



Licence

Environmental Protection Act 1986, Part V

Licensee: **Shire of Plantagenet**

Licence: **L7026/1997/14**

Registered office: 22-24 Lowood Road
MOUNT BARKER WA 6324

Premises address: Mount Barker Waste Management Facility
Crown Reserve 23969 O'Neill Rd
MOUNT BARKER WA 6324
Being Lot 7546 on Plan 186612 as depicted in Schedule 1

Issue date: Friday 20 June 2014

Commencement date: Wednesday, 25 June 2014

Expiry date: Saturday, 24 June 2023

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
61	Liquid waste facility: premises on which liquid waste produced on others premises (other than sewage waste) is stored, reprocessed, treated or irrigated.	100 tonnes or more per year	320 tonnes per annual period
64	Class II or III putrescible landfill site: premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial.	20 tonnes or more per year	5000 tonnes per annual period

Conditions

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

Date signed: 20 July 2016

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Caron Goodbourn
A/Manager Licensing (Waste Industries)
Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

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

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained 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 Mount Barker Waste Management Facility (Mt Barker WMF) is located approximately five kilometres south east of the Mount Barker town-site and is operated by the Shire of Plantagenet. The Shire of Plantagenet have been operating the Class II unlined landfill at the Premises since the 1960's. The Mt Barker WMF occupies a total area of 76 hectares with waste disposal activities confined to approximately 16 hectares of the northern portion of the site.

The Premises is immediately surrounded by native remnant vegetation to the north and east, tree plantations to the south west and cleared rural properties on its western and south eastern boundaries. The closest residential receptor is a rural residence located approximately 1.7 kilometres south east of the active landfill area. Sleeman Creek is the closest surface water sensitive receptor and runs through the southern half of the Premises, with seasonal tributary creeklines also running south down the western side, all within the prescribed boundary. The creek lies approximately 350m west of the active landfill area. Additional un-named seasonal creeklines and low lying depressions exist within the Premises boundary, notably across the entire southern section of the Premises. Groundwater levels vary from around 8-9 m below ground level (BGL) in the northern section of the site, to being at or just below the surface at the southern groundwater monitoring bore (MW3).

Operations at the Mt Barker WMF include the receipt of liquid wastes into a high density polyethelen lined liquid waste receival pond built under works approval (W4729/2010/1).

The Mt Barker WMF is the primary landfill site for the acceptance of household, commercial and industrial wastes collected by the Shire of Plantagenet and its waste contractor from properties located within the town sites of Mount Barker, Kendenup, Porongurup, Rocky Gully and Narrikup. The facility also receives wastes from nearby rural residents including putrescible waste, general household wastes, green waste and assorted recyclable materials.

Emission risks at the site relate to the landfill not being lined and much of the Premises not being viable for future landfilling due to the high groundwater levels and the presence of seasonal creeks located within the prescribed Premises. The Shire of Plantagenet is considering the future options for landfill expansion and potential for securing a suitable alternative site.

In accordance with DER's *Guidance Statement: Licence Duration* (Revised May 2015), the licence duration has been extended to 24 June 2023 on 29 April 2016.

This Licence is an amendment to the licence version issued on 20 June 2014. This amendment is for two amendments sought by the Licensee to (1) amend condition 1.3.5 to accurately reflect current practices and (2) update the site plans to accurately reflect surface and groundwater monitoring locations. Additional administrative changes have also been incorporated to address DER policy changes and updates to numbering and formatting.



The licences and works approvals issued for the Premises since 23/06/1997 are:

Instrument log		
Instrument	Issued	Description
L7026/1997/1	23/06/1997	New application
L7026/1997/2	24/08/1998	Licence re-issue
L7026/1997/3	20/07/1999	Licence re-issue
L7026/1997/4	20/06/2000	Licence re-issue
L7026/1997/5	22/06/2001	Licence re-issue
L7026/1997/6	25/06/2002	Licence re-issue
L7026/1997/7	11/08/2003	Licence re-issue
L7026/1997/8	21/06/2004	Licence re-issue
L7026/1997/9	14/06/2005	Licence re-issue
L7026/1997/10	14/06/2006	Licence re-issue
L7026/1997/11	14/06/2007	Licence re-issue
L7026/1997/12	19/06/2008	Licence re-issue
L7026/1997/13	18/06/2009	Licence re-issue
W4729/2010/1	14/10/2010	Works Approval for construction of liquid waste facility
L7026/1997/13	24/01/2013	Licence amendment to include liquid waste facility category
W4729/2010/1	10/10/2013	Works Approval amendment
L7026/1997/14	20/06/2014	Licence re-issue
L7026/1997/14	25/07/2016	Licence amendment to reflect current activities

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*;

'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);

'active landfill area' means the area on the premises approved for the burial of waste, as defined and labelled on the Premises Map in Schedule 1;

'AHD' means the Australian height datum;

'annual period' means the inclusive period from 1 March until 28 February in the following year;

'AS/NZS 5667.1' means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

'AS/NZS 5667.6' means the Australian Standard AS/NZS 5667.6 *Water Quality – Sampling – Guidance on sampling of rivers and streams*;

'AS/NZS 5667.11' means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

'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);

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

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

'CEO' for the purpose of correspondence means;

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

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



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

'Contaminated Solid Waste' has the meaning defined in Landfill Definitions;

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

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

'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;

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

'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;

'HDPE' means High Density Polyethylene;

'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 L7026/1997/14 and issued under the Act;

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

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

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

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Putrescible' 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;

'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;



'six monthly' means the 2 inclusive periods from 1 April to 30 September and 1 October to 31 March in the following year;

'solid waste' has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 published by DEC and as amended from time to time;

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

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

'Tipping Area' means the area of the Premises where waste is currently brought for burial;

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

'WA Biosolids Guidelines' means the 'Western Australian Guidelines for Direct Land Application of Biosolids and Biosolids Products', (2002). Department of Environmental Protection, Water and Rivers Commission, Department of Health, as amended from time to time;

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

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

1.2 Premises operation

1.2.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit, and/or target in this section.

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

- (a) it is of a type listed in Table 1.2.1; and
- (b) the quantity accepted is below any limit listed in Table 1.2.1; and
- (c) it meets any specification listed in Table 1.2.1

Table 1.2.1: Liquid waste acceptance

Waste	Quantity Limit	Specification ¹
Animal effluent or residues (including abattoir effluent, poultry, and fish processing waste)	320 tonnes or 320kL per annual period	Tankered into the premises and discharged via the concrete chute into the liquid waste receival pond at the discharge point depicted in the map of storage locations in Schedule 1 and labelled L1.
Septage wastes (Sewage) – domestic wastes from apparatus for the treatment of sewage		
Waste from grease traps		
Vegetable and food processing liquid wastes		

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

- (a) it is of a type listed in Table 1.2.2; and
- (b) the quantity accepted is below any limit listed in Table 1.2.2; and
- (c) it meets any specification listed in Table 1.2.2



Table 1.2.2: Solid waste acceptance		
Waste	Quantity Limit	Specification
Clean Fill	5000 tonnes per annual period	None Specified
Putrescible Waste		None Specified
Inert Waste Type 1		None Specified
Inert Waste Type 2		Tyres and plastic only
Special Waste Type 1		Asbestos and asbestos cement products only. Must be wrapped in heavy duty plastic prior to acceptance
Hazardous Waste		Limited to waste oil, vehicle batteries and Drum Muster products
Contaminated Solid Waste		Must be supported by documentation that demonstrates compliance with the acceptance criteria for Class II landfills

1.2.4 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in conditions 1.2.2 and 1.2.3 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.2.5 The Licensee shall ensure that the wastes accepted onto the Premises or landfill are only subjected to the processes set out in Table 1.2.3 and in accordance with any process requirements described in that table.

Table 1.2.3: Waste processing		
Waste type	Process(es)	Process requirements
Clean Fill	Receipt, handling, associated storage and disposal of waste by landfilling	<p><u>All waste types</u> Disposal of waste by landfilling shall only take place within the active landfill area shown on the Landfill Area Map in Schedule 1.</p> <p>No waste shall be temporarily stored or landfilled within 35 metres of the northern, western and southern boundaries, or within 5 metres of the eastern boundary, of the premises.</p> <p>The separation distance between waste deposited within the active landfill area and the highest groundwater level must not be less than 2m.</p> <p><u>Putrescible Waste – Carcasses only</u> To be placed in the carcass (animal) pit as depicted in the map of storage locations in Schedule 1.</p> <p><u>Special Waste Type 1</u></p> <ul style="list-style-type: none"> (i) only to be disposed of into a designated asbestos disposal area within the landfill; and (ii) not to be deposited within 2m of the final tipping surface of the landfill; and (iii) access to the area where the waste is buried should be restricted to authorised persons only; and (iv) no works shall be carried out on the landfill that could lead to a release of asbestos fibres.
Putrescible Waste (except green waste)		
Contaminated Solid Waste		
Inert Waste Type 1		
Special Waste Type 1		



Table 1.2.3: Waste processing		
Waste type	Process(es)	Process requirements
Putrescible Waste – green waste only	Receipt, handling and storage prior to burning or mulching	To be stored in the designated green waste storage / burning area as depicted in the map of storage locations in Schedule 1.
	Disposal by burning	Only green waste is to be burnt on site. Green waste shall only be burnt if; <ul style="list-style-type: none"> (i) it has been dried and seasoned for at least 2 months before burning; and (ii) it takes place in the designated burning area; and (iii) it is done in a manner to minimise the generation of smoke; and (iv) it takes place in trenches or windrows; and (v) it takes place only when an adequate supply of water is available to effectively manage the burning process; and (vi) it is free of any contaminants.
Hazardous Waste	Receipt, handling and storage prior to transfer or reprocessing	Waste oil shall be unloaded and/or stored in a lined, bunded facility which is regularly pumped out to ensure overtopping cannot occur.
Inert Waste Type 2		Batteries and items for storage in the Drum Muster compound to be stored in their respective storage areas as depicted in the map of storage locations in Schedule 1. Tyres only, to be stored in piles of up to 100 units with a 6m separation distance between piles in the designated tyres storage area, as depicted in the map of storage locations in Schedule 1.

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

Table 1.2.4: Containment infrastructure		
Vessel or compound	Material	Requirements
Liquid Waste Reveal Pond	All liquid wastes defined in Table 1.3.1	Lined with 1mm thick HDPE

1.2.7 The Licensee shall manage the liquid waste reveal pond such that:

- (a) overtopping of the pond does not occur; and
- (b) a freeboard equal to, or greater than, 500mm is maintained; and
- (c) the integrity of the containment infrastructure is maintained; and
- (d) vegetation is prevented from encroaching onto the inner pond embankments.

1.2.8 The Licensee shall manage the landfilling activities to ensure:

- (a) waste is levelled and compacted as soon as practicable after it is discharged; and
- (b) waste is placed and compacted to ensure all faces are stable and capable of retaining rehabilitation material; and
- (c) rehabilitation of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed; and
- (d) the tipping area is restricted to a maximum linear length of 30 metres; and
- (e) at no time does landfilling result in an exposed face exceeding two metres in vertical height.



- 1.2.9 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.2.5 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.2.5: Cover requirements			
Waste Type	Material	Depth	Timescales
Special Waste Type 1 (Asbestos)	Inert waste Type 1 or clean fill	300mm	As soon as practicable after deposit and prior to compaction
Putrescible Waste – Animal carcasses only		500mm	By the end of the working day in which the waste was deposited
Inert Waste Type 2 (non- recycled plastics only)		100mm	By the end of the working day in which the waste was deposited. Plastic waste with the potential to become windblown shall be covered as soon as practicable after deposit.
All other wastes, (excluding Inert Waste Type 1)		150mm	By the end of the working day in which the waste was deposited
Inert Waste Type 1	No cover required		

- 1.2.10 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.
- 1.2.11 The Licensee shall ensure that wind-blown waste is contained within the boundary of the Premises and that wind-blown waste is returned to the tipping area on at least a weekly basis.
- 1.2.12 The Licensee shall ensure that any unauthorised fire on site is extinguished as soon as possible.

2 Monitoring

2.1 General monitoring

- 2.1.1 The Licensee shall ensure that:
- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
 - (b) all surface water sampling is conducted in accordance with AS/NZS 5667.4, AS/NZS 5667.6 or AS/NZS 5667.9 as relevant;
 - (c) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
 - (d) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in the relevant table.
- 2.1.2 The Licensee shall ensure that:
- (a) monthly monitoring is undertaken at least 15 days apart;
 - (b) quarterly monitoring is undertaken at least 45 days apart;
 - (c) six monthly monitoring is undertaken at least 5 months apart; and
 - (d) annual monitoring is undertaken at least 9 months apart.
- 2.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications.



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

2.2 Monitoring of inputs and outputs

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

Table 2.2.1 Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging Period	Frequency
Waste accepted on site for disposal to the Liquid Waste Reveal Pond	Animal effluent or residues (including abattoir effluent, poultry, and fish processing waste)	kL or tonnes	N/A	Each tankered load arriving at the Premises
	Septage wastes (Sewage) – domestic wastes from apparatus for the treatment of sewage			
Waste accepted on site for disposal to the Liquid Waste Reveal Pond	Waste from grease traps	kL or tonnes	N/A	Each tankered load arriving at the Premises
	Vegetable and food processing liquid wastes			
Waste accepted on site for burial	Clean Fill; Inert Waste Type 1; Inert Waste Type 2 (plastics only); Putrescible Waste (other than green waste); Type 1 Special Waste; and other wastes	tonnes (where a weighbridge is present on the site) m ³ where no weighbridge is present	N/A	Each load arriving at the Premises
Waste accepted for recycling, reprocessing or recovery	Green waste			Each pile mulched or burnt at the Premises
	Hazardous wastes			Each load leaving the Premises
	Inert Waste Type 2 (tyres only)			Each load leaving the Premises
Waste rejected	Waste type as defined in the Landfill Waste Classification and Waste Definitions 1996			Each load leaving or rejected from the Premises

2.3 Ambient environmental quality monitoring

2.3.1 The Licensee shall undertake the monitoring in Tables 2.3.1 and 2.3.2 according to the specifications in those tables.



Table 2.3.1: Monitoring of ambient surface water quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
Surface water sampling points SW1, SW2 & SW3 as depicted in the map of monitoring locations in Schedule 1	pH ¹		Spot sample	Six monthly (when water is present at sample location)
	Electrical conductivity ¹	µS/cm		
	Total Dissolved Solids	mg/L		
	Total Phosphorus			
	Total Nitrogen			
	Nitrate-Nitrogen			
	Ammonia-Nitrogen			
	Chloride			
	Potassium			
	Cadmium			
	Chromium			
	Copper			
	Lead			
	Manganese			
Nickel				
Zinc				

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

Table 2.3.2: Monitoring of ambient groundwater quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
Monitoring bores MW1, MW2 & MW3 as depicted in the map of monitoring locations in Schedule 1	Standing Water Level (SWL)	mAHD and mBGL	Spot sample	Six monthly
	pH ¹			
	Electrical conductivity ¹	µS/cm		
	Total Dissolved Solids	mg/L		
	Total Phosphorus			
	Total Nitrogen			
	Nitrate-Nitrogen			
	Ammonia-Nitrogen			
	Chloride			
	Potassium			
	Cadmium			
	Chromium			
	Copper			
	Lead			
Manganese				
Nickel				
Zinc				

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



3 Information

3.1 Records

- 3.1.1 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 3.1.1(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.
- 3.1.2 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 3.1.3 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.
- 3.1.4 The Licensee shall maintain a register of Special Waste Type 1 disposed of at the Premises which shall include a plan showing the position of Special Waste Type 1 disposed of at the Premises.

3.2 Reporting

- 3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 60 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

Table 3.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	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 1.2.3	Summary of any waste processing capacity limit exceeded and any action taken	None specified
1.2.7	Summary of any freeboard exceedances and any action taken	None specified
Table 2.2.1	Monitoring of inputs and outputs for the annual period	None specified
Table 2.3.1	Monitoring of ambient surface water quality for the annual period	Graphical
Table 2.3.2	Monitoring of ambient groundwater quality for the annual period	Graphical
3.1.2	Compliance	Annual Audit Compliance Report (AACR)
3.1.3	Complaints summary for the annual period	None specified

Note 1: Forms are in Schedule 2



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

3.3 Notification

- 3.3.1 The Licensee shall ensure that the parameters listed in Table 3.3.1 are notified to the CEO at the Contact Address and in accordance with the notification requirements of the table.

Table 3.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
1.3.12	The date, time, cause and location of any unauthorised fires on the premises	Within 14 days of the fire	In writing
-	Taking process equipment offline for maintenance works that may result in increased odour emissions	No less than 72 hours in advance of works	None specified
-	Removal of sludge from the liquid waste receival pond	No less than 14 days in advance of works	
-	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next working day Part B: As soon as practicable	N1
2.1.4	Calibration report	As soon as practicable.	None specified

Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

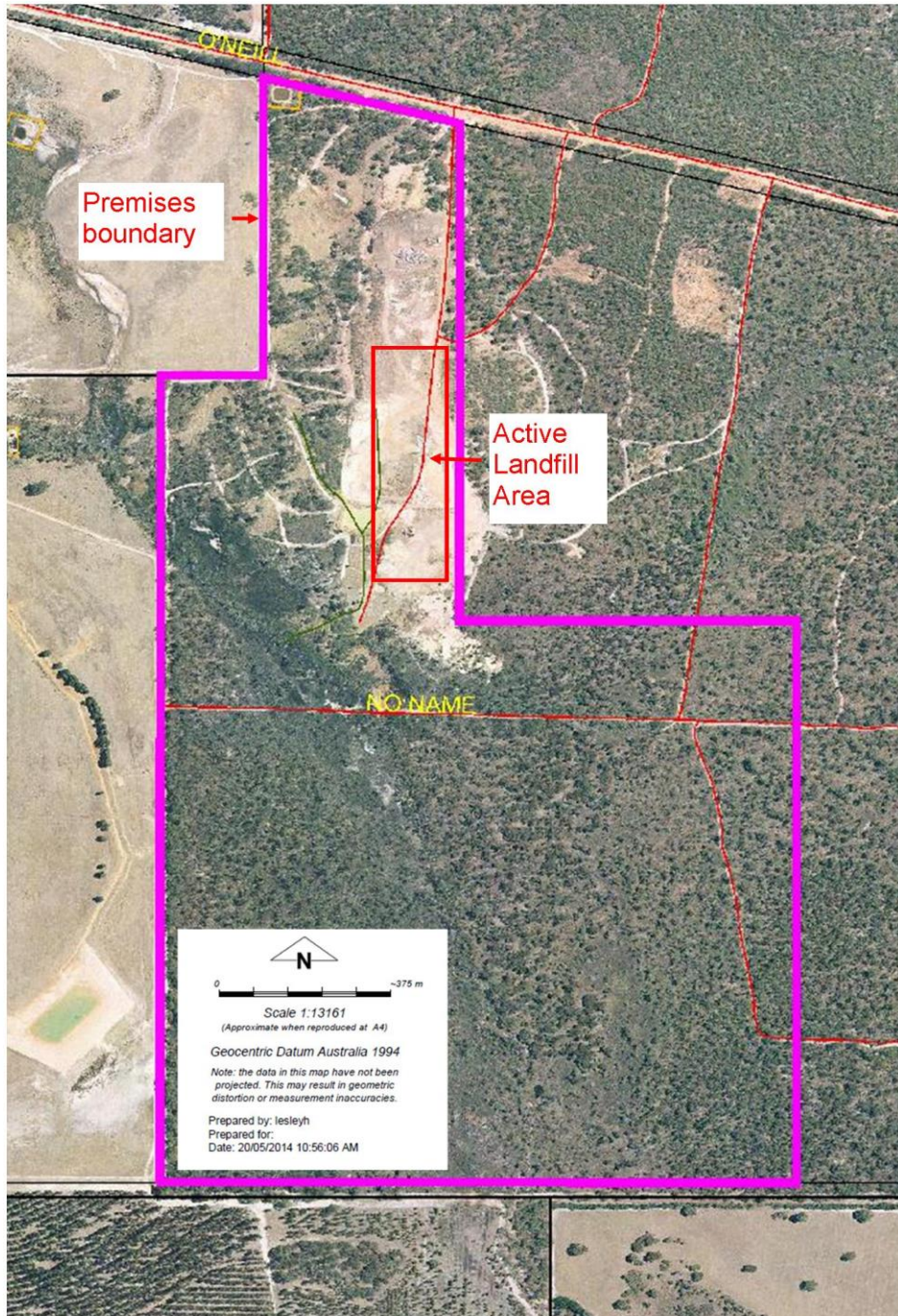
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

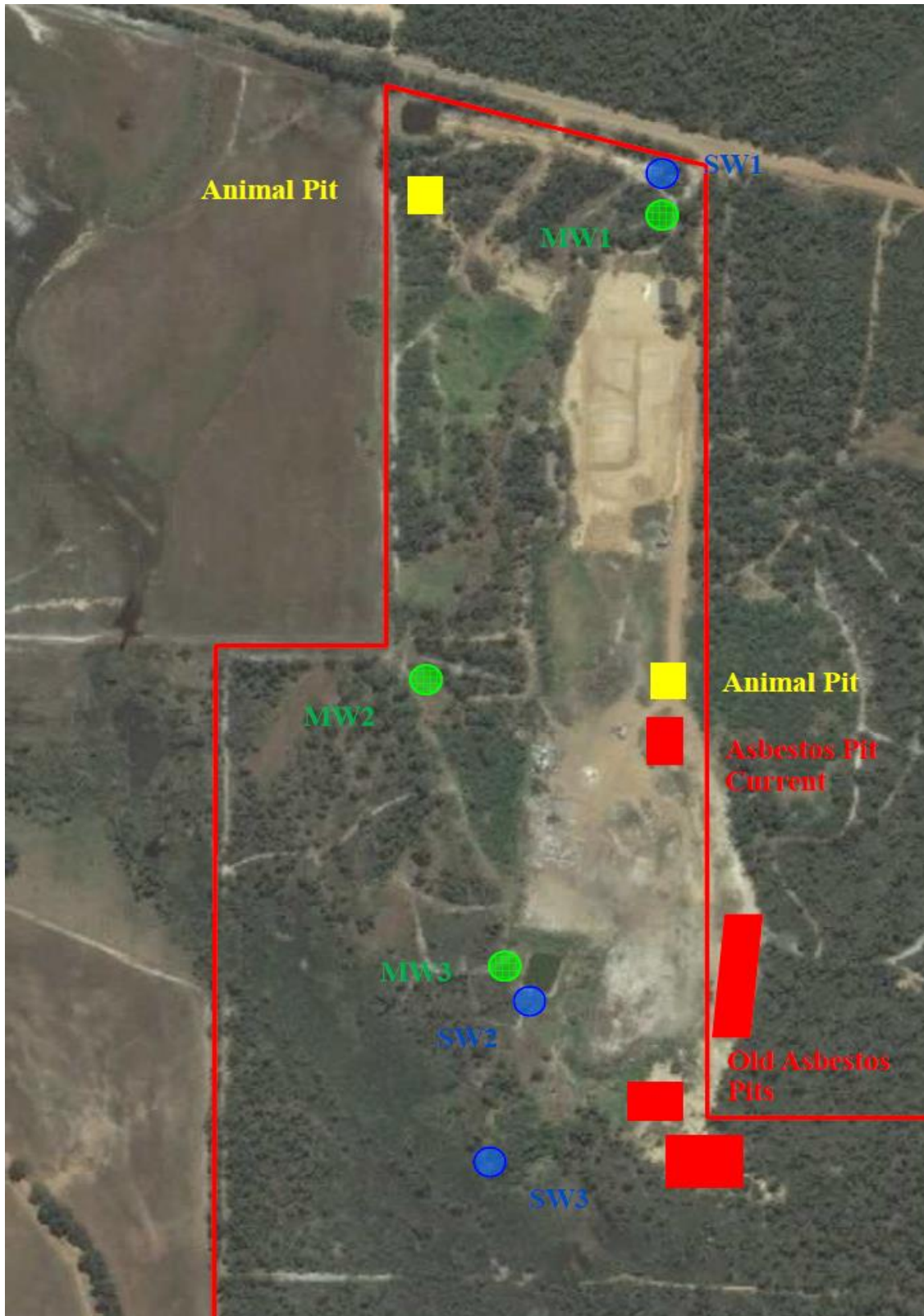
The Premises is shown in the map below. The pink line depicts the Premises boundary. The red line depicts the active landfill area.





Map of monitoring locations and the location of asbestos and animal carcass disposal pits

The locations of the monitoring points defined in Tables 2.3.1 and 2.3.2 and asbestos disposal and animal burial pits are shown below.





Map of storage locations

The location of the liquid waste receival pond, and the green waste and recyclables 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:	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 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: L7026/1997/14
Form: N1

Licensee: Shire of Plantagenet
Date of breach:

Notification of detection of the breach of a limit.

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

Part A

Licence Number	
Name of operator	Shire of Plantagenet
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Shire of Plantagenet	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Plantagenet

Licence: L7026/1997/14

Registered office: 22-24 Lowood Rd
MOUNT BARKER WA 6324

Premises address: Mount Barker Waste Management Facility
Crown Reserve 23969 O'Neill Rd
MOUNT BARKER WA 6324
Being Lot 7546 on Plan 186612 as depicted in Schedule 1

Issue date: Friday, 20 June 2014

Commencement date: Wednesday, 25 June 2014

Expiry date: Saturday, 24 June 2023

Decision

Based on the assessment detailed in this document the Chief Executive Officer's (CEO) Delegate, has decided to issue an amended licence. The assessment has taken into account all relevant considerations.

Decision Document prepared by: Tanya Gilders
Licensing Officer

Decision Document authorised by: Caron Goodbourn
Manager Licensing



Contents

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1 Purpose of this Document

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



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	New Licence <input type="checkbox"/>
	Licence amendment <input checked="" type="checkbox"/>	Works Approval amendment <input type="checkbox"/>
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	61	320 tonnes per annual period
	64	5000 tonnes per annual period
Application verified	Date: 28/03/2014	
Application fee paid	Date: 15/04/2014	
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"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



3 Executive summary of proposal

The Mount Barker Waste Management Facility (Mt Barker WMF) includes a Class II landfill and a Liquid Waste Facility operated by the local government authority, the Shire of Plantagenet. Mt Barker WMF is assessed as 'prescribed premises' category numbers 61 and 64 under Schedule 1 of the *Environmental Protection Regulations 1987*. The Shire of Plantagenet have been operating a Class II (unlined) landfill at the Premises since the 1960's. The Mt Barker WMF occupies a total area of 76ha, with waste disposal activities confined to approximately 16ha of the northern portion of the site.

Location and receptors

Mt Barker WMF is located approximately 5km south east of the Mount Barker town-site and is immediately surrounded by native remnant vegetation to the north and east, tree plantations to the south west and cleared rural properties on its western and south eastern boundaries. The closest residential receptor is a rural residence located approximately 1.7km south east of the active landfill area. Sleeman Creek is the closest surface water sensitive receptor and runs through the southern half of the Premises, with seasonal tributary creeklines also running north to south down the western side, all within the prescribed boundary. The creek lies approximately 350m west of the active landfill area. Additional un-named seasonal creeklines and low lying depressions exist within the Premises boundary, in particular across the entire southern section. Groundwater levels vary from around 8-9 m BGL in the northern section of the site, to being at or just below the surface at the southern monitoring bore (MW3). Bore monitoring at 3 sites has been undertaken at the site since 2002. A surface water monitoring program was introduced in 2009. Soil at the site consists of sands over thick layers of clay.

Activities

The Mt Barker WMF is the primary landfill site for the acceptance of household, commercial and industrial wastes collected by the Shire of Plantagenet and its waste contractor from properties located within the town sites of Mount Barker, Kendenup, Porongurup, Rocky Gully and Narrikup. Waste Transfer Stations have been established at all the smaller population centres with nearly all putrescible waste being regularly transferred to the Mt Barker WMF for burial, with some exceptions where local registered landfills provide disposal options. The facility also receives wastes from nearby rural residents including putrescible waste, general household wastes, green waste and assorted recyclable materials.

Operations at the Mt Barker WMF include the receipt of controlled wastes into a new liquid waste receival pond built under a current works approval (W4729/2010/1) and commissioned in October 2013. Under this works approval an additional new HDPE lined evaporation pond is to be constructed adjacent to the new liquid waste receival pond. Construction of the new pond is almost complete, now awaiting submission of a compliance document. Licence conditions with respect to the receipt of controlled (liquid) wastes were first included in the 2002 Licence. In 2008, the need to construct a suitably lined storage pond for liquid waste was identified, resulting in the submission of a works approval application and construction of the new pond. The Liquid Waste Facility, Category 61 was added to the Licence in January 2013. The Premise is licensed to accept controlled waste categories as follows: animal effluent or residues, septage wastes, grease trap wastes and vegetable and food processing wastes up to a maximum volume of 320kL per year. Once the new evaporation pond is complete and connected to receive overflow from the current LWRP, the capacity to receive and store liquid wastes will increase to 1,000kL per year, thus requiring a licence amendment.

The primary activities on site are landfilling and the receipt of liquid wastes. However, the Mt Barker WMF also provides an integrated waste management facility for nearby residents, with drop off areas for recyclables including metals, waste oil, car batteries, tyres, green waste, a Drum Muster compound and a hook lift bin for temporary storage of putrescible wastes to avert the need for the general public to directly access the landfill. Green waste is permitted to be burnt at the premises only within a designated burning area, and is otherwise mulched. Mulched green waste is stored within the waste transfer (recyclables) area of the facility. The Shire of Plantagenet also plans to open a reuse shop (Tip Shop) near the entrance to the site in mid



2014. Additional infrastructure on site includes a site office, security fencing and gravel roads providing access to the liquid waste pond, waste transfer area and the active landfill.

The Mt Barker WMF is licensed to accept clean fill, inert waste types 1 (concrete, rubble) and 2 (tyres, plastics), putrescible waste (includes general waste, litter and green waste), special wastes type 1 (asbestos and asbestos cement) and any other solid waste for burial which meets the requirements of a Class II landfill in accordance with the *Landfill Waste Classification and Waste Definitions 1996* (as amended December 2009). The Shire of Plantagenet currently receives and disposes of approximately 5000 tonnes of municipal solid waste per year at this facility. Due to the significant site limitations with respect to meeting the required separation distances to both surface water and groundwater, with limited areas across the site meeting these requirements, a process of above ground landfilling has commenced at the site whilst the Shire further progresses plans for future landfill expansion at the existing Premises or securing a suitable alternative site.

With no landfill liner or leachate management infrastructure currently in place, the main emissions from the site relate to potential contamination of groundwater via the infiltration of leachate from the landfill and fugitive odour emissions.

In accordance with DER's *Guidance Statement: Licence Duration* (Revised May 2015), the licence duration has been extended to 24 June 2023 on 29 April 2016.

This partial Decision Document is for two amendments sought by the Licensee to (1) amend condition 1.3.5 to accurately reflect current practices and (2) update the site plans to accurately reflect surface and groundwater monitoring locations. Additional administrative changes have also been incorporated to address DER policy changes and updates to numbering and formatting.



4 Decision table

All applications are assessed under the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, Where other references have been used in making the decision they are detailed in the decision table.

Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises Operation	L1.2.5	<p>Inappropriate processing of waste on site has the potential to result in environmental contamination or inadvertent expansion of the site without a works approval. In addition, the various solid waste streams accepted onto the premises have varying risks, with some requiring special risk management.</p> <p>The Mount Barker WMF has been operating since the 1960's and there is limited information available regarding the history of landfilling practices on the premises. Condition 1.2.5 has been amended to require a minimum separation distance of 2m between waste deposited within the active landfill area and the highest groundwater level. This amendment ensures that the limit is applied to all current and future landfilling operations on the premises.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Guidance Statement: Regulatory Principles</i></p> <p><i>Guidance Statement: Setting Conditions</i></p>



Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Fugitive emissions (dust)	N/A	<p><u>Emission Description</u> <i>Emission:</i> Earth moving activities associated with burial, covering and formation of trenches at the Mt Barker WMF have the potential to generate dust affecting users of the facility. The accessing of the recyclables area and Tip Shop by the general public and contractors, plus access by delivery contractors to the LWRP, is via gravel roads, so has the potential to generate dust emissions, particularly in summer. <i>Impact:</i> Reduced local air quality. Nuisance impacts to sensitive receptors. Respiratory impacts to human health. The nearest rural residence is approximately 1.7km away, so is unlikely to be affected by any dust emissions from the Premises. <i>Controls:</i> The Shire of Plantagenet have access to a water truck to manage dust as necessary.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Dust emissions are unlikely to unreasonably impact on human receptors given the 1.7km separation distance. It is assessed that dust emissions can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>. Conditions 2.6.1 and 2.6.2 in the previous licence version have been deleted.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Guidance Statement: Regulatory Principles</i></p> <p><i>Guidance Statement: Setting Conditions</i></p>



Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Odour	N/A	<p><u>Emission Description</u> <i>Emission:</i> The acceptance, movement and disposal of putrescible waste can generate considerable odour. Also, the storage of liquid wastes and occasional removal, storage and disposal of sludge from the LWRP can generate considerable odour. <i>Impact:</i> Nuisance impacts to sensitive receptors. The nearest residential receptor to the landfill and LWRP is 1.7km away so is unlikely to be affected by any odour generated. <i>Controls:</i> Cover material is applied at least weekly to assist in preventing odours.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Odour emissions are not likely to unreasonably impact on human receptors given the 1.7km separation distance.</p> <p>It is considered that the risk of odour is low and odour emissions can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>. Condition 2.7.1 in the previous licence version has been deleted.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Guidance Statement: Regulatory Principles</i></p> <p><i>Guidance Statement: Setting Conditions</i></p>
Improvements	IR1 – IR4	IR1 to IR4 have been removed from the licence as the Licensee has met the requirements of the Improvement conditions.	



Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Licence duration	N/A	<p>A Notice of amendment of licence expiry dates Section 59B(9) and Section 59(1)(k) Environmental Protection Act 1986 Licensed Prescribed Premises (Notice) was given effect by the Director General on 29 April 2016. The Notice gave regard to the <i>Guidance Statement: Licence Duration</i>. The expiry date of Licence L6316/1991/13 was amended under the Notice from 24 June 2019 to 24 June 2023.</p> <p>The expiry date of the Licence being 24 June 2023 does not provide unmitigated approval for operations at the Premises to continue until this time. Prescribed activities will be subject to ongoing review in accordance with the risk based regulatory framework and appropriate regulatory controls put in place commensurate to the risk posed by emissions from the Premises.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Guidance Statement: Licence Duration</i></p>

5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
07/06/2016	Proponent sent a copy of draft instrument	No comments recieved	N/A



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High