly basis to the Bendering landfill	General provisions of the <i>EP Act</i>



N/A	No conditions required as process monitoring is not required on site	General provisions of the <i>EP Act</i>
N/A	<p>The previous licence required the construction and monitoring of two groundwater bores. This requirement has been removed, based on an assessment by the Department which has determined that the risk of leachate contaminating the underlying groundwater is a low risk due to:</p> <ul style="list-style-type: none"> <li>• Only very small quantities of putrescible waste (400 tonnes per annum between 1997 and 2008) were accepted for burial;</li> <li>• Access to the landfill is restricted to Shire Personnel only;</li> <li>• The previous putrescible landfill mounds are currently overlain by inert wastes deposited at the landfill;</li> <li>• Annual rainfall is low (approximately 300mm) coupled with high evaporation rates and long hot summers means the potential for leachate generation is very limited;</li> <li>• the landfill has been built over heavy clay with underlying low permeability granite bedrock thus restricting the potential for downward movement of leachate;</li> <li>• there are no known surface water bodies within 4km of the landfill;</li> <li>• the groundwater in the vicinity is known to be saline and not known to be suitable for for potable or non-potable uses; and</li> <li>• there are no known groundwater users in the area.</li> </ul>	General provisions of the <i>EP Act</i>



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
			The risk of landfill gas generation is limited due to the small quantities of putrescible waste landfilled and the low potential for recharge. The closest house is 500m from the landfill, which is well beyond the minimum buffer distance of 150 m required in EPA Guidance Statement #3 <i>Separation Distances between Industrial and Sensitive Land Uses</i> (June 2005)	
Meteorological monitoring		N/A	The previous licence did not require meteorological monitoring and no specified conditions have been included in this amendment	
Improvements		N/A	There are no requirements for improvements at the site. The landfill and solid waste depot are considered low risk and management measures are in place to mitigate any potential issues arising from the prescribed activities on site	
Information	L5.1.5 L5.1.3 and L5.2.1	OSC	OSC L5.1.5 replaces previous condition 4 which requires a register of Special Waste Type 1 disposed at the landfill. L5.1.3 and L5.2.1 replace previous conditions 12 and 13 and require an Annual Audit Compliance Report and an Annual Environmental Report	General provisions of the <i>EP Act</i>
Licence Duration	N/A	N/A	The duration of this licence amendment is until the expiry of the current licence on Monday 18 July 2016.	

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Amendment date: Thursday, 16 April 2015

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## 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
<b>Almost Certain</b>	<b>Moderate</b>	<b>High</b>	<b>High</b>	<b>Extreme</b>	<b>Extreme</b>
<b>Likely</b>	<b>Moderate</b>	<b>Moderate</b>	<b>High</b>	<b>High</b>	<b>Extreme</b>
<b>Possible</b>	<b>Low</b>	<b>Moderate</b>	<b>Moderate</b>	<b>High</b>	<b>Extreme</b>
<b>Unlikely</b>	<b>Low</b>	<b>Moderate</b>	<b>Moderate</b>	<b>Moderate</b>	<b>High</b>
<b>Rare</b>	<b>Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Moderate</b>	<b>High</b>