



Government of **Western Australia**
Department of **Environment and Conservation**

Your ref: L7092/1997/10
Our ref: DEC5651
Enquiries: Alan Kietzmann
Phone: 9622 8940
Fax: 9622 8947
Email: Alan.kietzmann@dec.wa.gov.au

The CEO
Shire of Wongan-Ballidu
PO Box 84
Wongan Hills WA 6603

Dear Sir/Madam

Environmental Protection Act 1986

Licence: L7092/1997/10

Occupier: Shire of Wongan-Ballidu

Premises: Ballidu Tip Site, Crown Reserve 28108 Lot 185 Meadows Rd, Ballidu WA 6606

You are hereby advised that a licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment and Conservation will advertise the issuing of this licence in the public notices section of The West Australian newspaper.

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

In accordance with section 102(1)(c) of the Act, you are afforded 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 make an appeal or check if any appeals have been made, contact the Office of the Appeals Convenor on 6467 5190. Please direct all other inquiries to the Licensing Officer above.

Yours faithfully,

Carissa Aitken
A/Manager, Works Approval & Emissions Licensing Section

Thursday 17 November 2011

enc: Environmental Protection Act 1986 Licence 7092/1997/10

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000

Phone: (08) 6467 5000 Fax: (08) 6467 5562

PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009

Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151

Phone: (08) 9219 8000 Fax: (08) 9334 0498

POSTAL ADDRESS FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983

www.dec.wa.gov.au

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WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Environmental Protection Act 1986

ISSUED LICENCE

LICENCE NUMBER: L7092/1997/10

FILE NUMBER: DEC5651

LICENSEE AND OCCUPIER:

The CEO
Shire of Wongan-Ballidu
PO Box 84
Wongan Hills WA 6603

NAME AND LOCATION OF PREMISES:

Ballidu Tip Site,
Crown Reserve 28108 Lot 185 Meadow Rd
Ballidu WA 6606

Environmental Protection Regulations 1987

CLASSIFICATION(S) OF PREMISES:

Category 64 Class II or III putrescibles landfill site

COMMENCEMENT DATE OF LICENCE: Saturday 3 December 2011

EXPIRY DATE OF LICENCE: Friday 2 December 2016

CONDITIONS OF LICENCE:

As described and attached:



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

Date of Issue: Thursday 17 November 2011

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PREAMBLE

Applicability

This licence is for the Shire of Wongan-Ballidu to operate the Ballidu Landfill Site, located on Crown Reserve 28108, Lot 185 Meadows Road, Ballidu, WA 6066. This is a prescribed premises within Schedule 1 of the *Environmental Protection Regulations 1987*, as outlined in Table 1. The activities include, but are not necessarily limited to, the following operations:

- Burial of Class II putrescible waste

Table 1: Category under which the Ballid Landfill Site is prescribed.

Category number	Category name	Description	Production or design capacity
64	Class II putrescible landfill site	Premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial.	20 tonnes or more per year

Nominal Rated Throughput

The nominal rated throughput of the premises covered by this licence is in accordance with the following:

- Production or design capacity: Greater than 20 and less than 5000 tonnes per year

The premises receives approximately 100-150 tonnes of waste per annum.

Any increase greater than 10% above the nominal rated throughput listed shall not occur unless the licensee has been granted prior approval in writing from the Director under the provisions of the *Environmental Protection Act 1986*.

Emergency, Accident or Malfunction

The licensee should inform the Director as soon as is practicable of the identification of any discharge of waste which has occurred as a result of an emergency, accident or malfunction, or extreme weather conditions, otherwise than in accordance with any condition of this works approval and has caused or is likely to cause pollution.

Alteration to Premises

Prior to making any significant alterations to the premises which may affect the air, water or noise emissions from the premises, the licensee must submit a proposal to the Director accompanied

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by supporting information and plans which allow the environmental impact of the change to be assessed.

General Requirements

The following statements reflect important sections of the *Environmental Protection Act 1986* and are included for the information of the licensee:

- Noise emissions from operations on site are required to comply with the *Environmental Protection (Noise) Regulations 1997*;
- the licensee should take all reasonable and practicable measures to prevent or minimise the discharge of waste and the emission of noise, odours or electromagnetic radiation from the premises; and
- the licensee should inform the Director at least 24 hours prior to the commencement of any planned non-standard operations, which may have the potential to cause pollution.

Compliance with other Acts, Regulations and Policy

The licensee should be aware that these conditions do not exempt them from other statutory obligations under the *Bush Fires Act 1954*, *Environmental Protection Act 1986* or *Health Act 1911*. Where there is conflict between the conditions set in this licence and any Act or Regulation, the latter takes precedence.

Where appropriate, the licensee should be aware of and comply with the following policy documents issued by the Department of Environment and Conservation (and advise the Director where the licensee is unable to comply with any of the documents):

- Landfill Waste Classification and Waste Definitions 1996 (as amended);
- Guidelines for Acceptance of Solid Waste to Landfills, January 2001;
- Code of Practice Rural Landfill Management, November 2000;
- Code of Practice Management of Clinical and Related Wastes; and
- Guideline Groundwater Monitoring at Municipal Landfill Sites issued by the Department of Minerals and Petroleum Resources (Geological Survey of WA).

Green waste

The licensee should be aware that the Fire and Emergency Services Authority of Western Australia (FESA) authorise burning of greenwaste during Prohibited and Restricted Burning Times under the *Bush Fires Act 1954*. The licensee should also be aware that one of the State's objectives is to divert segregated greenwaste from landfills. The licensee should endeavour to implement strategies that will meet this objective.

Buffers

In the past, landfills have caused significant offsite impacts to adjacent land which have resulted in restrictions being placed on the landfill's operations. To minimise these impacts, a 35 metre internal buffer zone has been set in this licence, however this may not be adequate and the buffer distance set in the code of practice for 'Rural Landfill Management' management should be followed where possible. Where appropriate buffer distances cannot be maintained and protected in the local authority's town planning scheme it can be expected that the internal buffer distance will be increased to compensate for the loss of buffer distance.

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CONDITIONS OF LICENCE

DEFINITIONS

In these conditions of licence, unless inconsistent with the text or subject matter:

"approved" and "approval" means approved and approval in writing from time to time, respectively;

"authorised person or inspector" means an authorised person or inspector as defined in sections 87 and 88 respectively of the *Environmental Protection Act 1986*;

"clean fill" means material that will have no harmful effects on the environment and which consists of rock or soil arising from the excavation of undisturbed material. For material not from a clean excavation, it must be validated to have contaminants below relevant ecological investigation levels (as defined in the document *Assessment Levels for Soil, Sediment and Water, Department of Environment, 2003*);

"cover material" means subsoil or other approved inert waste used for covering of waste;

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

"Director" and "Department of Environment and Conservation" for the purpose of correspondence means:

Regional Manager, Wheatbelt Region
Wheatbelt Regional Office
Department of Environment and Conservation
PO Box 100
NARROGIN WA 6714

Telephone: 9622 8940
Facsimile: 9622 8947;

"DEC" means the Department of Environment and Conservation;

"designated burning area" means an area of a the premises that has been designated by the occupier of the premises as a designated burning area and which:

- (a) is at least 50 metres from the boundary of the premises;
- (b) has no flammable material on it, other than the greenwaste and live trees, for a radius of 50 metres;
- (c) is positioned in the area of the site where waste (other than the greenwaste to be burnt) has not been deposited; and
- (d) is at least 500 metres from any person's residence or place of employment (other than the landfill site) or an educational institution, hospital or other public place.

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"FESA" means the Fire and Emergency Services Authority of Western Australia;

"Fire Control Officer", in relation to the premises, means a person who has such qualifications in fire fighting or fire control as are approved, appointed to that position by the occupier of the premises;

"garden waste or green waste" means biodegradable waste comprising plants and their component parts such as flower cuttings, hedge trimmings, branches, grass, leaves, plants, seeds, shrub and tree loppings, tree trunks, tree stumps and similar materials and includes any mixture of those materials;

"green waste storage area" means any area where greenwaste is stored pending processing and/or any area where there is a mulched greenwaste windrow;

"Inert Waste Type 1" means waste as defined in the DEC document titled 'Landfill Waste Classification and Waste Definitions' 1996 (As amended December 2009);

"Inert Waste Type 2" means waste as defined in the document titled 'Landfill Waste Classification and Waste Definitions' 1996 (As amended December 2009);

"Inspector" means a person appointed to be an Inspector under Section 88 of the *Environmental Protection Act 1986 (the Act)*;

"internal buffer distance" means the distance from the boundary of the premises to any area on the premises used for disposal, storage or transfer of waste;

'*Landfill Waste Classification and Waste Definitions*' 1996 (As amended December 2009); means the DEC document of that name published by the Director General, Department of Environment and Conservation on 17 December 2009 pursuant to items 63, 64 65 and 66 in Schedule 1, Part 1 of the Environmental Protection Regulations 1987;

"licensee" means the Shire of Wongan-Ballidu;

"mm" means millimetre;

"mg/L" means milligrams per litre;

"NATA" means National Association of Testing Authorities;

"premises" means Shire of Wongan-Ballidu, Ballidu Landfill Site, located on Crown Reserve 28108, Lot 185 Meadows Road, Ballidu, WA 6066 as depicted in Attachment 2;

"putrescible waste" means the organic component of the waste stream which can be decomposed by microbial action and become putrid and likely to cause obnoxious odours and attract (scavenging) birds or animals; putrescible waste includes food wastes or wastes of animal or vegetable origin;

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"surface water body" means any natural or artificial water course or wetland (as those terms are defined in the *Rights in Water Irrigation Act 1914*), dam or other impoundment and any other surface water exposed to the atmosphere; and

"tipping area" means the area of the premises where waste currently being brought to the premises is being deposited.

GENERAL CONDITIONS

WASTE ACCEPTANCE AND MANAGEMENT

1. The licensee shall accept and bury only the following types of waste at the premises:

- (a) clean fill;
- (b) Type 1 inert wastes;
- (c) Type 2 inert wastes;
- (d) putrescible wastes; and
- (g) other wastes, including contaminated solid wastes, that comply with Class II criteria in the document titled 'Landfill Waste Classification and Waste Definitions' 1996 (as amended).

MANAGEMENT OF LANDFILL ACTIVITIES

2. The licensee shall ensure that:

- (a) no waste is placed closer than 35 metres to the premises boundary;
- (b) waste is placed in a defined trench or within an area enclosed by earthen bunds;
- (c) the tipping area is restricted to a maximum linear length of 30 metres;
- (d) waste in the tipping area is covered in accordance with Table 1a;
- (e) there is enough cover material to cover waste in accordance with part (d) of this condition, at least twice;
- (f) waste is covered with cover material;
- (g) waste is totally covered so that no waste is left exposed;
- (h) the tipping area is no greater than two metres in height;
- (i) waste shall be covered with a final cover at last one metre and
- (j) waste shall be covered monthly

3. The licensee shall maintain a perimeter fence around the site, a minimum of 1.8 metres in height, to restrict public access to the site to one point only, and to effectively control wind-blown waste.

4. The licensee shall ensure that a fortnightly inspection of the fence referred to in conditions 3 is undertaken and any damage to the fence is repaired within one working day of its discovery.

WIND-BLOWN WASTE

5. The licensee shall ensure that wind-blown waste is contained within the boundaries of the premises.

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6. The licensee shall ensure that any waste that has been washed or blown away from the tipping area is collected and returned to the tipping area on a monthly basis.

SIGNAGE

7. The licensee shall maintain a sign at the entrance to the premises which clearly displays the following:

- (a) hours of operation (if applicable);
- (b) contact telephone number for information and complaints or notification of fires;
- (c) where applicable, a list of materials acceptable for recycling and the location of where they can be deposited on the premises;
- (d) the types of waste that must not be deposited on the premises and a contact telephone number for alternative disposal options; and
- (e) a warning, indicating penalties for people lighting fires.

AIR POLLUTION CONTROL CONDITIONS

DUST SUPPRESSION

8. The licensee shall ensure that no visible dust crossed the boundary of the premises.

BURNING OF WASTE

9. The licensee shall not burn or allow the burning of non-greenwaste on the premises. The licensee shall ensure that no cardboard shall be burnt.

10. If green waste is burnt on the premises, the licensee, or a person nominated by the licensee, shall:

- (a) ensure the green waste is dry and seasoned for at least two months before being burnt;
- (b) ensure the greenwaste is burnt in a designated burning area;
- (c) provide an adequate water supply and distribution system to prevent fires from escaping beyond the greenwaste area;
- (d) burn greenwaste in a manner to minimise the generation of smoke;
- (e) burn greenwaste in windrows or trenches;
- (f) burning does not commence before 8 a.m. and the Fire Control Officer for the landfill site declares the area safe by 12 noon on the same day;
- (g) ensure that, from the time burning commences until the Fire Control Officer for the premises declares the area safe;
 - (i) a fire fighting vehicle carrying at least 500 litres of water, fitted with at least 30 metres of 19 mm diameter rubber hose and with a pump capacity capable of delivering a minimum of 250 litres of water per minute at a minimum of 700 kPA through a nozzle capable of projecting water by spray or by jet; and
 - (ii) 2 persons, who have such qualifications in fire fighting as are approved.

11. The licensee shall ensure that there are appropriate procedures in place at the premises so that any unauthorised fire is promptly extinguished;

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12. The licensee shall ensure that an unauthorised fire on the premises is extinguished as soon as possible.
13. The licensee shall provide the Director with a report on an unauthorised fire within 14 days of the fire and include:
 - (a) details of the date, time and location of the fire;
 - (b) the time the fire was declared safe by the Fire Control Officer for the premises; and
 - (c) the cause, or suspected cause, of the fire.

WATER POLLUTION CONTROL CONDITIONS

STORMWATER MANAGEMENT

14. The licensee shall direct storm water away from the tipping area.
15. The licensee shall ensure storm water drains on the premises are kept clear to allow for drainage.
16. The licensee shall ensure that water that has come into contact with waste is diverted into a sump on the premises or otherwise retained on the premises.

PROTECTION OF GROUND AND SURFACE WATERS

17. The licensee shall maintain an undisturbed separation distance of at least three metres between the waste and the highest level of the water table aquifer at the premises.
18. The licensee shall maintain a minimum distance of at least 100 metres between the waste disposal site and any superficial water body.

COMPLAINTS

19. The licensee shall keep a record of all complaints received at the premises concerning the environmental impact of the premises. The record must be dated and provide the following:
 - (a) the date and time of the complaint;
 - (b) the method by which the complaint was lodged;
 - (c) personal details (if any) provided by the complainant;
 - (d) wind direction and temperature;
 - (e) the nature of the complaint; and
 - (f) the action taken by the licensee in relation to the complaint, including follow-up actions.
20. The record referred to in condition 19 shall be available for viewing or copying during any inspection of the premises by DEC.

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GENERAL REPORTING CONDITIONS

ANNUAL MONITORING REPORT

21. The licensee shall submit to the Director by 30 October in each year, an Annual Monitoring Report which shall contain, but not be limited to:
- (a) details of the landfill cells used for active filling during the Monitoring and Reporting Period;
 - (b) measures to control pests and vermin;
 - (c) measures taken to suppress dust;
 - (d) the results of any environmental monitoring undertaken at the site;
 - (e) any changes to site boundaries, internal buffer zones, and asbestos waste disposal areas;
 - (f) measures taken to control windblown waste;
 - (g) any changes to the location of any surface drainage channels;
 - (h) average compaction rates; and
 - (i) details of any environmental complaints recorded as required by condition 19 of this licence, including the number of complaints, the general nature of the complaints and any action taken as a result of a complaint being received.

ANNUAL AUDIT COMPLIANCE REPORT

22. The licensee shall by 30 October in each year, provide to the Director an Annual Audit Compliance Report in the form in Attachment 1 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the Premises, during the period beginning 1 October the previous year and ending on 30 September in that year.

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L7092/1997/10

FILE NUMBER: DEC5651

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 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L7092/1997/10

FILE NUMBER: DEC5651

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 DEC?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DEC verbally Date _____ <input type="checkbox"/> Reported to DEC in writing Date _____	<input type="checkbox"/> No
d) Has DEC taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report
 INITIAL: _____

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L7092/1997/10

FILE NUMBER: DEC5651

SECTION C - SIGNATURE AND CERTIFICATION

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

ATTACHMENT 2 – Plan of Premises

LICENCE NUMBER L7092/1997/10

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