



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Shire of York

**Licence:** L7002/1997/8

**Registered office:** Shire of York  
1 Joaquina Street  
YORK WA 6302

**Premises address:** York Waste Transfer Station  
Spencers Brook Road  
YORK WA 6302  
Being Lot 500 on Plan 76374 (Crown Reserve 121)

**Issue date:** Thursday, 28 March 2013

**Commencement date:** Thursday, 28 March 2013

**Expiry date:** Tuesday, 27 March 2018

**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
62	Solid waste depot – premises on which waste is stored or sorted pending final disposal or re-use	500 tonnes or more per year	5 000 tonnes per annual period

**Conditions**

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

Date signed: 24 December 2015

.....

**Alan Kietzmann**

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.

### 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 York operates the York Waste Transfer Station which is currently licensed as a category 62 solid waste depot in accordance with the *Environmental Protection Regulations 1987*. The premises is located on the north-eastern corner of the Town boundary and is approximately 2.5 kilometres from the centre of the Town of York. The Shire of York has a population of approximately 3700 people.

Department of Environment Regulation's GIS mapping system indicates that the premises is directly adjacent to the Avon River, which is also listed as a site of Aboriginal Significance (SO2548).

A Farmhouse is located immediately adjacent to the premises, in a portion to the north east of the premises. The GIS system indicates that the premises is approximately 20m from the boundary, and approximately 250m from current active areas of the facility. Another farm house is located approximately 190m from the premises to the southern boundary (opposite of the Avon River). Other residential properties are located immediately adjacent to the northern boundary of the premises (opposite Spencer's Brook Road), with the houses being approximately 100m to 200m from the boundary of the premises. Again, these premises appear to be over 200m from active areas of the facility.

The EPA Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* which recommends a buffer of 200 meters or more. This distance is not met due to Farmhouses located both immediately adjacent to the boundary, and close to the northern boundary, however there is approximately 200m between any of these residence and active areas of the facility.

It is estimated that the site receives less than 1,250 tonnes of waste per year. This waste is derived from the residents in the community who visit the site and deposit their waste at the facility. Waste accepted at the site includes a small amount of general household waste (Class II putrescible waste), green waste, and recyclables including paper, cardboard, glass, aluminium & steel cans, certain plastics, electrical goods, scrap metal and some building rubble and clean fill. The Premises also stores waste oil, vehicle batteries and empty gas bottles on site.

The premises has a designated public waste deposition area which is accessed through bituminised entry and exit points. The surface of the site is a combination of blue metal and concrete with gravel internal exit roads to minimise dust emissions. The premises boundary is fenced with a 1.8m mesh fence with an access gate. The fence and walls help to control litter and prevent public access when the site is closed. During operational hours which are Mondays, Wednesdays, Fridays and Saturdays between 12pm and 3pm and Sundays between 11am and 5pm, the site is supervised by Avon Waste staff.

Putrescible waste is sorted on site and sent to the Northam Landfill site on a daily basis. Putrescible waste is only accepted from the broader rural community such as farmers who do not have the weekly curb side collection systems available to them. Recyclables are sorted into covered skip bins on covered concrete hardstands and these are regularly collected for recycling. Green waste is mulched onsite and stockpiled. No wastes, including green waste is burned on the premises. The premises has a fully enclosed Drum Muster collection station located outside the transfer station. Waste oil, empty gas bottles and battery collection areas are on bunded hardstands and this waste is collected monthly or more regularly if required.

The following waste types are not accepted at this facility: asbestos, clinical waste, septic waste, used tyres, explosives or highly flammable material or toxic material.



This Licence is the result of an amendment sought by the Licensee to include an annual green waste burning program, amend storage requirements and clarify the reporting period. A number of DER initiated amendments have also occurred to the licence in line with licensing processes.

The licences and works approvals issued for the Premises since 18/06/2001 are:

Instrument log		
Instrument	Issued	Description
L7002/1997/2	18/06/2001	Licence issue
L7002/1997/3	26/06/2002	Licence reissue
L7002/1997/4	26/05/2003	Licence reissue
L7002/1997/5	04/05/2004	Licence reissue
L7002/1997/6	29/03/2005	Licence reissue
L7002/1997/7	05/03/2010	Licence reissue
L7002/1997/8	28/03/2013	Licence reissue
L7002/1997/8	24/12/2015	Licence amendment

### 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 April until 31 March;

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

**'CEO'** for the purpose of correspondence means;

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

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

**'Fire Control Officer'** in relation to the Premises means a person who has such qualifications in firefighting or fire control and is approved or appointed to that position by the Licensee;

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

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

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

**'Licence'** means this Licence numbered L7002/1997/8 and issued under the Act;

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

**'lined'** means an area with a prepared, sealed or natural surface with a low permeability of  $10^{-9}$  meters/second or less;

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

**'putrescible waste'** has the meaning defined in Landfill Definitions;

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

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

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



- 1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.
- 1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that 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 Premises operation**

- 1.2.1 The Licensee shall only accept waste on to the Premises if:
- (a) it is of a type listed in Table 1.2.1; and
  - (b) the quantity accepted is below any quantity limit listed in Table 1.2.1; and
  - (c) it meets any specification listed in Table 1.2.1.

<b>Table 1.2.1: Waste acceptance criteria</b>		
<b>Waste type</b>	<b>Quantity limit</b>	<b>Specification<sup>1</sup></b>
Clean Fill	5,000 tonnes per annual period	None specified
Inert Waste Type 1		
Putrescible waste		
Green waste		
Scrap metal		
Hazardous waste		Limited to receiving household quantities of domestic hazardous waste

- 1.2.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 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.
- 1.2.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.2.2 and in accordance with any process limits described in that Table.

<b>Table 1.2.2: Waste processing</b>		
<b>Waste type</b>	<b>Process</b>	<b>Process limits</b>
Clean Fill	Received and stored for collection	None Specified
Inert Waste Type 1	Received and stored for collection	None Specified
Putrescible Waste	Receipt and storage prior to disposal	<ul style="list-style-type: none"> <li>• Only to be stored within enclosed skip bins</li> <li>• Putrescible waste is not to be stored longer than 48 hours on the Premises.</li> </ul>
Green waste	Received, stockpiled, mulched and burnt or reused	<ul style="list-style-type: none"> <li>• Green waste is to be stored in piles no greater than 4m in height and no more than 1 000 m<sup>3</sup> in volume with a 6 m fire break between piles</li> </ul> <p>Green waste shall only be burnt if:</p> <ul style="list-style-type: none"> <li>• It has been dried and seasoned for at least 2 months before burning;</li> <li>• It takes place in a designated burning area;</li> <li>• It is done in a manner to minimise the generation of smoke</li> <li>• It takes place in trenches or windrows;</li> <li>• It takes place only when an adequate supply of water is available to effectively manage the burning process; and</li> </ul>



		<ul style="list-style-type: none"> <li>It is free of any contaminants.</li> </ul> <p>Any green waste fires must be fully extinguished by the end of the working day.</p>
Scrap metal	Received and stored for collection	None Specified
Hazardous waste	Receipt, handling and storage prior to disposal	<ul style="list-style-type: none"> <li>Only to be stored on a hardstand in a bunded area.</li> <li>Spills of hazardous waste outside of a bunded hardstand area shall be immediately removed, or recovered and disposed of.</li> </ul>

- 1.2.4 The Licensee shall implement the following security measures at the site:
- erect and maintain suitable fencing to prevent unauthorised access to the site; and
  - ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
  - undertake regular inspections of all security measures and repair damage as soon as practicable;
- 1.2.5 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.
- 1.2.6 The Licensee shall ensure that perimeter valves on bunded areas are locked or otherwise secured in the closed position whilst the Premises is unattended.
- 1.2.7 The Licensee shall ensure stormwater drains on the premises are kept clear of waste litter to allow for their effective use.
- 1.2.9 The Licensee shall take all reasonable and practical measures to ensure that no windblown litter escapes from the Premises by:
- collecting any waste that has been washed or blown away from the tipping area and return it to the tipping area on a weekly basis;
  - ensuring that all waste transfer bins are covered before leaving the premises to stop windblown litter
- 1.2.10 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information;
- hours of operation;
  - contact telephone number for information and complaints or notification of fires;
  - where applicable, a list of materials acceptable for recycling and the location of where they can be deposited on the Premises;
  - the types of waste that must not be deposited on the Premises and a contact telephone number for alternative disposal options; and
  - a warning, indicating the penalties for people lighting fires.
- 1.2.11 The Licensee shall ensure that there are adequate water supplies and appropriate procedures in place at the premises so that any unauthorised fire is promptly extinguished.
- 1.2.12 The Licensee shall notify adjacent properties of the intention to burn green waste 24 hours prior to undertaking the burning.





## 2 Monitoring

### 2.1 Monitoring of inputs and outputs

2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

<b>Input/Output</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>
Waste Input	Waste types as defined in the Landfill Definitions	Estimated tonnes	Annually. In line with Annual Environmental Report specified in condition 3.2.1	Each load entering the Premises
Waste Outputs	Waste types as defined in the Landfill Definitions	Estimated tonnes	Annual. In line with Annual Environmental Report specified in condition 3.2.1	Each load leaving or rejected from the Premises

## 3 Information

### 3.1 Records

3.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 3.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
  - (i) off-site environmental effects; or
  - (ii) matters which affect the condition of the land or waters.

3.1.3 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.

3.1.4 The Licensee shall:

- (a) implement a complaints management system that shall record the following information (if known or provided) about complaints received at the Premises concerning any environmental impact of the activities undertaken at the Premises:
  - (i) name and address of the complainants (if consented);
  - (ii) date and time of complaint;
  - (iii) date and time of alleged incident;
  - (iv) alleged source of the incident;
  - (v) general description of the alleged incident, including any environmental or health impacts reported by the complainant;
  - (vi) wind direction, wind speed and temperature at time of alleged incident;
  - (vii) likely source of the alleged incident; and





- (viii) actions taken by the Licensee to address the complaint, including the outcome of any investigation(s) and action(s) to verify any impacts.
- (b) complete an annual analysis and review of complaints recorded under 3.1.4(a) to identify any common factors and root cause of complaints and proposals to address these.

### 3.2 Reporting

3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

<b>Table 3.2.1: Annual Environmental Report</b>		
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Format or form<sup>1</sup></b>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
	Summary of the following matters and the effectiveness of the measure and details of the actions proposed to increase effectiveness: (i) measures taken to control pests and vermin; (ii) measures taken to suppress dust; (iii) measures taken to control windblown waste; (iv) number and severity of any fires on site; (vi) any changes to site boundaries, internal buffer zones, surface drainage channels and on-site or off-site impacts or pollution	None specified
2.1.1	Monitoring of inputs and outputs, including reasons for rejecting loads	None specified
3.1.3	Compliance	Annual Audit Compliance Report (AACR)
3.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

### 3.3. Notification

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



<b>Table 3.3.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement<sup>1</sup></b>	<b>Format or form<sup>2</sup></b>
2.1.1	Breach of any limit specified in the Licence	As soon as practicable but no later than 5PM of the next usual working day	N1
	Any unauthorised fire including: (i) the date, time, location and size of the fire; (ii) the time the fire was declared safe by the Fire Control officer for the premises; and (iii) the cause or suspected cause of the fire	Within fourteen (14) days of an unauthorised fire	None specified

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

Note 2: Forms are in Schedule 2



## Schedule 1: Maps

### Premises map

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





## 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: L7002/1997/8  
 Form: N1

Licensee: Shire of York  
 Date of breach:

**Notification of detection of the breach of a limit.**

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

**Part A**

Licence Number	
Name of operator	
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	





## 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 York	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Shire of York

**Licence:** L7002/1997/8

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**Registered office:** Shire of York  
1 Joaquina Street  
YORK WA 6302

**Premises address:** York Waste Transfer Station  
Spencers Brook Road  
YORK WA 6302  
Being Lot 500 on Plan 76374 (Crown Reserve 121)

**Issue date:** Thursday, 28 March 2013

**Commencement date:** Thursday, 28 March 2013

**Expiry date:** Tuesday, 27 March 2018

### Decision

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

Decision Document prepared by: Melissa Chamberlain  
Licensing Officer

Decision Document authorised by: Alan Kietzmann  
Delegated Officer



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### 1 Purpose of this Document

This decision document explains how the DER has assessed and determined the application and provides a record of the DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to the 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.



## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	New Licence <input type="checkbox"/>
	Licence amendment <input checked="" type="checkbox"/>	Works Approval amendment <input type="checkbox"/>
Activities that cause the premises to become prescribed premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	62	5 000 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



### 3 Executive summary of proposal and assessment

The Shire of York operates the York Waste Transfer Station which is currently licensed as a category 62 solid waste depot in accordance with the *Environmental Protection Regulations 1987*. The premises is located on the north-eastern corner of the Town boundary and is approximately 2.5 kilometres (km) from the centre of the Town of York. The Shire of York has a population of approximately 3700 people.

Department of Environment Regulation's GIS mapping system indicates that the premises is directly adjacent to the Avon River, which is also listed as a site of Aboriginal Significance (SO2548).

A Farmhouse is located immediately adjacent to the premises, in a portion to the north east of the premises. The GIS system indicates that the premises is approximately 20 metres (m) from the boundary, and approximately 250 m from current active areas of the facility. Another farm house is located approximately 190 m from the premises to the southern boundary (opposite of the Avon River). Other residential properties are located immediately adjacent to the northern boundary of the premises (opposite Spencer's Brook Road), with the houses being approximately 100m to 200m from the boundary of the premises. These premises appear to be over 200 m from active areas of the facility.

The EPA Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* which recommends a buffer of 200 meters or more. This distance is not met due to Farmhouses located both immediately adjacent to the boundary, and close to the northern boundary, however there is approximately 200 m between any of these residence and active areas of the facility.

It is estimated that the site receives less than 1,250 tonnes of waste per year. This waste is derived from the residents in the community who visit the site and deposit their waste at the facility. Waste accepted at the site includes a small amount of general household waste (Class II putrescible waste), green waste, and recyclables including paper, cardboard, glass, aluminium & steel cans, certain plastics, electrical goods, scrap metal and some building rubble and clean fill. The Premises also stores waste oil, vehicle batteries and empty gas bottles on site.

The premises has a designated public waste deposition area which is accessed through bituminised entry and exit points. The surface of the site is a combination of blue metal and concrete with gravel internal exit roads to minimise dust emissions. The premises boundary is fenced with a 1.8m mesh fence with an access gate. The fence and walls help to control litter and prevent public access when the site is closed. The site is supervised during operational hours (Mondays, Wednesdays, Fridays and Saturdays between 12 pm and 3 pm and Sundays between 11 am and 5 pm) by Avon Waste staff.

Putrescible waste is sorted on site and sent to the Northam Landfill site on a daily basis. Putrescible waste is only accepted from the broader rural community such as farmers who do not have the weekly curb side collection systems available to them. Recyclables are sorted into covered skip bins on concrete hardstands and these are regularly collected for recycling. Green waste is mulched onsite and stockpiled. No wastes, including green waste is burned on the premises. The premises has a fully enclosed Drum Muster collection station located outside the transfer station. Waste oil, empty gas bottles and battery collection areas are on bunded hardstands and this waste is collected monthly or more regularly if required.

The following waste types are not accepted at this facility: asbestos, clinical waste, septic waste, used tyres, explosives or highly flammable material or toxic material.

This Licence is the result of an amendment sought by the Licensee to include an annual green waste burning program, amend storage requirements and clarify the reporting period. A number of amendments initiated by the DER have also occurred to the licence in line with licensing processes.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L = Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Interpretation</b>	L1.1.2	<p>Definitions under condition 1.1.2 have been amended in line with the DER's current licensing processes.</p> <p>All references to Director in the licence have been amended to refer to CEO.</p>	
	L1.1.4	<p>Condition 1.1.4 has been included in line with the DER's current licensing processes. This condition clarifies that any reference to a guideline or code of practice in the licence refers to any amendments or replacements to that guideline or code of practice.</p>	
<b>General conditions</b>	N/A	<p>Previous condition 1.2.1 has been removed as it is not an enforceable condition, it is an explanatory statement.</p> <p>Previous condition 1.2.2 is removed as it is unclear what pollution control and monitoring equipment is referred to and the maintenance schedule is not specified.</p> <p>Previous condition 1.2.3 is removed as it is not sufficiently clear or certain. The requirement to recover hazardous material is replicated in Condition 1.2.3, Table 1.2.2.</p> <p>Previous conditions 1.2.5 is removed as it is not sufficiently clear or certain what infrastructure or treatment is required. Any unauthorised discharges will be subject to provisions of the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		Previous condition 1.2.3 is renumbered to condition 1.2.7	
Premises operation	L 1.2.1 and Table 1.2.1	Table 1.2.1 has been amended to refer to a quantity limit per annual period as defined in condition 1.1.2.	
Premises operation	L1.2.3 and Table 1.2.2	<p>Condition 1.2.3 and Table 1.2.2 have been amended to remove the requirement for Putrescible waste to be stored '<i>within an enclosed building provided with hardstand and bunded to prevent run-off</i>' as this does not reflect current practices at the premises as identified during a compliance inspection dated 29<sup>th</sup> April 2013. The inspection identified that there is no enclosed building at the premises and the Putrescible waste is instead stored in bins which are removed from the premises. The new condition correctly reflects the control measures on site.</p> <p>Condition 1.2.3 and Table 1.2.2 have also been amended to allow putrescible waste to be removed within 48 hours instead of 24 hours. The licensee has provided a waste removal schedule which indicates that putrescible waste will be removed within 24 hours however has requested an additional 48 hours to align with requirements of other waste transfer stations in the region serviced by Avon Waste and caters for contingencies. A risk assessment of these changes is conducted in the odour section below.</p> <p>The licensee has requested an amendment to the licence to allow the burning of greenwaste. The Licensee has stated that previous attempts to mulch green waste for application in town has not been taken up by residents on the basis that the material often includes seeds of weed species, which are further spread during application. Section 13(3)(d) of the <i>Environmental Protection (Rural Landfill) Regulations 2002</i> requires any green waste to be burnt in a designated burning area at least 500 meters from any person's residence. As a category 62 premises these regulations do not apply, however using the regulations as guidance, any residences located between 100m-200m away may be at a higher risk of smoke impacts.</p>	





DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>Currently the Shire experiences a number of unauthorised fires each year which cause significant smoke emissions due to their uncontrolled and unregulated nature resulting in excess smoke generation and extended burning time. The request to implement a green waste burning program is to address these unauthorised fires and ensure that any burning is undertaken in a controlled manner to minimise smoke emissions and duration, particularly as the nearest premises are located within 100m to 200m. A risk assessment of these changes is conducted below:</p> <p><u>Emission Description</u>  <i>Emission:</i> Particulate emissions from burning of green waste. Furthermore, stubble burning in neighbouring paddocks during autumn will also be an additional source of smoke in regional towns such as York.  <i>Impact:</i> Reduced local air quality during the burning period. Smoke can cause respiratory distress and reduced amenity of properties affected. One residence is located immediately adjacent to the premises boundary, and a number of other farmhouses are located between 100 to 200m of the premises. These residences are located predominately to the north west, north and north east, with some residences to the east and south. Two residents have responded negatively to the public consultation carried out by the Shire to allow burning at the Premises, indicating that previous uncontrolled fires have caused respiratory distress and unpleasant odours.  <i>Controls:</i> The licensee proposes to conduct burning in cooler months, and on weather appropriate days using windrows in a designated burning area. The licensee advises that green waste will be seasoned and dried for at least 2 months prior to burning, and that adequate water will be available on site to manage the burning process. The licensee has advised that a Fire Control Officer will be consulted to ensure the area is declared safe and wind and weather patterns will be assessed in detail to ensure minimal effects on surrounding residents. The licensee has also proposed to contact adjacent properties 24 hours prior to conducting burns.</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Risk Assessment</u>  <i>Consequence:</i> Minor  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u>            Condition 1.2.3. and table 1.2.2 is amended to remove the restriction on burning green waste and to place conditions on the burning of greenwaste. Table 1.2.2 now specifies requirements for burning greenwaste including drying for at least 2 months, being burnt in a designated area, and that fires are extinguished by the end of the working day; this will ensure that the duration of smoke exposure is limited to minimise impacts. This condition implements the controls proposed by the licensee, and ensures that the risk of impacts from smoke emissions remains manageable.</p> <p>Condition 1.2.11 requires the licensee to notify adjacent properties of the intention to burn green waste 24 hours prior to undertaking the burning. This condition requires the licensee to implement commitments made in the supporting documentation to minimise impacts on neighbouring properties.</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Minor  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p>	
Premises Operation	L1.2.8	<p>Condition 1.2.8 is removed as it does not accurately reflect the infrastructures on site. The stormwater drainage system has been in place for many years without a liner. Additionally it has been clarified that all putrescible wastes are received and contained in sealed skip bins therefore eliminating the risk of contamination to storm water from these wastes. Oil and batteries are held within a bunded area and therefore stormwater that flows into the evaporation pond is only run off from a sealed bitumen covered area.</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		Any unauthorised discharges will be subject to provisions of the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .	
Premises Operation	N/A	<p>Previous conditions 1.3.6 and 1.3.7 have been removed from the licence as they replicate requirements of condition 1.2.3.</p> <p>Previous condition 1.3.13 is removed from the licence as the burning of green waste is now permitted.</p> <p>Previous conditions 1.3.14 and 1.3.15 have been removed as they duplicate the requirements of condition 3.3.1, Table 3.3.1.</p>	
Emissions general	N/A	<p>As all emissions conditions are removed, previous condition 2.1.1 is no longer applicable as there are no descriptive or numerical limits in this section.</p> <p>All wording relating to 'no specified conditions' has been removed in line with the DER's current licensing practices.</p>	
Fugitive Emissions	N/A	<p><u>Emission Description</u>  <i>Emission:</i> Dust emissions from waste deposited at the premises and vehicle movements  <i>Impact:</i> Nuisance dust received at nearby receptors. Nearest receptor is adjacent to the north east boundary of the premises.  <i>Controls:</i> The premises has bitumenised entry and exit points, and bluemetal/gravel covered internal roads. The premises accepts a small volume of waste annually, and the majority of wastes are removed on a daily basis.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Low</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Regulatory Controls</u> Previous conditions 2.6.1 and 2.6.2 relating to dust emissions have been removed as they do not specify specific actions to be taken. Dust emissions can be regulated under section 49 of the <i>Environmental Protection Act 1986</i>.</p> <p><u>Residual Risk</u> <i>Consequence</i>: Insignificant <i>Likelihood</i>: Unlikely <i>Risk Rating</i>: Low</p>	
<b>Odour</b>	L1.2.3, L3.1.2	<p><u>Emission Description</u> <i>Emission</i>: Potential additional odours from putrescible wastes being stored for an extra 24 hours at the premises. <i>Impact</i>: Nuisance odours at nearby sensitive receptors. Nearest receptor is adjacent to the north east boundary of the premises. <i>Controls</i>: The licensee stores putrescible waste within enclosed bins and proposes to remove waste from the premises within a maximum of 48 hours of receipt. The premises is licenced to receive no more than 5,000 tonnes of all waste types per annual period and it was recognised during a compliance inspection on 29 April 2013 that actual volumes of putrescible wastes received at the premises were low.</p> <p><u>Risk Assessment</u> <i>Consequence</i>: Insignificant <i>Likelihood</i>: Unlikely <i>Risk Rating</i>: Low</p> <p><u>Regulatory Controls</u> Condition 1.2.3 has been amended to require putrescible waste is removed within 48</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>hours of receipt.</p> <p>Condition 3.1.2 requires a complaints management system to be implemented and reported on. DER will review complaints information and may reassess the risk profile of odour emissions based on this information.</p> <p>Previous condition 2.7.1 relating to odour has been removed as it does not specify specific actions to be taken in relation to odour emissions. Odour emissions are regulated with the above conditions and the general provisions of the <i>Environmental Protection Regulations 1987</i>.</p> <p><u>Residual Risk</u>  <i>Consequence</i>: Insignificant  <i>Likelihood</i>: Unlikely  <i>Risk Rating</i>: Low</p>	
<b>Monitoring</b>	N/A	<p>All wording relating to 'no specified conditions' has been removed.</p> <p>Previous condition 3.6.1 has been renumbered to condition 3.1.1</p> <p>Parameters in Table 3.1.1 have been amended to refer to the new definition of 'Landfill Definitions'.</p>	
<b>Improvements</b>	N/A	<p>IR1 has been complied with so the condition is removed.</p> <p>As there are no improvement conditions the section has been removed.</p>	
<b>Information</b>	L3.1.2  L3.1.4	<p>Previous condition 5.1.2 has been removed as it is not enforceable as the requirements for compliance are not clear.</p> <p>Previous condition 5.1.4 required a complaints management system that as a minimum took the number and details of complaints. Due to the history of complaints at the</p>	



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<p>premises related to smoke emissions, a more detailed complaints management system is now required under condition 3.1.4 to ensure that additional details such as wind direction and wind speed are recorded alongside a complaint, and requires the licensee to analyse and review complaints to identify common factors and route cause and proposals to address these. The DER will review these records along with any complaints made directly to the DER to determine if control measures continue to be effective, and may use this information to reassess control measures in the future.</p> <p>Previous condition 5.1.5 has been removed as conditions (a)(i)-(ii) repeat the requirements of Table 2.1.1, and (a)(iii) has been incorporated into Table 3.2.1.</p>	
<b>Information</b>	L3.2.1	<p>Condition 3.2.1 of the licence requires an annual report to be submitted 'within 28 days after the end of the annual period'. The definitions state that the annual period is 1 April to 31 March, therefore the report must be submitted by 2<sup>nd</sup> of May annually. Condition 3.2.1 previously included this as additional text within the licence however this has led to confusion that the report is due 28 days after the 2<sup>nd</sup> of May.</p> <p>The condition has been amended at the request of the licensee to remove reference to this date to avoid further confusion. The requirement to submit the annual environmental report by the 2<sup>nd</sup> May each year has not changed.</p> <p>Parameters in Table 3.2.1 have been amended to remove the requirement to 'report on any issues rising from DEC inspections..' as this duplicates the requirements of the Annual Audit Compliance Report. Parameters to report on waste received and rejected or leaving the site has been condensed into one parameter, and includes the requirement of previous condition 5.1.5(a)(iii).</p>	
	L3.3.1	<p>Table 3.3.1 has been amended to remove the requirement to report on 'Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution' in line with the DER's current licensing processes as this requirement replicates section 72 of the <i>Environmental Protection Act 1986</i>.</p>	<i>Environmental Protection Act 1986</i>



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		The form required to report on a breach of any limit specified in the Licence is amended to N1, as it was previously incorrectly listed as None specified.	
<b>Licence Duration</b>	N/A	Licence duration has not been altered or reassessed as part of this amendment.	





## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
29/10/2015	Proponent sent a copy of draft instrument	Proponent provided additional information on 24 November 2015 regarding how green waste burning will be controlled and requested proposal not to permit green waste be reconsidered.	Risk assessment was reviewed taking into consideration additional information relating to control measures, and green waste burning was subsequently permitted subject to a number of additional conditions.
10/12/2015	Proponent sent updated copy of draft instrument	Feedback received on 21 December 2015. Request to remove the requirement for a lined evaporation pond as the current pond at the premises is unlined and has been for many years. Clarification that putrescible wastes are stored in contained areas / enclosed bins which will prevent leachate leakage and stormwater ingress.	Condition 1.2.8 relating to management of wastewater has been removed and subsequent conditions numbers updated. Any unauthorised discharges will be subject to the Environmental Protection (Unauthorised Discharges) Regulations 2004. amended to remove reference to a lined evaporation pond.



## 6 Risk Assessment

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

**Table 1: Emissions Risk Matrix**

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