



Mr Mike Richardson
City of Albany
PO Box 484
ALBANY WA 6331

Dear Mr Richardson

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises

South Stirling Waste Transfer Station
Lot 324 on Plan 71100
SOUTH STIRLING WA 6324
Licence Number: L8738/2013/1

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

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

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

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

If you have any queries regarding the above information, please contact Cassie Bell on 9842 4566.

Yours sincerely

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

Thursday 8 August 2013





Licence

Environmental Protection Act 1986, Part V

Licensee: City of Albany
Licence: L8738/2013/1

Registered office: 102 North Road
ALBANY WA 6330

ACN: n/a

Premises address: South Stirling Waste Transfer Station
Lot 324 on Plan 71100
SOUTH STIRLING WA 6324

Issue date: Thursday 8 August 2013

Commencement date: Thursday 8 August 2013

Expiry date: Tuesday 7 August 2018

Prescribed Premises Category
Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	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	1180 tonnes per year

Conditions of Licence

Subject to the conditions of licence 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.

Premises Description and Licence Summary

Who we are

The Department of Environment Regulation (DER) is a Government Department in the portfolio of the Minister for the Environment. Our purpose is to protect and conserve the State's environment on behalf of the people of Western Australia.

Our industry licensing role

DER has responsibilities under Part V of the *Environmental Protection Act 1986* for the licensing of prescribed premises. We also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the *Environmental Protection Act 1986*. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges 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 *Environmental Protection Act 1986* and any other statutory instrument. These 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 should comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply. Additional guidance on pollution prevention can be found in the Department of Water's Water Quality Protection Guidelines and Codes of Practice accessed through:

<http://www.water.wa.gov.au/Managing+water/Water+quality/Water+quality+protection+guidelines/default.aspx>

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 *Environmental Protection Act 1986* you may have had conditions imposed by the Minister for the Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The South Stirling Waste Transfer Station is a solid waste depot 75km east of Albany within Reserve 51085 (Lot 324 on Plan 71100) in the South Stirling locality, managed by the City of Albany. The closest rural property is 2 kilometres to the east; however there are four properties within reasonable distance of the premises south of the site:

- South Stirling Primary School - 350 metres
- an education department residence - 450 metres,
- a church - 480 metres
- a community hall - 480 metres

The depot has a maximum capacity of 1180 tonnes per year and includes a drum muster compound, a scrap steel collection point, bins for domestic waste recyclables and sealed bins for the collection of domestic waste. There is no construction waste, inert waste or waste oil received or stored on the premises. The facility has been assessed by DER at its design capacity of 1180 tonnes per year and any increase beyond this amount will require a prior re-assessment and approval by DER.

The premises is open to the public at least one half day a week and is staffed during this time. The contents of the domestic waste bins on site are transported to the Albany Refuse Site located in Albany at least once per week to minimise odour.

The premises was historically used as a rural landfill site and was previously licensed (L6778/1997) and later registered (R1676/2004) for this activity. In 2012, DER was notified that the City of Albany intended to close the landfilling operation at the site and construct a solid waste depot in its place.

This Licence is for the operation of new facility established under works approval W5351/2012/1.



The licences and works approvals issued for the Premises:

Instrument Log		
Instrument	Issued	Description
L6778/1997/1	20/05/1997	New application / licence issue
L6778/1997/2	27/05/1998	Reissue
L6778/1997/3	25/05/1999	Reissue
L6778/1997/4	22/05/2000	Reissue
L6778/1997/5	21/05/2001	Reissue
L6778/1997/6	15/05/2002	Reissue
R1676/2004/1	21/09/2004	Revocation of licence, and subsequent registration issue
W5351/2012/1	28/02/2013	New application
L8738/2013/1	8/08/2013	New application

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 In the Licence, unless the contrary intention appears:

“the Act” means the *Environmental Protection Act 1986*;

“annual” means the period from 1 April until 31 March in the following year;

“Code of Practice for the Storage and handling of dangerous goods” means the Storage and handling of dangerous goods, Code of Practice, Department of Mines and Petroleum, Government of Western Australia,

“contact address” for the purpose of correspondence and advice means:

Regional Leader (Industry Regulation), South Coast Region
Department of Environment Regulation
120 Albany Highway
ALBANY WA 6330
Telephone: (08) 9842 4567
Facsimile: (08) 9841 7105

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

“Director” means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;

“environmentally hazardous material” means material (either solid or liquid) which if discharged into the environment from or within the premises may cause pollution or environmental harm;

“fugitive emissions” means all emissions not arising from point sources;

“Licence” means this Licence numbered L8738/2013/1 and issued under the *Environmental Protection Act 1986*;

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

“placard quantity” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

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

“waste” has the meaning defined in the *Environmental Protection Act 1986*;



1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

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 maintain all pollution control and monitoring equipment to the manufacturer's specification or any internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall only store substances that are classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if they 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.

Stormwater control

1.2.5 The Licensee shall ensure that uncontaminated stormwater is kept separate from contaminated or potentially contaminated stormwater. Where stormwater has come into contact with a possible source of contamination, it should be treated as contaminated.

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;
- (c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance

Waste	Quantity Limit	Specification
Putrescible waste	1180 tonnes per annum	To be received and stored in the Domestic Waste Bin and Recycling bins, as defined in the Map of Storage Locations in Schedule 1
Type 1 inert waste		To be received and stored in the Recyclable Steel area, as defined in the Map of Storage Locations in Schedule 1

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

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



Table 1.3.2: Waste processing		
Waste type	Process	Process limits
Putrescible waste (domestic and recyclable)	Receipt, handling and storage prior to disposal	None specified
Type 1 inert waste (scrap metal)		

- 1.3.4 The Licensee shall implement the following security measures at the site:
- (a) erect and maintain suitable fencing to prevent unauthorised access to the site;
 - (b) ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
 - (c) undertake regular inspections of all security measures and repair damage as soon as practicable.
- 1.3.5 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.
- 1.3.6 The Licensee shall take all reasonable and practical measures to ensure that no windblown litter escapes from the Premises.
- 1.3.7 The Licensee shall ensure that no waste is burnt on the premises.

2 Emissions

2.1 General

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

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

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

2.5 Emissions to land

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

2.6 Fugitive emissions

- 2.6.1 The Licensee shall use all reasonable and practical measures to prevent and, where that is not practicable, to minimise dust emissions from the Premises.
- 2.6.2 The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.

2.7 Odour

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



2.7.2 The Licensee shall ensure that the contents of the Domestic Waste Bin, as defined in the Map of Storage Areas in Schedule 1, are transferred to an appropriately licensed facility for disposal on a minimum weekly basis.

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 general monitoring in this section.

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

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

3.5 Monitoring of emissions to land

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

3.6 Monitoring of inputs and outputs

3.6.1 The Licensee shall undertake the monitoring specified in Table 3.6.1.

Table 3.6.1 Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging Period	Frequency
Waste Inputs	Putrescible waste, Type 1 inert waste	tonnes (where a weighbridge is present on the site)	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Waste Classification and Waste Definitions 1996	m ³ where no weighbridge is present		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

4.1 Improvement Programme

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 or any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect condition of the land or groundwater.

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 year.

5.1.4 The Licence 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:

- (a) implement and maintain a system which ensures that a record is made of:
 - (i) the waste types and quantities accepted at the Premises;
 - (ii) the waste types and quantities removed from the Premises;
 - (iii) loads rejected from the Premises including the reason for rejection.

5.2 Reporting

5.2.1 The Licensee shall submit to the Director at the Contact Address an annual environmental report within 28 calendar days after of 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 Form¹
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken	None specified
5.1.3	Compliance	AACR
5.1.4	Complaints summary	None specified
5.1.5	Summary of wastes rejected from the Premises	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 Director at the Contact Address and in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5PM of the next usual working day. Part B: As soon as practicable	N1
-	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution		

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

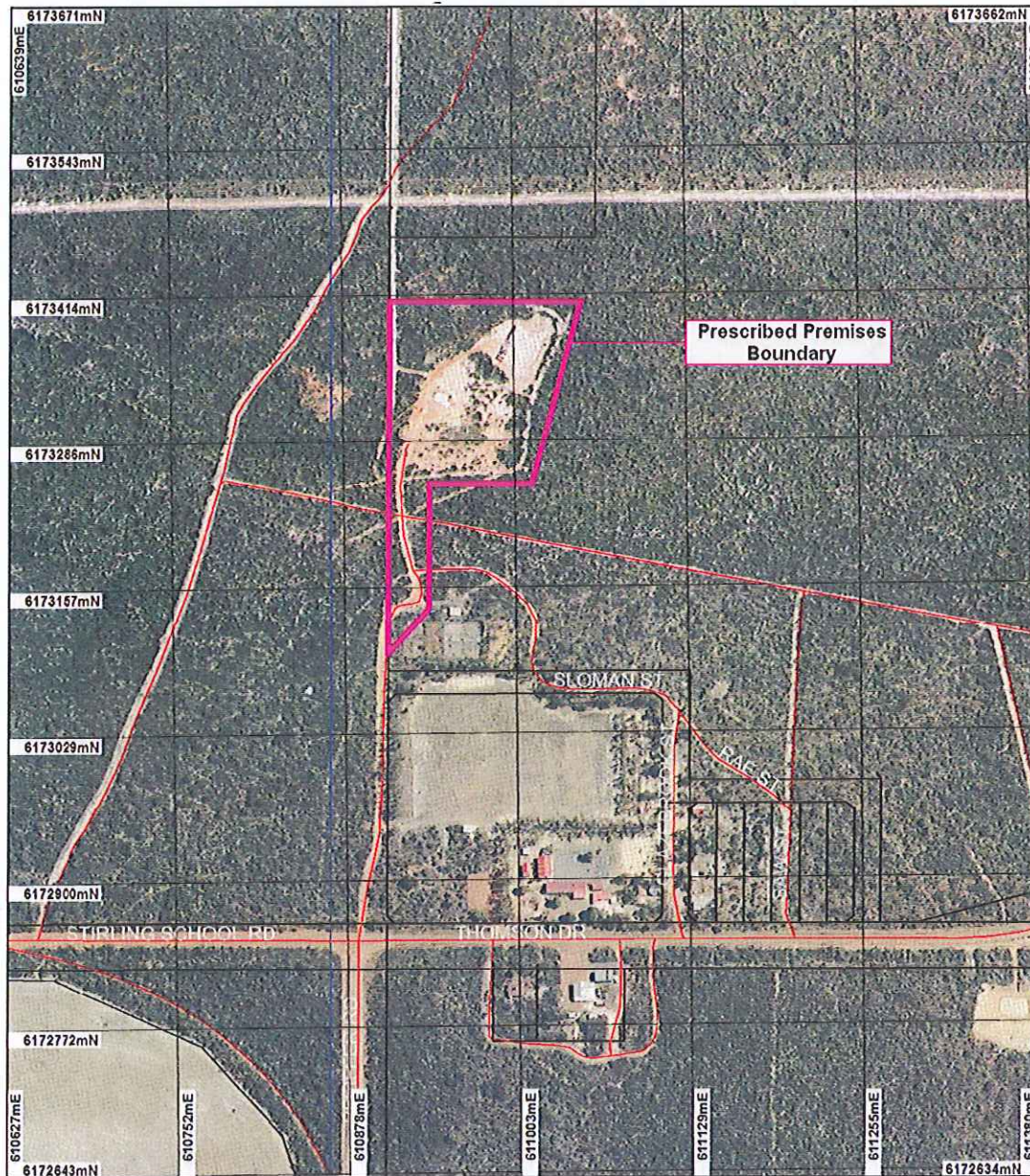
Note 2: Forms are in Schedule 2


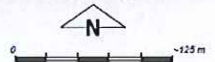


Schedule 1: Maps

Premises map

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

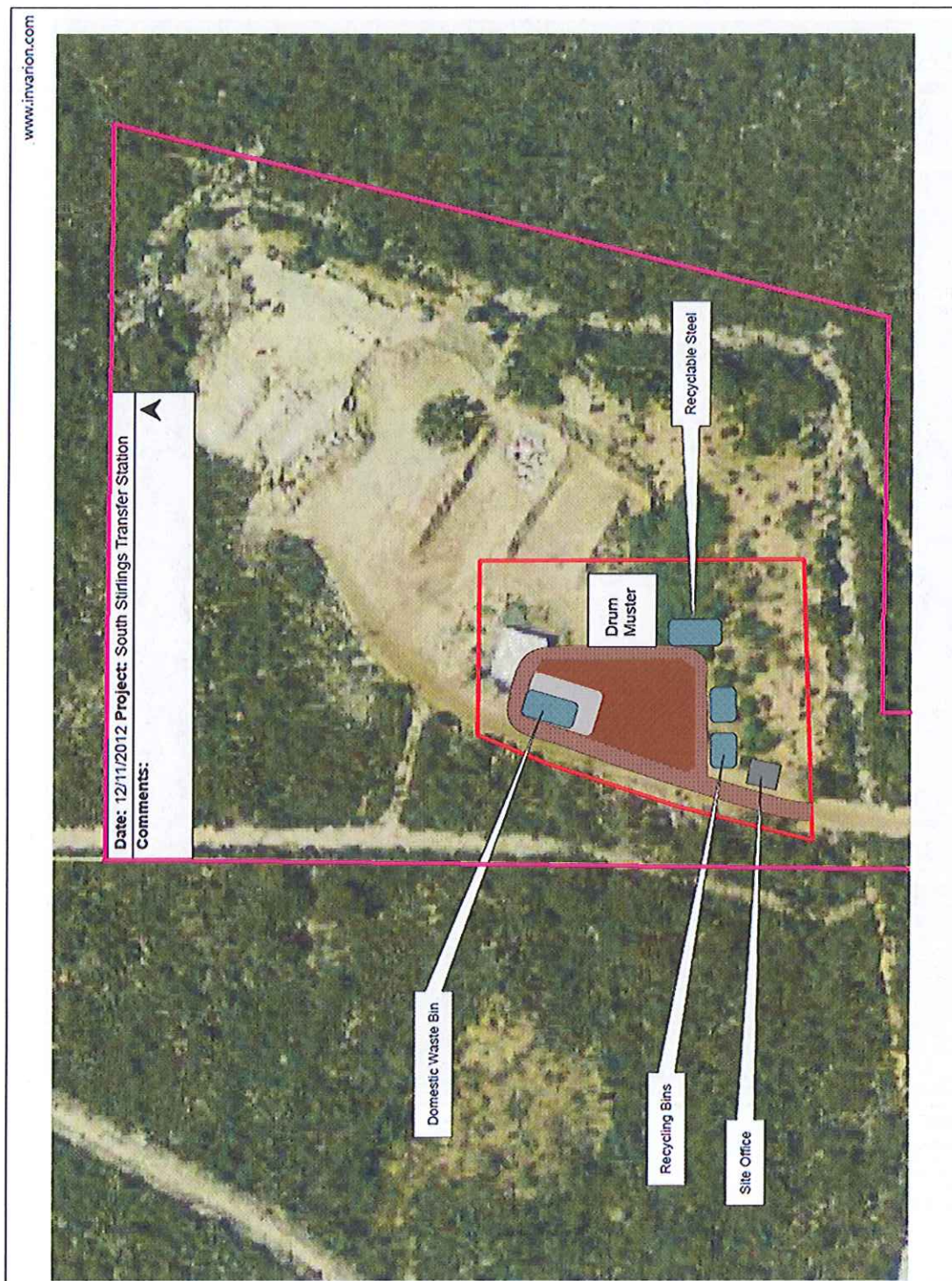


<p>LEGEND</p> <ul style="list-style-type: none"> Road Centrelines Many Peaks 50cm Orthomosaic - Landgate 2007 Local Government Authorities 	<p>Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.</p>  <p>Department of Environment and Conservation <i>Our environment, our future</i> WA Crown Copyright 2002</p>	 <p>Scale 1:4514 (Approximate when reproduced at Letter)</p> <p>Geocentric Datum Australia 1994</p> <p><small>Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.</small></p>
<p><small>Prepared by: CBell Prepared for: Date: 02/01/2013 9:57:30 AM</small></p> <p><small>* Project Data. This data has not been quality assured. Please contact map author for details.</small></p>		



Map of Storage Locations

The location of the storage areas defined in Table 1.3.1 are shown below.





Schedule 2: Reporting & Notification Forms

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

The original monitoring reports must also be submitted.

Licence: L8738/2013/1 Licensee: City of Albany
Form: AACR Period:
Name: Annual Audit Compliance Report

Annual Audit Compliance Report

Section A: Statement of compliance with Licence conditions

Were all conditions of licence complied with within the reporting period?		
Yes	<input type="checkbox"/>	Initial Sections A & B, then proceed to Section C
No	<input type="checkbox"/>	Initial Section A, then 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

a) Licence condition not complied with?	
b) Date(s) and time(s) the non compliance occurred, if applicable?	
c) Was this non compliance reported to DER?	
<input type="checkbox"/> Yes, and <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 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	

Please use a separate page for each Licence condition that was not complied with. Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



Section C: Signature and certification

This AACR may only be signed by a person(s) with legal authority to sign it as defined 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 AACR 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 (CEO) of DER to sign on the Licensee's behalf.
a corporation	<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 Corporations Act 2001; 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 CEO of DER.
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 CEO of DER.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the CEO 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 AACR 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: L8738/2013/1
Form: N1

Licensee: City of Albany
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	
To be notified as soon as practicable and no later than 5PM of the next working day	
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	

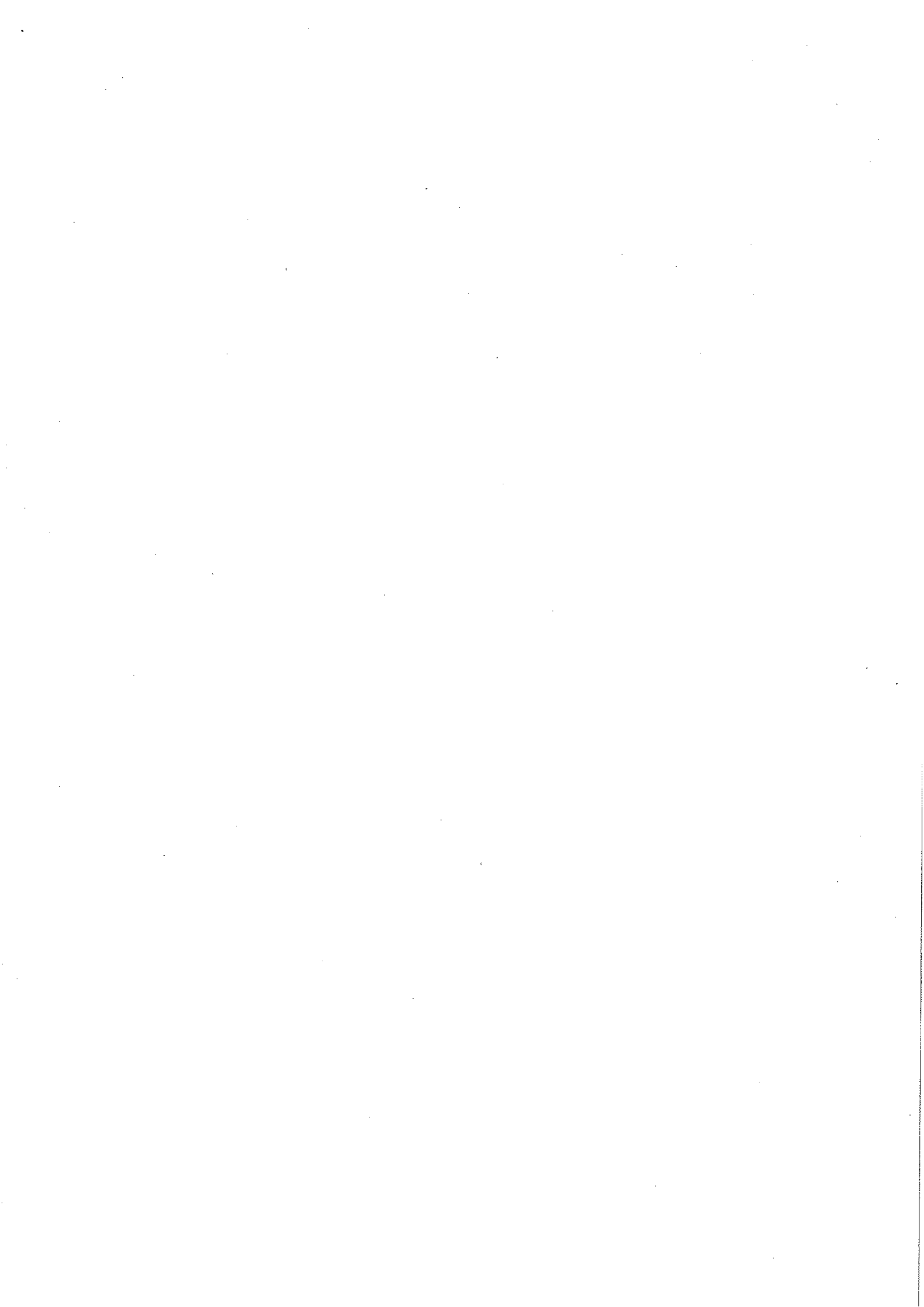
Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
To be notified as soon as practicable and no later than 5PM of the next working day	
Date and time of event	
Reference or description of the 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 - to be submitted as soon as practicable

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 unauthorised emissions from the installation in the preceding 24 months.	

Name*	
Post	
Signature on behalf of City of Albany	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: City of Albany

Licence: **L8738/2013/1**

Registered office: 102 North Road
ALBANY WA 6330

ACN: n/a

Premises address: South Stirling Waste Transfer Station
Lot 324 on Plan 71100
SOUTH STIRLING WA 6324

Issue date: Thursday 8 August 2013

Commencement date: Thursday 8 August 2013

Expiry date: Tuesday 7 August 2018

Decision

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

Decision document prepared by:

Cassie Bell

.....
Regional Environmental Officer

Decision Document Authorised By:

Caron Goodbourn

.....
Regional Leader

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1 Purpose of this Document

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

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: 1.1.1-1.1.3, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.3, 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 are justified in Section 4 of this document.

Non standard conditions (NSC)

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

2 Administrative Summary

Administrative Details									
Application Type	Works Approval <input type="checkbox"/> New Licence <input checked="" type="checkbox"/> Licence Amendment <input type="checkbox"/> Works Approval Amendment <input type="checkbox"/>								
Activities that cause the premises to become prescribed premises	<table border="1"> <thead> <tr> <th>Category Number(s)</th> <th>Design Capacity</th> </tr> </thead> <tbody> <tr> <td>62</td> <td>1180 tonnes per year</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Category Number(s)	Design Capacity	62	1180 tonnes per year				
	Category Number(s)	Design Capacity							
	62	1180 tonnes per year							
Application Verified	Date: 18/03/2013								
Application Fee Paid	Date: 28/03/2013								
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>								
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input 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 type="checkbox"/>								
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.								
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.								

3 Executive summary of proposal

The South Stirling Waste Transfer Station (SSWTS) is located 75km north east of Albany off South Stirling Rd within Reserve 51085, and operated by the City of Albany.

The site was originally a landfill registered (R1676) under category 89 – putrescible landfill site; however in 2012 was proposed to be closed and converted into a transfer station to minimise future environmental risks. The City of Albany allocated funds to undertake the landfill closure and transfer station implementation in the 2012/13 financial year. The City of Albany are in the process of revising the Post Closure Management Plan in consultation with DER, to be used to implement the final closure and rehabilitation of the site.

The SSWTS required a works approval to install appropriate infrastructure. Works approval W5351/2012/1 was issued on 28 February 2013. The City of Albany now require a licence to operate the SSWTS.

There are four properties within reasonable distance of the SSWTS all situated south of the site. These being:

- South Stirling Primary School - 350 metres
- an education department residence - 450 metres,
- a church - 480 metres
- a community hall - 480 metres

The closest rural property is 2 kilometres to the east.

The SSWTS consists of a drum muster compound, a scrap steel collection point, bins for domestic waste recyclables and bins for the collection of domestic waste. The City of Albany has no plans to receive construction waste, inert waste or waste oil at this site.

Maximum waste capability – 5,000 cubic metres (1180 tonnes) per annum.

Expected waste capability – 2,500 cubic metres

The facility has been assessed by DER at its design capacity of 1180 tonnes per year and any increase beyond this amount will require a prior re-assessment and approval by DER.

An unloading ramp and concrete hardstand was constructed for the domestic waste collection area and a transportable site attendant's office erected.

The site will be open at least one half day a week but opening times will be determined by user demand. The site will be staffed during opening times with domestic waste bins collected at least once per week and deposited at the Albany Waste Facility at Hanrahan Rd.

The City of Albany has undertaken the following consultation:

- 23 January 2012 – Received management order from Department of Regional Development and Land for the use of the reserve as a transfer station;
- 1 March 2012 – Surveyed South Stirling community regarding the use of the landfill site;
- 4 September – Erected sign at the South Stirling landfill site advising of proposed closure and conversion to transfer station.



4 Decision Table

All applications are assessed under the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and the risk matrix attached to this decision document in Appendix A. Where other references have been used in making the decision they are detailed in the decision table.

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
General Conditions	W1.2.3 and L1.2.6	OSC	The premises boundary is defined by cadastre, hence there is no need for a condition for permanent markers to be installed on the boundary.	Application supporting documentation
	W1.2.3	NSC	Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – works approval conditions There is some minor potential for generation of leachate from uncovered domestic waste bins. The leachate will not enter the environment (bins are sealed) and will be transported to another site along with the waste; however the leachate generation is unnecessary and transport to another site is not appropriate. A condition should be added for the putrescible waste bin design to include a lid/cover.	Application supporting documentation
	L1.2.5	OSC	Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – licence conditions Waste is stored on site, hence it is considered appropriate for the OSC for stormwater management to be included on the licence due to the possibility of leachate generation. It is best practice for uncontaminated stormwater to be directed away from the lined area to minimise any generation of leachate.	Application supporting documentation



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
	L.1.3.2	OSC	<p>Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – licence conditions The site design is such that there are storage areas for putrescible waste, recyclable wastes (including steel) and empty drums only. Waste which does not fit into these categories should not be accepted on site, and the OSC condition should be included in the licence to ensure this occurs.</p>	Application supporting documentation
	L1.3.5	OSC	<p>Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – licence conditions The licensee will accept putrescible wastes at site which may attract pests/vermin. The inclusion of OSC 1.3.5 for taking measures to manage pests/flies/vermin is appropriate for the licence.</p>	Application supporting documentation
	L1.3.7	OSC	<p>Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – licence conditions The occupier does not intend to conduct any burning of greenwaste (or other waste) on site and will not have any designated areas to do so, hence OSC 1.3.7 which prohibits burning of waste on site should be included.</p>	Application supporting documentation
Emissions General	W2 and L2.1	N/A	No specific conditions are necessary under Emissions General.	
Point source emissions to air including monitoring	W2/3 and L2.2/L3.2	N/A	There are no point source emissions from premises. No specific conditions are necessary.	
Point source emissions to surface water including monitoring	W2/W3 and L2.3/L3.3	N/A	There are no point source emissions to surface water, and no surface water bodies near to the site. Specific conditions are not applicable.	Environmental Protection (Unauthorised Discharges Regulations, 2004).



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
Emissions to land including monitoring	W2/W and L2.5/L3.5	N/A	Emission Significance - 1 Socio-political context - No concern or interest. Risk Assessment - D – other management mechanisms No emissions to land are likely due to design of facility/bins being lined and in bunded and hardstand area. It is considered that no special conditions are required. OSC 1.3.7 regarding stormwater and the unauthorised discharges regulations should adequately address this low risk.	Environmental Protection (Unauthorised Discharges Regulations, 2004).
Point source emissions to groundwater including monitoring	W2/W3 and L2.4/L3.4	N/A	Emission Significance - 1 Socio-political context - No concern or interest. Risk Assessment - D – other management mechanisms No emissions to groundwater by leaching likely due to design of facility/bins being lined and in bunded and hardstand area. No special conditions required, as the low risk is adequately managed under the general provisions of the EP Act.	General provisions of the <i>Environmental Protection Act 1986</i> .
Fugitive Emissions	W2/W3 and L2.6/L3.6	N/A	Emission Significance - 1 Socio-political context - No concern or interest. Risk Assessment - D – other management mechanisms Due to the ceasing of landfilling on site, dust is unlikely to be an issue and there is no need for specific requirements relating to dust other than the standard licence conditions and general provisions of the EP Act.	General provisions of the <i>Environmental Protection Act 1986</i> .
Odour	L2.7.2	NSC	Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – licence conditions Odour is likely to be generated from the storage of putrescible waste in bins on site (without daily cover/burial). The applicant has indicated bins will be emptied weekly to address this. Given the close proximity of the neighbouring school, this is considered appropriate for a specific licence condition.	General provisions of the <i>Environmental Protection Act 1986</i> . Application supporting documentation



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
Noise	W2 and L2.8	OSC	Emission Significance - 1 Socio-political context - No concern or interest. Risk Assessment - D – other management mechanisms There are no specified conditions relating to noise. Noise is not expected to be an issue on site and should be reduced as compared with current landfilling operations on site. OSC's have not been used. Adequately managed under the noise regulations.	Environmental Protection (Noise) Regulations 1997 Application supporting documentation
Monitoring General	L3.1.1 to L3.1.3	OSC	Technical monitoring is not required to be undertaken on site, given the lining of the waste area with concrete and the use of sealed bins on site. General OSC's for monitoring are not applicable. In addition, conditions relating to the calibration of monitoring equipment have also been removed given there is no monitoring equipment applicable.	Application supporting documentation
Monitoring of inputs and outputs	W3 and L3.6	N/A	No special conditions necessary, considered adequately addressed by standard conditions.	
Process Monitoring	W3 and L3.7	N/A	No special conditions necessary, process is simply storage in sealed bins.	
Ambient Quality Monitoring	W3 and L3.8	N/A	No special conditions necessary, ambient air quality will not be affected by stationary storage of waste putrescible and recyclable wastes for one week at a time.	General provisions of the <i>Environmental Protection Act 1986</i> .
Meteorological monitoring	W3 and L3.9	N/A	No special conditions necessary, meteorological condition should not affect process or environmental impact.	
Improvements	W4 and L4.1	N/A	There are no improvements deemed necessary from the application. This is an application for a new storage site. OSC's have not been used.	
Information	W5 and L5	N/A	It is not considered that there is any further reporting required than the standard reporting, largely due to there being no need for technical monitoring.	General provisions of the <i>Environmental Protection Act 1986</i> .



5 Advertisement and Consultation Table

Date	Event	Comments received/Notes	How comments were taken into consideration
Works Approval			
11/02/2013	Application advertised in West Australian (or other relevant newspaper)	Concerns received 12/06/2013 regarding the potential for future illegal waste dumping in the bush due to the transfer station being open for a limited number of hours and fees being charged.	There is limited potential for DER to manage this risk through this works approval and/or licence; however DER encourages the reporting of any illegal dumping that is noticed by locals to both the City of Albany and DER for investigation.
12/02/2013	Proponent sent a copy of draft instrument	The City of Albany advised on 11/02/2013 that there were no comments or queries about the draft documents.	n/a
New Licence			
8/04/2013	Application advertised in West Australian (or other relevant newspaper)	Nil	n/a
17/04/2013	Proponent sent a copy of draft instrument	The City of Albany advised on 22/04/2013 that there were no concerns with the draft conditions, with exception to Table 5.3.1 which requires a Calibration Report. The South Stirling Waste Transfer Station will not be undertaking any technical monitoring involving equipment requiring calibration.	Requirement for calibration report has been removed. This was left in the draft licence by error, and refers to condition 3.1.5 which had not been included in the licence in any case.



Appendix A

EMISSIONS AND DISCHARGES RISK ASSESSMENT MATRIX

Note: These matrix are taken from the current DER Officer's Guide to Emissions and Discharges Risk Assessment May 2006.

Table 3: Measures of Significance of Emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95 th Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal Operating Conditions (50 th Percentile)	>100%	5	N/A	N/A	N/A
	50 – 100%	4	3	N/A	N/A
	20 – 50%	4	3	2	N/A
	<20%*	3	3	2	1

*For reliable technology, this figure could increase to 30%

Table 4: Socio-Political Context of Each Regulated Emission

		Relative proximity of the interested party with regards to the emission				
		Immediately Adjacent	Adjacent	Nearby	Distant	Isolated
Level of Community Interest or Concern*	5	High	High	Medium High	Medium	Low
	4	High	High	Medium High	Medium	Low
	3	Medium High	Medium High	Medium	Low	No
	2	Low	Low	Low	Low	No
	1	No	No	No	No	No

Note: These examples are not exclusive and professional judgement is needed to evaluate each specific case

*This is determined by DER using the DER "Officer's Guide to Emissions and Discharges Risk Assessment" May 2006.

Table 5: Emissions Risk Reduction Matrix

		Significance of Emissions				
		5	4	3	2	1
Socio-Political Context	High	A	A	B	C	D
	Medium High	A	A	B	C	D
	Medium	A	B	B	D	E
	Low	A	B	C	D	E
	No	B	C	D	E	E

PRIORITY MATRIX ACTION DESCRIPTORS

A = Do not allow (fix)

B = licence condition (setting limits + EMPs - short timeframes)(setting targets optional)

C = licence condition (setting targets + EMPs - longer timeframes)

D= EIPs, other management mechanisms/licence conditions (monitoring/reporting)/other regulatory tools

E = No regulation, other management mechanisms