



Chief Executive Officer  
Shire of Pingelly  
17 Queen Street  
PINGELLY WA 6308

Dear Mr Oliver

**ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED**

**Premises**

Pingelly Waste Management Facility  
Lot 308 on Plan 64585 (Crown Reserve 22955) Great Southern Highway, Pingelly  
**Licence Number:** L7104/1997/12

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.

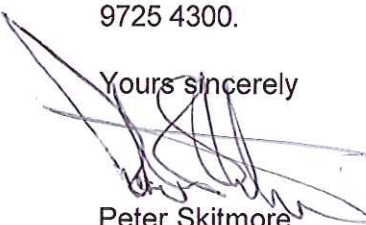
The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000.

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 Elizabeth Whisson on 9725 4300.

Yours sincerely



Peter Skitmore  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*  
Thursday, 11 July 2013





# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Shire of Pingelly

**Licence:** L7104/1997/12

**Registered Office:** 17 Queen Street  
PINGELLY WA 6308

**ACN:** 30 389 182 782

**Premises Address:** Lot 308 on Plan 64585 (Crown Reserve 22955) Great Southern Highway as depicted in Schedule 1  
PINGELLY WA 6308

**Issue Date:** Thursday, 11 July 2013

**Commencement Date:** Saturday, 20 July 2013

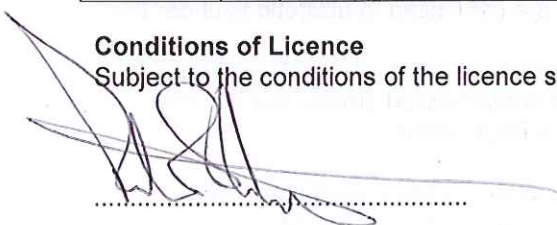
**Expiry Date:** Thursday, 19 July 2018

**Prescribed Premises Category**  
Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Premises production or design capacity
64	Class II or III putrescible landfill site: premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial.	20 tonnes or more per year	Less than 5 000 tonnes per year

### Conditions of Licence

Subject to the conditions of the licence set out in the attached pages.

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





## Contents

Licence	1
Contents	2
Introduction	2
Licence conditions	5
1 General	5
2 Emissions	11
3 Monitoring	12
4 Improvements	13
5 Information	13
Schedule 1: Maps	15
Schedule 2: Reporting & notification forms	17

## Introduction

This Introduction is not part of the Licence conditions.

### Who we are

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

### Our industry licensing role

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

### Licence requirements

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

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. These can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

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

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



You should comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply. Additional guidance on pollution prevention can be found in the Department of Water's Water Quality Protection Guidelines and Codes of Practice accessed through:

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

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

**Licence Fees**

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

**Ministerial conditions**

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

**Premises description and Licence summary**

The Pingelly Waste Management Facility (Pingelly WMF) is a Class II putrescible landfill that accepts up to 400 tonnes of waste per year. During the 2012 calendar year the waste at the landfill consisted of approximately 120 m<sup>3</sup> of compacted domestic refuse, 80 m<sup>3</sup> of compacted steel and 80 m<sup>3</sup> compacted green waste. Green waste is usually burnt onsite. The site also receives waste oil (deposited into a federally funded waste oil collection facility) and asbestos by special individual arrangements. Car bodies (scrap metal) and building rubble are also separated. A small amount of sewage is accepted (3 loads per year) and deposited into the effluent pit at the premises.

The site is open to the public four days a week from Friday to Monday and is not manned.

The closest sensitive receptor is a residence located approximately 800 m north. This conforms with the Environmental Protection Authority's Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses dated June 2005 which states that the buffer distance should be at least 500 m for sensitive uses (subdivisions) and 150 m for single residences and an internal buffer of 35 m from the boundary.

The site has a gentle slope from the NW corner to the SE corner. There is threatened flora approximately 300 m E and 450 m NE from the premises. Threatened fauna have been sighted approximately 800 m N or the premises. There is a minor river, Avon River South, approximately 700 m NE of the premises.

This Licence is the successor to licence L7104/1997/11 and includes changes to the format of the licence to a REFIRE style licence and some changes to conditions including the removal of the acceptance of inert waste type 2 and addition of liquid waste pond conditions.

The licences and works approvals issued for the Premises since 17/07/2008 are:

Instrument log		
Instrument	Issued	Description
L7104/1997/11	17/07/2008	Licence re-issue





L7104/1997/11	04/09/2008	Amendment
L7104/1997/12	11/07/2013	Licence re-issue (this licence – REFIRE format)

**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:

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

“annual” means the inclusive period from 1 January to 31 December;

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

“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 (as defined in the “Landfill Waste Classification and Waste Definitions 1996”); 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”);

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

“Contact Address” for the purpose of correspondence and advice means:

Regional Leader, Industry Regulation, Wheatbelt Region  
Department of Environment Regulation  
PO Box 100  
NARROGIN WA 6312  
Telephone: (08) 9621 3400  
Facsimile: (08) 9621 3410

Email: [wheatbeltir@der.wa.gov.au](mailto:wheatbeltir@der.wa.gov.au);

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

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

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

- (a) is at least 50 m from the boundary of the premises;
- (b) has no flammable material on it, other than the green waste and live trees, for a radius of 50 m;
- (c) is positioned in the area of the site where waste (other than the green waste to be burnt) has not been deposited; and





- (d) is at least 500 m from any person's residence or place of employment (other than the landfill site) or an educational institution, hospital or other public place;

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

**"environmentally hazardous material"** means material (either solid or liquid 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;

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

**"fugitive emissions"** means all emissions not arising from point sources;

**"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 an mixture of those materials;

**"Inert Waste Type 1"** means waste as defined in the DEC document titled "Landfill Waste Classification and Waste Definitions 1996";

**"Landfill Waste Classification and Waste Definitions"** refers to the document published by the Director General, Department of Environment and Conservation on 17 December 2009;

**"Licence"** means this Licence numbered L7104/1997/12 and issued under the *Environmental Protection Act 1986*;

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

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

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

**"putrescible waste"** means the component of the waste stream likely to become putrid – including wastes that contain organic materials such as food wastes or wastes of animal or vegetable origin, which readily biodegrade within the environment of a landfill, as defined in the document titled "Landfill Waste Classification and Waste Definition 1996";

**"Special Waste Type 1"** means waste which includes asbestos and asbestos cement products as defined in the document titled "Landfill Waste Classification and Waste Definitions 1996";

**"Special Waste Type 2"** means waste which includes clinical waste and products as defined in the document titled "Landfill Waste Classification and Waste Definitions 1996";

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

**"tipping area"** means the area of the Premises where waste currently being brought to the Premises is being deposited; and





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

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

**1.2 General conditions**

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:  
 (a) pollution;  
 (b) unreasonable emission;  
 (c) discharge of waste in circumstances likely to cause pollution; or  
 (d) being contrary to any written law.

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

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall only store substances that are classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if they are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods.

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

**Stormwater control**

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

**1.3 Premises operation**

1.3.1 The Licensee shall only allow waste to be accepted onto the Premises if:  
 (a) it is of a type listed in Table 1.3.1;  
 (b) the quantity accepted is below any 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	Quantity Limit	Specification
Clean fill	Combined total of up to 400 tonnes per year	None specified
Inert Waste Type 1		None specified
Putrescible Waste (including green waste)		None specified
Special Waste Type 1 (Asbestos waste)		None specified
Special Waste Type 2 (Biomedical waste)		None specified
Waste oil		None specified
Scrap metal		None specified
Liquid waste		Controlled Waste Category 1.02



- 1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 of this Licence it is removed from the Premises by the delivery vehicle or, where that is not possible, the Licensee shall contact the Director to agree to a course of action in relation to the waste.
- 1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.3.3 and in accordance with any process limits described in that Table.

<b>Table 1.3.3: Waste processing</b>		
<b>Waste type</b>	<b>Process</b>	<b>Process Limits</b>
Clean fill	None specified	None specified
Inert Waste Type 1	None specified	None specified
Putrescible waste (not including green waste)	Place waste within a defined trench or within an area enclosed by earthen or other bunds	None specified
Green waste	Storage prior to mulching, composting or burning	See condition 1.3.12
Special Waste Type 1 (Asbestos waste)	Disposal in a separate trench designated for the disposal of Special Waste Types 1 and 2	See condition 1.3.6
Special Waste Type 2 (Biomedical waste)		
Waste oil	Stored in a self bunded oil receptacle	None specified
Scrap metal	Stored in a designated area	None specified
Liquid waste	Placed in designated pond	None specified

- 1.3.4 The Licensee shall:
- (a) ensure that no waste is placed closer than 35 m to the Premises boundary;
  - (b) place waste within a defined trench or within an area enclosed by earthen or other bunds;
  - (c) restrict the tipping area to a maximum linear length of 30 m;
  - (d) cover waste with at least 200 mm of cover material at least monthly;
  - (e) stockpile sufficient cover material to allow waste to be covered in accordance with part (d) of this condition at least twice;
  - (f) manage the active landfill area such that at no time does landfilling result in an exposed face exceeding 2 m in vertical height; and
  - (g) cover waste with a final soil cover of at least 1 m.
- 1.3.5 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.

**Special Wastes Type 1 and 2**

- 1.3.6 The Licensee shall:
- (a) ensure that Special Wastes Type 1 and 2 are disposed of under the personal supervision of the Licensee, or the personal supervision of a person nominated by the Licensee;
  - (b) ensure that Special Wastes Type 1 (material containing asbestos) and 2 (material containing biomedical waste) is covered as soon as practicable, after its disposal, with a minimum depth of 1 m of cover material;
  - (c) ensure that an accurate and up to date register is kept of Special Wastes Type 1 and 2 disposed of at the Premises and include the following information in the register within 2 hours of supervising the covering of waste:
    - (i) the date;





- (ii) the person's name that disposed of the waste;
  - (iii) that the waste has been covered in accordance with condition 1.3.6(b) of this Licence; and
  - (iv) the name of the person who supervised the covering of the waste; and
- (d) maintain a plan showing the current location of Special Wastes Type 1 and 2 disposed of at the Premises.

#### **Security and Signage**

- 1.3.7 The Licensee shall implement the following security measures at the site:
- (a) maintain a fence, at least 1.8 m high, around the perimeter of the Premises except where there is a lockable gate;
  - (b) undertake monthly maintenance inspections of the fence and gates referred to in part (a) of this condition and ensure that any damage to the fencing or gate(s) are repaired as soon as practicable.
- 1.3.8 The Licensee shall maintain a sign(s) at the entrance to the Premises which clearly displays the following information:
- (a) a contact telephone number for information and complaints or notification of fires;
  - (b) a list of materials that are accepted at the Premises;
  - (c) the types of waste that must not be deposited on the Premises and a contact telephone number for alternative disposal options; and
  - (d) a warning, indicating penalties for people lighting fires.

#### **Windblown Waste**

- 1.3.9 The Licensee shall ensure that windblown waste is contained within the boundaries of the Premises.
- 1.3.10 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.

#### **Burning of Waste and Unauthorised Fires**

- 1.3.11 The Licensee shall not burn or allow the burning of any non-green waste on the Premises.
- 1.3.12 Where green waste is unable to be mulched or composted, and green waste is required to be burnt at the Premises, the Licensee, or a person nominated by the Licensee, shall:
- (a) ensure the green waste is dry and seasoned for at least 2 months before being burnt;
  - (b) ensure the green waste is burnt in a designated burning area;
  - (c) provide an adequate water supply and distribution system to prevent fires from escaping beyond the designated burning area;
  - (d) burn green waste in a manner to minimise smoke generation;
  - (e) burn green waste in windrows or trenches;
  - (f) ensure burning does not commence before 0800 hours and the Fire Control Officer for the Premises declares the area safe by 1200 hours on the same day;
  - (g) ensure that, from the time burning commences until the Fire Control Officer for the Premises declares the area safe, there is/are:
    - (i) a fire fighting vehicle carrying at least 500 litres of water, fitted with at least 30 m of 19 mm diameter rubber hose and with a pump capacity capable of delivering a minimum 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) two persons, who have fire fighting qualifications.





- 1.3.13 The Licensee shall ensure that there are appropriate procedures in place at the Premises so that any unauthorised fire is promptly extinguished.
- 1.3.14 The Licensee shall provide to the Director a report detailing, but not limited to, the following information:
- (a) the date and time that the unauthorised fire was first discovered;
  - (b) the date and time that the unauthorised fire was extinguished;
  - (c) the location of the unauthorised fire;
  - (d) the known or suspected cause of the unauthorised fire;
  - (e) any known or suspected damage to the landfill or landfill infrastructure as a result of the unauthorised fire;
  - (f) actions undertaken by the Licensee to replace or repair any damage to the landfill or landfill infrastructure; and
  - (g) actions undertaken by the Licensee to prevent another unauthorised fire occurring at the Premises from the same known or suspected cause.
- 1.3.15 The Licensee shall provide the report referred to in condition 1.3.14 of this Licence within 14 days from the time of becoming aware of an unauthorised fire.

**Protection of ground and surface waters**

- 1.3.16 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.
- 1.3.17 The Licensee shall maintain a minimum horizontal distance of at least 100 m between the current tipping area and any surface water body.

**Liquid Waste**

- 1.3.18 The Licensee shall ensure that sewage and sewage sludge waste is disposed of to the liquid waste pond.
- 1.3.19 The Licensee shall ensure that a minimum freeboard of 500 mm is maintained in the liquid waste pond at all times.



## **2 Emissions**

### **2.1 General**

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

### **2.2 Point source emissions to air**

There are no specified conditions relating to point source emissions to air in this section.

### **2.3 Point source emissions to surface water**

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

### **2.4 Point source emissions to groundwater**

There are no specified conditions relating to point source emissions to groundwater in this section.

### **2.5 Emissions to land**

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

### **2.6 Fugitive emissions**

- 2.6.1 The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.

### **2.7 Odour**

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

### **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 Monitoring of point source emissions to air

There are no specified conditions relating to monitoring of point source emissions to air in this section.

#### 3.3 Monitoring of point source emissions to surface water

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

#### 3.4 Monitoring of point source emissions to groundwater

There are no specified conditions relating to monitoring of point source emissions to groundwater in this section.

#### 3.5 Monitoring of emissions to land

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

#### 3.6 Monitoring of inputs and outputs

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

Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Clean fill, Inert Waste Type 1, Putrescible Waste (including green waste), Special Wastes Type 1 and 2 and liquid waste	Estimated tonnes	N/A	Estimated per annum
Waste Outputs	Waste oil, scrap metal	Estimated tonnes	N/A	Estimated per annum

#### 3.7 Process monitoring

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

#### 3.8 Ambient environmental quality monitoring

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

#### 3.9 Meteorological monitoring

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





## 4 Improvements

### 4.1 Improvement programme

There are no specified improvement conditions in this section.

## 5 Information

### 5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) of this Licence 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 groundwater.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous year.

5.1.4 The 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 Director at the Contact Address an annual environmental report within 28 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 <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken	None specified
2.6.1	The measures taken to suppress dust	None specified
1.3.9 - 1.3.10	The measures taken to control windblown waste	None specified
3.6.1	The estimated amount of waste received at and removed from the site during the reporting period	None specified



1.3.6	Copies of the register and plan for Special Wastes Type 1 and 2 required by conditions 1.3.6(c) and 1.3.6(d) of this Licence	None specified
5.1.3	Compliance	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) the average compaction rates;
  - (b) any issues raised from inspections or incident responses during the reporting period together with details as to how these have been addressed/rectified or, if the required work has yet to be completed, how and when they will be rectified/completed; and
  - (c) any changes to site boundaries, internal buffer zones, Special Waste Types 1 and 2 disposal area(s), surface drainage channels and onsite or offsite impacts or pollution.

### 5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the Director at the Contact Address and in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	As soon as practicable	N1
1.3.14 - 1.3.15	Unauthorised fire	Within 14 days from the time of becoming aware of an unauthorised fire as per condition 1.3.15 of this Licence	None specified

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

Note 2: Forms are in Schedule 2





# Schedule 1: Maps

## Premises map

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



**LEGEND**

- Local Government Authorities
- Narrgin 80cm Orthomosaic - Landgate 2005

Scale 1:3558  
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994  
Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Prepared by: elizabelle  
Prepared for:  
Date: 17/06/2013 2:56:34 PM

Information derived from this map should be confirmed with the data custodian acknowledged in the legend.

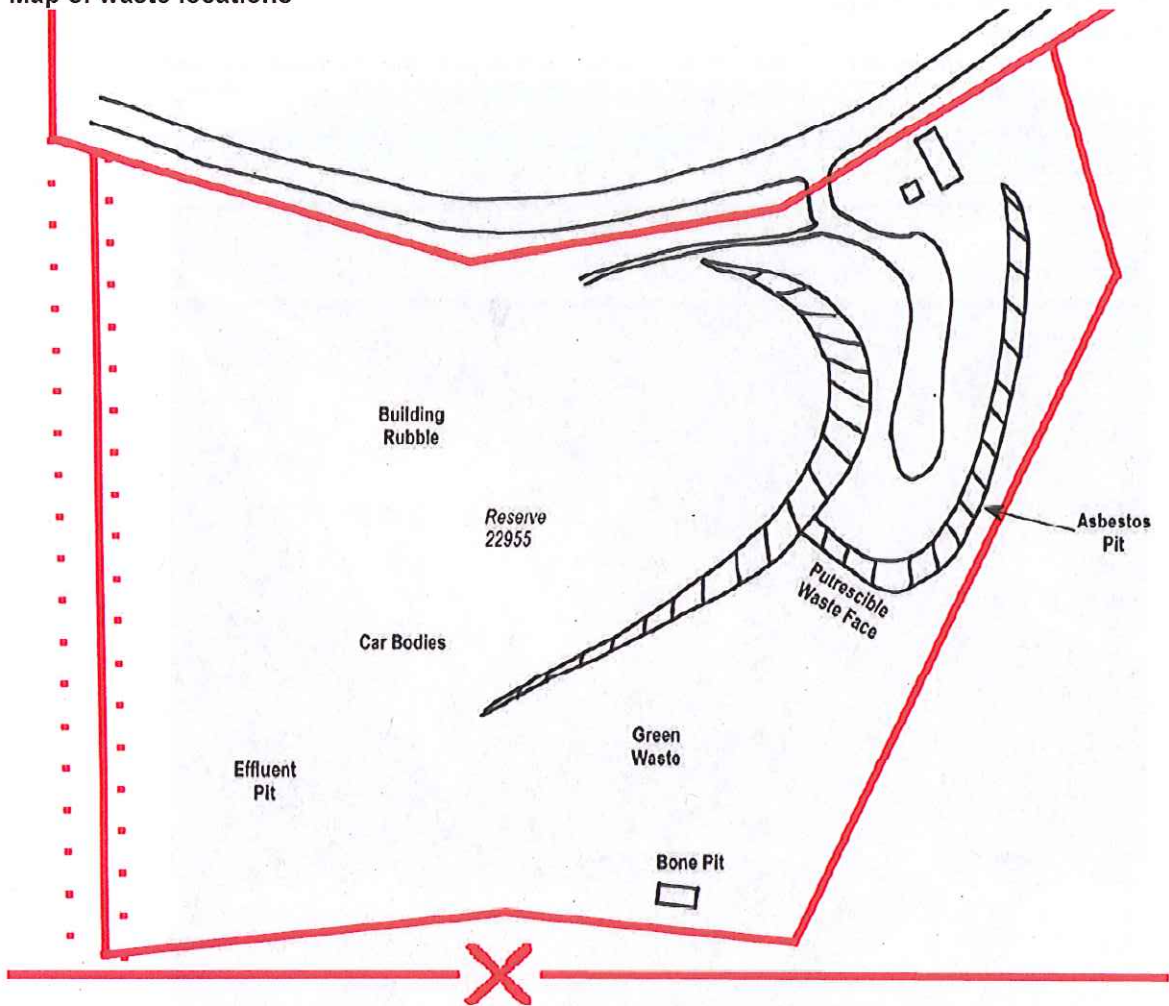
Department of Environment and Conservation  
Our environment, our future  
All Other Copyrights

\* Project Data. This data has not been quality assured. Please contact map author for details.





Map of waste locations





## 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.

Copies of the original monitoring reports must also be submitted.

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Licence: L7104/1997/12 Licensee: Shire of Pingelly  
Form: AACR Period:  
Name: Annual audit compliance report

### Annual audit compliance report

#### Section A: Statement of compliance with Licence conditions

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

Each page must be initialled by the person(s) who signs Section C of this annual audit compliance report (AACR).

Initial:



**Section B: Details of non-compliance with Licence condition**

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

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

Initial:





**Section C: Signature and certification**

This AACR may only be signed by a person(s) with legal authority to sign it as defined below. Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the Licence holder is		The AACR must be signed and certified:
an individual	<input type="checkbox"/>  <input type="checkbox"/>	by the individual Licence holder, or  by a person approved in writing by the Chief Executive Officer (CEO) of DER to sign on the Licensee's behalf.
a corporation	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	by affixing the common seal of the Licensee in accordance with the Corporations Act 2001; or  by two directors of the Licensee; or  by a director and a company secretary of the Licensee, or  if the Licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or  by the principal executive officer of the Licensee; or  by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DER.
A public authority (other than a local government)	<input type="checkbox"/>  <input type="checkbox"/>	by the principal executive officer of the Licensee; or  by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DER.
a local government	<input type="checkbox"/>  <input type="checkbox"/>	by the CEO of the Licensee; or  by affixing the seal of the local government.

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

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

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Name: (printed) \_\_\_\_\_ Name: (printed) \_\_\_\_\_

Position: \_\_\_\_\_ Position: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Seal (if signing under seal)



Government of Western Australia  
Department of Environment Regulation

Licence: L7104/1997/12  
Form: N1

Licensee: Shire of Pingelly  
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>	
<b>To be notified as soon as practicable and no later than 5PM of the next working day</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>	
<b>To be notified as soon as practicable and no later than 5PM of the next working day</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 - to be submitted as soon as practicable**

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

Name*	
Post	
Signature on behalf of Shire of Pingelly	
Date	







# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Shire of Pingelly

**Licence:** L7104/1997/12

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**Registered Office:** 17 Queen Street  
PINGELLY WA 6308

**Premises Address:** Lot 308 on Plan 64585 (Crown Reserve 22955) Great Southern Highway  
PINGELLY WA 6308

**Issue Date:** Thursday, 11 July 2013

**Commencement Date:** Saturday, 20 July 2013

**Expiry Date:** Thursday, 19 July 2018

### Decision

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

Decision document prepared by:

Elizabeth Whisson.....  
Regional Environmental Officer

Decision Document Authorised By:

Alan Kietzmann.....  
Regional Leader



## Contents

Decision Document	1
Contents	2
1 Purpose of this Document	2
2 Administrative Summary	3
4 Decision Table	5
5 Advertisement and Consultation Table	11
Appendix A	12

### 1 Purpose of this Document

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

#### Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

##### Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.3, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.3, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

##### Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions are justified in Section 4 of this document.

##### Non standard conditions (NSC)

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





## 2 Administrative Summary

Administrative Details									
Application Type	Works Approval <input type="checkbox"/> New Licence <input checked="" type="checkbox"/> Licence Amendment <input type="checkbox"/> Works Approval Amendment <input type="checkbox"/>								
Activities that cause the premises to become prescribed premises	<table border="1"> <thead> <tr> <th>Category Number(s)</th> <th>Design Capacity</th> </tr> </thead> <tbody> <tr> <td>64</td> <td>Less than 5 000 tonnes per year</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Category Number(s)	Design Capacity	64	Less than 5 000 tonnes per year				
	Category Number(s)	Design Capacity							
	64	Less than 5 000 tonnes per year							
Application Verified	Date: 19/04/2013								
Application Fee Paid	Date: 16/05/2013								
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"/> Referral Decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>								
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Ministerial Statement No: EPA Report No:								
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>								
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
If Yes include details of which EPP(s) here.									
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.									



### **3 Executive summary of proposal**

The Pingelly Waste Management Facility (Pingelly WMF) is a Class II putrescible landfill that accepts less than 5 000 tonnes of waste per year. During the 2012 calendar year the waste at the landfill consisted of approximately 120 m<sup>3</sup> of compacted domestic refuse, 80 m<sup>3</sup> of compacted steel and 80 m<sup>3</sup> compacted green waste. Green waste is usually burnt onsite. The site also receives waste oil (deposited into a federally funded waste oil collection facility) and asbestos by special individual arrangements. Car bodies (scrap metal) and building rubble are also separated.

The site is open to the public four days a week from Friday to Monday and is not manned.

The closest sensitive receptor is a residence located approximately 800 m north. This conforms with the Environmental Protection Authority's Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses dated June 2005 which states that the buffer distance should be at least 500 m for sensitive uses (subdivisions) and 150 m for single residences and an internal buffer of 35 m from the boundary.

There is threatened flora approximately 300 m E and 450 m NE from the premises. Threatened fauna have been sighted approximately 800 m N of the premises. There is a minor river, Avon River South, approximately 700 m NE of the premises.



## 4 Decision Table

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

DECISION TABLE				
Works Approval / Licence Section	Condition Number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference Documents
General Conditions	L1.2.5	OSC	<p><b>Operation</b>  <i>Emission Significance - 3</i>  <i>Socio-political context - No</i>  <i>Risk Assessment - D - Licence conditions</i></p> <p>There is potential for stormwater to become contaminated and potentially pollute areas offsite if the stormwater is not managed correctly. Therefore, OSC L1.2.5 has been added to the licence to ensure that uncontaminated stormwater is kept separate from contaminated or potentially contaminated stormwater.</p>	General provisions of the <i>Environmental Protection Act 1986</i>
	L1.3.1 L1.3.3	NSC NSC	<p>The premises is a small, rural landfill and is able to accept wastes that are classified as class II as per the document titled <i>Landfill Waste Classification and Waste Definitions 1996 (as amended)</i>. It is important that the site only accepts and processes the waste in an appropriate manner so as to minimise any emissions or discharges to the environment. Therefore, NSC L1.3.1, L1.3.2 and L1.3.3 are included on the licence to ensure the site only accepts certain waste types and that each waste type is processed appropriately.</p>	<p><i>Landfill Waste Classification and Waste Definitions 1996 (as amended)</i></p> <p><i>Environmental Protection (Rural Landfill) Regulations 2002</i></p>
	L1.3.4	NSC	<p>NSC L1.3.4 is included on the licence to ensure that the tipping area is sited and managed appropriately to minimise the risk to the environment. This condition is based on the <i>Environmental Protection (Rural Landfill) Regulations 2002</i>.</p>	



asbestos pit located on the eastern side of the premises. The premises does not usually receive Special Waste Type 2 (biomedical waste) as the one hospital in Pingelly usually disposes of their waste themselves; however, the Shire of Pingelly would like to retain the conditions on the licence in case the need arises to dispose of any biomedical waste. NSC L1.3.6 is included on the licence to ensure that any Special Waste Type 1 or 2 that is accepted at the premises is disposed of correctly and that an accurate register and plan is maintained. This condition is based on the Environmental Protection (Rural Landfill) Regulations 2002.

Landfill) Regulations  
2002

NSC  
NSC

NSC L1.3.7 and L1.3.8 are included on the licence to ensure that appropriate signs and security measures are taken at the site. The boundary fence helps to reduce windblown waste and also minimises unwanted access to the site by people or animals. The sign at the entrance is important as the site is unmanned and people need to know what materials are accepted (and those that are not accepted) and a contact number if they require further information.

NSC  
NSC  
NSC

equivalent to 80 m<sup>3</sup> of compacted green waste. The green waste is stored in one long windrow towards the southern side of the premises.

Landfill) Regulations  
2002

NSC L1.3.11 is included on the licence to ensure that the green waste is separated sufficiently so that no non-green waste is burnt onsite.

NSC L1.3.12 is included on the licence to ensure that the green waste is dry and seasoned prior to burning (to minimise smoke) and burnt in an area and in such a way so as to minimise the risk of the fire spreading to other areas of the landfill.

NSC L1.3.13 is included on the licence to ensure the Licensee promptly extinguishes any unauthorised fire at the premises.

NSC L1.3.14 and L1.3.15 are included on the licence to ensure that the details of any unauthorised fire are recorded and provided to DER in a timely manner.

These conditions are based on the Environmental Protection (Rural Landfill) Regulations 2002.

	are disposed of appropriately to the liquid waste pond and that the pond is maintained so that it does not overflow.	
N/A	There are no specified conditions relating to Emissions General required to be added to the licence.	N/A
N/A	There will be no point source emissions to air during operation of the premises. No specified conditions relating to point source emissions to air or the monitoring of such emissions are required to be added to the licence.	N/A
N/A	There will be no point source emissions to surface water during operation of the premises. No specified conditions relating to point source emissions to surface water or the monitoring of such emissions are required to be added to the licence.	N/A
N/A	There will be no point source emissions to land during operation of the premises. No specified conditions relating to point source emissions to land or the monitoring of such emissions are required to be added to the licence.	N/A
N/A	There will be no point source emissions to groundwater during operation of the premises. No specified conditions relating to point source emissions to groundwater or the monitoring of such emissions are required to be added to the licence.	N/A



	on the licence to ensure visible dust is contained within the premises.	
N/A	<p><i>Emission Significance - 1</i></p> <p><i>Socio-political context - No</i></p> <p><i>Risk Assessment – E – No regulation, other management mechanisms</i></p> <p>There is potential for odour emissions from the premises in relation to the burial of putrescible waste. The premises is a small site and in the 2012 reporting period only accepted waste equivalent to 120 m<sup>3</sup> of compacted domestic refuse. The licence requires the waste to be covered at least monthly; however the Shire are committed to usually covering the waste weekly; therefore, reducing the potential for odour (and windblown waste). The site is also at least 800 m from the nearest sensitive receptor.</p> <p>Given the above, odour emissions are not significant and no conditions relating to odour emissions are required to be added to the licence.</p>	N/A

		premises is located at least 800 m from the nearest sensitive premises, noise emissions are not considered significant. No specified conditions relating to noise emissions are required to be added to the licence.	
	N/A	No specified conditions relating to monitoring general are required to be added to the licence.	N/A
	OSC	OSC L3.6.1 has been included on the licence to ensure the Licensee monitors the amount of waste being accepted and removed from the site.	
	N/A	No specified conditions relating to process monitoring are required to be added to the licence.	N/A
	N/A	No specified conditions relating to ambient quality monitoring are required to be added to the licence.	N/A
	N/A	No specified conditions relating to meteorological monitoring are required to be added to the licence.	N/A
	N/A	No specified conditions relating to improvements are required to be added to the licence.	N/A
	SC SC SC	The Shire of Pingelly will be required to submit an Annual Environmental Report and Annual Audit Compliance Report. The Shire of Pingelly is also required to submit a report to DER following any unauthorised fire at the premises.	







## Appendix A EMISSIONS AND DISCHARGES RISK ASSESSMENT MATRIX

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

**Table 3: Measures of Significance of Emissions**

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95 <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 DER "Officer's Guide to Emissions and Discharges Risk Assessment" May 2006.

**Table 5: Emissions Risk Reduction Matrix**

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

### PRIORITY MATRIX ACTION DESCRIPTORS

A = Do not allow (fix)

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

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

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

E = No regulation, other management mechanisms