



Mr Peter Crawford  
Shire of Menzies  
PO Box 4  
MENZIES WA 6436

Dear Mr Crawford

**ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED**

**Premises**

Menzies liquid waste ponds  
Goldfields Highway  
MENZIES WA 6436

Within coordinates: 29° 40' 348" S, 121° 01' 360" E; 29° 40' 369" S, 121° 01' 361" E; 29° 40' 351" S, 121° 01' 371" E; and 29° 40' 370" S, 121° 01' 371" E.

**Licence Number:** L8800/2013/1

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](mailto: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 Fiona Cormier on 9080 5543.

Yours sincerely

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

16 June 2014



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Shire of Menzies

**Licence:** L8800/2013/1

**Registered office:** Town Hall  
124 Shenton Street  
MENZIES WA 6436

**ABN:** 70 799 264 783

**Premises address:** Menzies liquid waste ponds  
Goldfields Highway  
MENZIES WA 6436  
Within coordinates: 29° 40' 348" S, 121° 01' 360" E; 29° 40' 369" S, 121° 01' 361" E;  
29° 40' 351" S, 121° 01' 371" E; and 29° 40' 370" S, 121° 01' 371" E.

**Issue date:** Monday 16 June 2014

**Commencement date:** Monday 16 June 2014

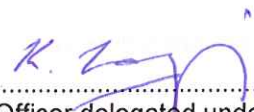
**Expiry date:** Saturday 15 June 2019

**Prescribed premises category**  
Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
61	Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	More than 100 tonnes	180 tonnes per year

**Conditions**

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

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



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

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

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

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the Licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link: <http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the regulations.

You must comply with your Licence. Non-compliance with your Licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

#### **Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

#### **Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

#### **Premises description and Licence summary**

The Shire of Menzies (the Shire) is a small town with a population of 235 people and located approximately 730 kilometres (km) north-east of Perth and about 130km north of Kalgoorlie. The Shire receives waste from the surrounding area and disposes it at the Menzies Rubbish Disposal Site. The Shire currently holds a registration for category 89 (R1628/2004/1) for the premises that allows for the disposal of inert and putrescible waste.

The site is located approximately 1.1km to the north of Menzies townsite. The new ponds are in the north-western portion of the landfill site and are approximately 1.3km from the nearest residential property within the townsite.

The site currently accepts and treats small volumes of liquid waste at an evaporation pond, which at this stage is not licenced due to the design and/or production capacity being below thresholds as stipulated under the *Environmental Protection Regulations 1987*. The Shire anticipates the area to go through rapid growth in the near future as a result of increased mining activity. Consequently there will be an increase in the generation of liquid waste. Works approval W5279/2012/1 was issued in December 2012 for the construction of the new liquid waste facility.

The two new liquid waste treatment ponds have been designed as two aerobic lagoons where the liquid waste tankers reverse into the disposal area, bump up against a wheel stop and discharge the liquid waste into a discharge tray from where the liquid waste flows into pond 1. Pond 1 will slowly fill with liquid waste and eventually the liquid level will reach the level of the inter-connecting pipework and the liquid will overflow into pond 2. Only septage waste will be deposited in the two ponds.

The liquid waste treatment ponds system is a biological treatment process using sunlight and oxygen to naturally biodegrade incoming organic matter as well as using evaporation to continually reduce the volume of liquid in the ponds. Each pond is designed with a 0.75 millimeter (mm) high density polyethylene (HDPE) liner as the primary environmental barrier to prevent liquid waste from seeping through the base of the pond. The liner used (Enviro Liner 6030) has guaranteed ultraviolet radiation resistance for 20 years and was delivered as a complete liner, eliminating the need for on-site welding. The liner has a permeability of  $3 \times 10^{-15}$  m/s and significantly less than required by Department of Water's Water Quality Protection Note Number 26 – *Liners for containing pollutants, using synthetic membranes*.

Each pond has been designed with a maximum operating depth of 1 metre plus 500mm freeboard to prevent the ponds from overflowing during extreme weather conditions.

The surface area of each pond is maximum of 266 square metres ( $m^2$ ) (19m x 14m) providing an operational volume of 237 cubic metres ( $m^3$ ) excluding freeboard. This would allow for a maximum of 180kL of liquid waste to be discharged to the ponds per year.

When the ponds reach capacity, waste will be dried and removed by an excavator for disposal at a suitably licenced landfill. It is anticipated that removing solid wastes from the ponds will be necessary every ten years. Any cleanout of the ponds is likely to result in damage to the liner.

This Licence is for the operation of a new facility established under Works Approval W5279/2012/1.



The licences and works approvals issued for the Premises since 6 December 2012 are:

Instrument log		
Instrument	Issued	Description
W5279/2012/1	6 December 2012	Works approval to construct liquid waste treatment ponds
L8800/2013/1	16 June 2014	New licence for category 61.

**Severance**

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

END OF INTRODUCTION



## Licence conditions

### 1 General

#### 1.1 Interpretation

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

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

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

'annual period' means the inclusive period from 1 January until 31 December in the same year;

'CEO' means CEO of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means:

Manager Licensing (Goldfields)  
Department of Environment Regulation  
PO Box 10173  
KALGOORLIE WA 6433  
Telephone: (08) 9080 5555  
Facsimile: (08) 9021 7831  
Email: Kalgoorlie@der.wa.gov.au;

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

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

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

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

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

'fugitive emissions' means all emissions not arising from point sources identified in Sections 2.6

'Licence' means this Licence numbered L8800/2013/1 and issued under the Act;

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

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

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



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

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

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

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

**1.2 General conditions**

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.

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

**1.3 Premises operation**

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

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

Table 1.3.1: Waste acceptance		
Waste type	Quantity limit	Specification <sup>1</sup>
Liquid Waste: Controlled Waste Category 1.02, 1.03, 1.04 and 1.05 biological wastes <sup>Note 1</sup>	180 tonnes per year	Accepted through discharge tray only

Note 1: Controlled Waste as defined in Controlled Waste categories in Attachment 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 quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.



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

Table 1.3.2: Waste processing		
Waste type	Process(es)	Process limits
Liquid waste	Receipt in tankers, physical and biological treatment	Liquid waste shall only be discharged in the treatment ponds via the discharge tray.

- 1.3.4 The Licensee shall ensure that waste material is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.3.3.

Table 1.3.3: Containment infrastructure		
Vessel or compound	Material	Requirements
Storage and treatment pond(s)	Liquid waste	Lined to achieve a permeability of at least $<10^{-9}$ m/s or equivalent.

- 1.3.5 The Licensee shall manage all liquid waste treatment ponds such that:
- (a) a minimum top of embankment freeboard of 500mm is maintained;
  - (b) the integrity of the containment infrastructure is maintained;
  - (c) trapped overflows are maintained on the outlet of ponds to prevent carry-over of surface floating matter;
  - (d) overtopping of the ponds does not occur except as a result of an extreme rainfall event (greater than 1 in 100 year event of 72 hours duration); and
  - (e) vegetation and floating debris (emergent or otherwise) is prevented from encroaching onto pond surfaces or inner pond embankments.

## 2 Emissions

### 2.1 General

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

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

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

### 2.5 Emissions to land

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

### 2.6 Fugitive emissions

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





**2.7 Odour**

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

**2.8 Noise**

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



### 3 Monitoring

#### 3.1 General monitoring

There are no specified conditions relating to 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 these sections.

#### 3.5 Emissions to land

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

#### 3.6 Monitoring of inputs and outputs

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

Table 3.6.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Liquid waste	m <sup>3</sup> (where no weighbridge is present)	N/A	Each load arriving at the Premises

#### 3.7 Process monitoring

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

#### 3.8 Ambient environmental quality monitoring

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

#### 3.9 Meteorological monitoring

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

### 4 Improvements

There are no specified improvement conditions in this section.



## 5 Information

### 5.1 Records

- 5.1.1 All information and records required by the Licence shall:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
  - (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
  - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
    - (i) off-site environmental effects; or
    - (ii) matters which affect the condition of the land or waters.
- 5.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
  - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

### 5.2 Reporting

- 5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 90 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form
-	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
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

- 5.2.2 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; and
  - (b) 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.

### 5.3 Notification

- 5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.



**Table 5.3.1: Notification requirements**

Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
	Removal of sewage sludge from a sewage sludge storage pond	No less than 14 days in advance of works.	None specified.
1.3.1 and 1.3.2	Breach of any limit specified in the licence	Part A: As soon as practicable but no later than 5pm of the next usual working day.	N1
	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part B: As soon as practicable	

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2



## Attachment 1: Environmental Protection (Controlled Waste) Regulations 2004. BIOLOGICAL WASTE CATEGORIES AND DESCRIPTIONS

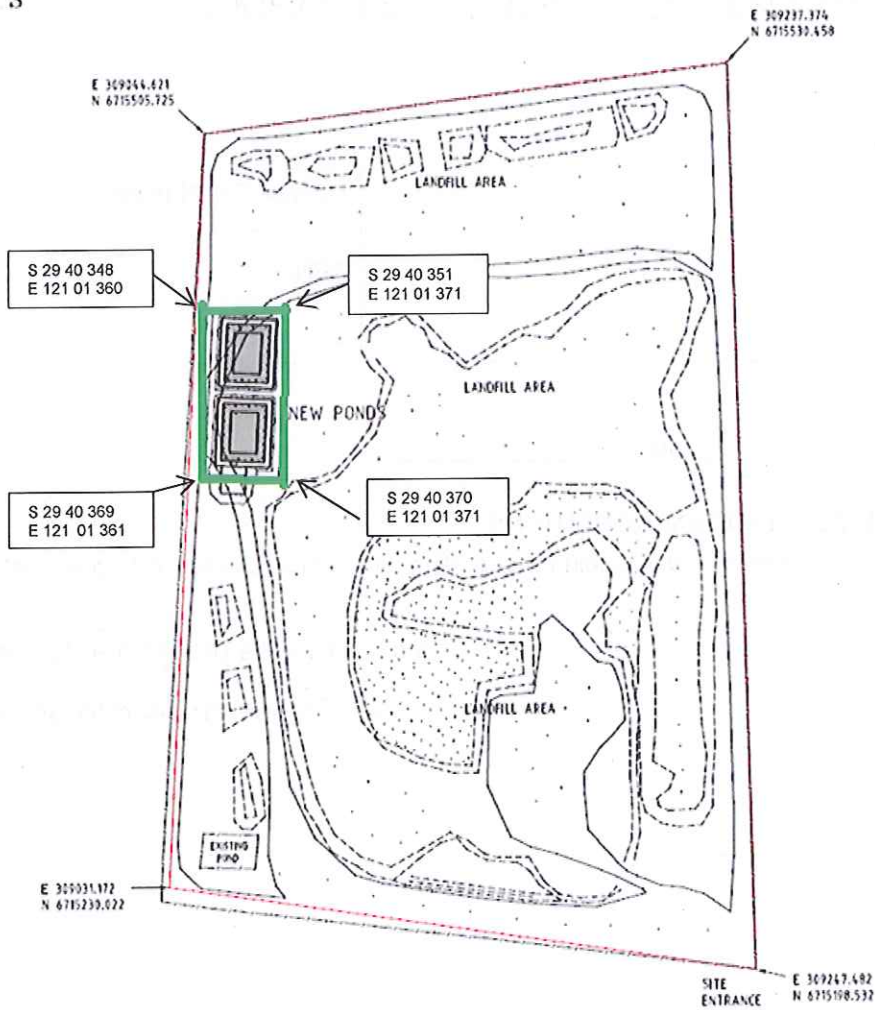
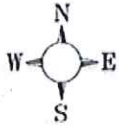
Category group No.	Category group name	Category No.	Description
1	Biological wastes	1.01	Animal wastes – smallgoods; tallow; and animals slaughtered for quarantine purposes
		1.02	Septage wastes - wastes from apparatus for the treatment of sewage
		1.03	Grease wastes - wastes resulting from food preparation processes
		1.04	Vegetable oils and derivatives and other wastes (excluding wastes referred to in categories 1.01, 1.02, 1.03 and 1.05)
		1.05	Sewage waste from the reticulated sewage system (ie Water Corporation)



# Schedule 1: Maps

## Premises map

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





## Schedule 2: Reporting & notification forms

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

### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

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

Yes  Please proceed to Section C

No  Please proceed to Section B

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

Initial:



## SECTION B

### DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non-compliance occurred, if applicable:	
c) Was this non-compliance reported to DER?:	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DER verbally Date _____
	<input type="checkbox"/> Reported to DER in writing Date _____
<input type="checkbox"/> No	
d) Has DER taken, or finalised any action in relation to the non-compliance?:	
e) Summary of particulars of the non-compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non-compliance occurred (attach map or diagram):	
g) Cause of non-compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non-compliance:	
i) Action taken or that will be taken to prevent recurrence of the non-compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:





## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

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

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

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

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

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

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

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

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

SEAL (if signing under seal)



Licence: L8800/2013/1  
Form: N1

Licensee: Shire of Menzies  
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	

<b>Notification requirements for the breach of a limit</b>	
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	

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



### Part B

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

Name	
Post	
Signature on behalf of Shire of Menzies	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Shire of Menzies

**Licence:** L8800/2013/1

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**Registered office:** Town Hall  
124 Shenton Street  
MENZIES WA 6436

**ABN:** 70 799 264 783

**Premises address:** Menzies liquid waste ponds  
Goldfields Highway  
MENZIES WA 6436  
Within coordinates: 29° 40' 348" S, 121° 01' 360" E; 29° 40' 369" S, 121° 01' 361" E; 29° 40' 351" S, 121° 01' 371" E; and 29° 40' 370" S, 121° 01' 371" E.

**Issue date:** Monday 16 June 2014

**Commencement date:** Monday 16 June 2014

**Expiry date:** Saturday 15 June 2019

### 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 and legal requirements and that the licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Fiona Cormier  
Licensing Officer

Decision Document authorised by: James Milne  
Manager Licensing



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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

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

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

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>61</td> <td>180 tonnes per year</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Category number(s)	Design capacity	61	180 tonnes per year				
	Category number(s)	Design capacity							
	61	180 tonnes per year							
Application verified	Date: 4 November 2013								
Application fee paid	Date: 28 November 2013								
Works approval has been complied with	Yes <input checked="" 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> ?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td>           Referral decision no:            Managed under Part V <input type="checkbox"/>            Assessed under Part IV <input type="checkbox"/> </td> </tr> </table>	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"/>						
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?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td>           Ministerial Statement No:            EPA Report No:         </td> </tr> </table>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial Statement No: EPA Report No:						
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial Statement No: EPA Report No:								
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
Is the premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
If yes include details of which EPP(s) here.									
Is the premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
If yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.									



### 3 Executive summary of proposal

The Shire of Menzies (the Shire) is a small town with a population of 235 people and located approximately 730 kilometres (km) north-east of Perth and about 130km north of Kalgoorlie. The Shire receives waste from the surrounding area and disposes it at the Menzies Rubbish Disposal Site. The Shire currently holds a registration for category 89 (R1628/2004/1) for the premises that allows for the disposal of inert and putrescible waste.

The site is located approximately 1.1km to the north of Menzies townsite. The new ponds are in the north-western portion of the landfill site and are approximately 1.3km from the nearest residential property within the townsite.

The site currently accepts and treats small volumes of liquid waste at an evaporation pond, which at this stage is not licenced due to the design and/or production capacity being below thresholds as stipulated under the Environmental Protection Regulations 1987. The Shire anticipates the area to go through rapid growth in the near future as a result of increased mining activity. Consequently there will be an increase in the generation of liquid waste. Works approval W5279/2012/1 was issued in December 2012 for the construction of the new liquid waste facility.

The two new liquid waste treatment ponds have been designed as two aerobic lagoons where the liquid waste tankers reverse into the disposal area, bump up against a wheel stop and discharge the liquid waste into a discharge tray from where the liquid waste flows into pond 1. Pond 1 will slowly fill with liquid waste and eventually the liquid level will reach the level of the inter-connecting pipework and the liquid will overflow into pond 2. Only septage waste will be deposited in the two ponds.

Each pond has been designed with a maximum operating depth of one metre plus 500mm freeboard to prevent the ponds from overflowing during extreme weather conditions.

The surface area of each pond is maximum of 266 square metres (m<sup>2</sup>) (19m x 14m) providing an operational volume of 237 cubic metres (m<sup>3</sup>) excluding freeboard. This would allow for a maximum of 180kL of liquid waste to be discharged to the ponds per year.

When the ponds reach capacity, waste will be dried and removed by an excavator for disposal at a suitably licenced landfill. It is anticipated that removing solid wastes from the ponds will be necessary every ten years. Any cleanout of the ponds is likely to result in damage to the liner. The Shire proposes to apply for a new works approval to allow for the construction of another pond approximately every ten years when cleanout is required to allow continuous disposal of liquid waste at the site.



## 4 Decision table

All applications are assessed under the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, *DER's Policy Statement - Limits and targets for prescribed premises (2006)*, the risk matrix in section 6 and *DER's Industry Regulation Emissions and Discharges Assessment Framework*. Where other references have been used in making the decision they are detailed in the decision table.

OSC = Optional standard condition

NSC = Non-standard condition

DECISION TABLE				
Licence section	Condition Number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2	OSC	<p><b>Operation</b></p> <p><i>Emission significance - 1</i> <i>Socio-political context - low.</i> <i>Risk assessment - D – licence conditions</i></p> <p>General conditions have been included in the licence which includes storage of environmentally hazardous materials and management of contaminated stormwater.</p>	<p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>
	L1.3.1 – L1.3.5	OSC	<p><b>Operation</b></p> <p><i>Emission significance - 2</i> <i>Socio-political context - low.</i> <i>Risk assessment - D – licence conditions</i></p> <p>Premises operation conditions in condition 1.3 have been included in the licence to manage waste acceptance, waste processing and containment infrastructure.</p> <p>Premises specific licence conditions 1.3.1 – 1.3.5 have been added to the licence to ensure the liquid waste facility is managed appropriately.</p>	<p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>





**DECISION TABLE**

Licence section	Condition Number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Point source emissions to air including monitoring	L2.2 and L3	N/A	<p><b>Operation</b>  <i>Emission significance - 1</i>  <i>Socio-political context - no concern or interest.</i>  <i>Risk assessment - E - other management mechanisms</i></p> <p>No significant point source air emissions are expected from the operation of the liquid waste treatment ponds. No specified conditions relating to point source emissions to air or the monitoring of these emissions are required to be added to the licence.</p>	<p><i>Environmental Protection (Unauthorised Discharges Regulations, 2004).</i></p> <p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>
Point source emissions to surface water including monitoring	L2.3	N/A	<p><b>Operation</b>  <i>Emission significance - 1</i>  <i>Socio-political context - no concern or interest</i>  <i>Risk assessment - E - no regulation, other management mechanisms</i></p> <p>There will be no point source emissions to water during operation of the liquid waste treatment ponds. There are no watercourses flowing through or near to the premises boundary. No specified conditions relating to point source emissions to water or the monitoring of such emissions are required to be added to the licence.</p>	<p><i>Environmental Protection (Unauthorised Discharges Regulations, 2004).</i></p> <p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>



**DECISION TABLE**

Licence section	Condition Number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Emissions to land including monitoring	L2.5		<p><b>Operation</b>  <i>Emission significance – 1</i>  <i>Socio-political context – low</i>  <i>Risk assessment – E – no regulation, other management mechanisms</i></p> <p>There will be no emissions to land during the operation of the liquid waste treatment ponds. No specified conditions relating to emissions to land are required for this licence.</p>	<p><i>Environmental Protection (Unauthorised Discharges Regulations, 2004).</i></p> <p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>
Point source emissions to groundwater including monitoring	L2.4		<p><b>Operation</b>  <i>Emission significance – 1</i>  <i>Socio-political context – no concern or interest</i>  <i>Risk assessment – E – no regulation, other management mechanisms</i></p> <p>There will be no point source emissions to groundwater during operation of the liquid waste treatment ponds.</p>	<p><i>Environmental Protection (Unauthorised Discharges Regulations, 2004).</i></p> <p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>



DECISION TABLE				
Licence section	Condition Number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Fugitive emissions	L2.6	OSC	<p><b>Operation</b>  <i>Emission significance – 1</i>  <i>Socio-political context – low</i>                      Risk assessment – E – other management mechanisms/licence conditions</p> <p>No fugitive emissions are expected from the operation of the liquid waste ponds. No conditions relating to fugitive emissions is required for the licence.</p>	<p>Environmental Protection (Unauthorised Discharges Regulations, 2004).</p> <p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>
	L2.7.1	OSC	<p><b>Operation</b>  <i>Emission significance – 2</i>  <i>Socio-political context – low</i>                      Risk assessment – D – other management mechanisms/licence conditions</p> <p>Odour concentrations at the premises are likely to augment slightly as a result of increased waste surface areas. No odour complaints have been associated with the previous liquid waste treatment pond. However, should odour become a problem, the Shire will instruct delivery vehicles to use a discharge pipe to ease the liquid into the pond. In addition lime dosing can be undertaken to change pH levels in the ponds if odour becomes significant. An OSC to ensure that odour emissions do not unreasonably interfere with health, welfare, convenience, comfort or amenity of people outside of the premises has been included on the licence as condition L2.7.1.</p>	<p>Environmental Protection (Unauthorised Discharges Regulations, 2004).</p> <p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>



DECISION TABLE				
Licence section	Condition Number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Noise	L2.8	N/A	<p><b>Operation</b>  <i>Emission significance</i> – 1  <i>Socio-political context</i> – low  <i>Risk assessment</i> – E – no regulation, other management mechanisms</p> <p>There will be minimal noise associated with the operation of the liquid waste treatment ponds. No conditions relating to noise emissions are required for the licence.</p>	<p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>
	L3	N/A	<p>Monitoring for inputs has been included in the licence under condition L3.1.1. The Licensee is required to monitor the input of septage waste into the premises in m<sup>3</sup>.</p> <p>No monitoring of inputs or outputs are required for the operation of the liquid waste treatment ponds.</p>	N/A
Monitoring of inputs and outputs	L3	N/A	<p>No monitoring of inputs or outputs are required for the operation of the liquid waste treatment ponds.</p>	N/A
Process Monitoring	L3	N/A	<p>No processing monitoring is required for the operation of the liquid waste treatment ponds.</p>	N/A
Ambient environmental quality monitoring	L3	N/A	<p>No ambient environmental quality monitoring is required for the operation of the liquid waste treatment ponds. As discussed in the fugitive emission section of this table, groundwater seepage is not considered high risk, therefore no monitoring conditions are required.</p>	N/A
Meteorological monitoring	L3	N/A	<p>No meteorological monitoring is required for the operation of the liquid waste treatment ponds.</p>	N/A
Improvements	L4	N/A	<p>No improvement conditions have been included on the licence.</p>	N/A
Information	L5	OSC	<p>General reporting requirements have been included on the licence and are deemed adequate for managing information associated with the operation of the liquid waste treatment ponds.</p>	N/A



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
09/12/2013	Application advertised in <i>The West Australian</i> newspaper (or other relevant newspaper)	No comments received	N/A
09/12/2013	Application referred to interested parties listed: Department of Health	Department of Health has no specific comment provided that DER is satisfied that the facilities are designed to adequately prevent seepage and will be maintained so as to prevent potential mosquito breeding or other hazards to human health for the life of the facility.	DER is satisfied the liquid waste facility is designed adequately. The proponent has been notified to ensure the facility is maintained to prevent potential mosquito breeding or other hazards to human health for the life of the facility.
14/01/2014	Proponent sent a copy of draft instrument	Comments received from the proponent requesting that the category 89 landfill remains registered and not licenced.	DER has determined that the landfill can remain registered and the proponent is to continue to manage it under the <i>Environmental Protection (Rural Landfill) Regulations 2002</i> . All conditions relating to operation of the landfill in the draft licence have now been removed.



## 6 Emissions and discharges risk assessment matrix

Note: These matrix are taken from the DEC Officer's Guide to Emissions and Discharges Risk Assessment (2006).

**Table 3: Measures of significance of emissions**

Emissions as a percentage of the relevant emission or ambient standard		Worst case operating conditions (95 <sup>th</sup> Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal operating conditions (50 <sup>th</sup> 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 *Officer's Guide to Emissions and Discharges Risk Assessment* (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