



Mr Ian Evans
Manager Works and Services
Shire of Cocos (Keeling) Islands
PO Box 94
Home Island
Cocos (Keeling) Islands
Indian Ocean Territories WA 6799

Dear Mr Evans

ENVIRONMENTAL PROTECTION ACT 1986 (WA)(CKI) – AMENDMENT TO LICENCE

Licence: L8686/2012/2
Premises: Rumah Baru Wet Tip

Further to my letter dated 09 January 2015, please find enclosed your amended *Environmental Protection Act 1986 (WA)(CKI)* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on (08) 9964 0901 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment, you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely

Steve Checker
Officer delegated under Section 20
of the *Environmental Protection Act 1986 (WA)(CKI)*

6 February 2015

enc: Amended Licence L8686/2012/2



Licence

Environmental Protection Act 1986 (WA)(CKI), Part V

Licensee: Shire of Cocos (Keeling) Islands

Licence: L8686/2012/2

Registered office: Shire of Cocos (Keeling) Islands
Lot 256 Jalan Melati Home Island
Cocos (Keeling) Islands
Indian Ocean Territories WA 6799

Premises address: Rumah Baru Wet Tip
Rumah Baru Road, West Island
Cocos (Keeling) Islands
Indian Ocean Territories WA 6799
Being Lot 227 on Plan 18529 as depicted in Schedule 1.

Issue date: Monday, 8 September 2014

Commencement date: Thursday, 18 September 2014

Expiry date: Tuesday, 17 September 2019

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
64	Class II putrescible landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled 'Landfill Waste Classification and Waste Definitions 1996' published by the CEO and as amended from time to time) is accepted for burial.	20 tonnes or more per year	1,300 tonnes per annual period

Conditions

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

.....
Officer delegated under section 20
of the *Environmental Protection Act 1986 (WA)(CKI)*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

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

DER has responsibilities under Part V of the *Environmental Protection Act 1986 (WA)(CKI)* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also 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 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.



If you are concerned about, or object to any aspect of the Licence, you may lodge an appeal within 21 days from the date on which this licence is received. To lodge an appeal please direct all correspondence to:

The Hon Jamie Briggs MP
Assistant Minister for Infrastructure and Regional Development
M1 26 Parliament House
Canberra ACT 2600

Licence fees

If you have a licence that is issued for more than one year, you may be 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. Operating without a licence is an offence under the Act.

Ministerial conditions

If the 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 Shire of Cocos (Keeling) Island operates a putrescible Class II landfill on West Island, Cocos (Keeling) Islands which consists of an unmanned, locked landfill that is accessed and utilised only by the Shire. Shire staff visit the site twice a week to dispose of only putrescible (household) wastes at the Premises. High groundwater levels at Cocos Islands and the influences of seawater ingress make the management of wastes difficult. Depth to groundwater at the premises is approximately 0.5m – 1m.

The waste is initially deposited within an arc of metal sea containers (2 metres high) before being burned and the residual ash buried. All other waste streams are disposed of, or stored for later transfer, at 'West Island Transfer Station' or at 'West Island Sludge Disposal Facility' which are separate from the putrescible landfill.

Prevailing winds, for the majority of the year, are South easterly (Trade winds). The Premises is surrounded by dense vegetation (coconut trees at various stages of height) which minimises the effects of wind within the Premises.

Discharges to environment include random, low level emissions to air from the burning of waste with residual ash being discharged to land for burial. There are no monitoring bores within the Premises boundary.

This Licence is the result of an amendment sought by DER to convert the existing licence to a new format REFIRE licence and to amend licence conditions to more accurately reflect the activities being undertaken at the premises.



The licences and works approvals issued for the Premises, since 18/09/2012, are:

Instrument Log		
Instrument	Issued	Description
L8686/2012/1	18/09/2012	New application
L8686/2012/2	08/09/2014	Licence re-issue
L8686/2012/2	05/02/2015	Licence amendment to remove category & update to 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 (WA)(CKI)* apply unless the contrary intention appears.

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

'Acceptance Criteria' has the meaning defined in Landfill Definitions;

'the Act' means the *Environmental Protection Act 1986 (WA)(CKI)*;

'annual period' means the inclusive period from 1 July until 30 June in the following year;

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

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

'CEO' for the purpose of correspondence means;

Manager Licensing (Midwest and Indian Ocean Territories)
Department of Environment Regulation
PO Box 72
GERALDTON WA 6531
Telephone: (08) 9964 0901
Facsimile: (08) 9921 5713
Email: midwest@der.wa.gov.au

'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;

'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*;

'DFES' means the Department of Fire and Emergency Services of Western Australia.

'designated burning area' means an area of a landfill site that has been designated by the occupier of the site as a designated burning area;

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

'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;



'fugitive emissions' means all emissions not arising from point source emissions identified in section 2.

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

'Inert Waste Type 2' has the meaning defined in Landfill Definitions;

'Landfill Definitions' means the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer as amended from time to time;

'Licence' means this licence numbered L8686/2012/2 and issued under the *Environmental Protection Act 1986 (WA) (CKI)*;

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

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

'Putrescible' has the meaning defined in Landfill Definitions;

'rehabilitation' means the completion of the engineering of a landfill cell and includes capping and/or final cover;

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

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

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

'tipping area' means the area of the landfill in which waste other than cover material is being deposited;

'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 current version of that standard.

1.1.4 Any reference to a Guideline or Code of Practice in the Licence means the current version of the Guideline or Code of Practice.

1.2 General conditions

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

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

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

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall only store environmentally hazardous materials if:



- (a) they are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods; or
- (b) they are stored within compounds or vessels that:
 - (i) have not previously met the requirements of conditions 1.2.3(a); and
 - (ii) are the subject of improvement requirements IR1 and IR2 in section 4.

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

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises/landfill; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises/Landfill.¹

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

1.3 Premises operation

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

- (a) it is of a type listed in Table 1.3.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.3.1;
- (c) it meets any specification listed in Table 1.3.1; and
- (d) in the case of contaminated solid waste is supported by documentation that demonstrates compliance with the acceptance criteria for Class II landfills.

Table 1.3.1: Waste acceptance		
Waste	Quantity Limit	Specification ¹
Clean fill	N/A	None specified
Putrescible waste	1,300 tonnes per annual period	Deposited by Shire staff only

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in conditions 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, the Licensee shall contact the CEO to agree 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 1.3.2 and in accordance with any process limits described in that Table.

Table 1.3.2: Waste processing		
Waste type(s)	Process	Process limits ^{1,2}
All buried wastes	Disposal of waste by landfilling	<ul style="list-style-type: none"> • Maintain an undisturbed separation distance of at least one metre between the waste and the highest level of the water table aquifer. • Maintain an undisturbed separation distance of at least twenty metres between the waste and the highest level/ tide of the sea. • Ensure that the tipping area is no greater than two metres in height, with a maximum linear length of 30 metres. • Carry out weekly collection of any windblown or washed away waste generated from the premises. • Ensure all waste is placed within the Premises boundary. • Waste is levelled and compacted to ensure all faces are stable and capable of retaining rehabilitation material. • Rehabilitation of a cell or phase takes place within 6



		months after disposal in that cell or phase has been completed
Clean Fill	Receipt, handling and disposal by landfilling	None specified
Putrescible wastes	Disposal by burning prior to burial	<p><u>Burning of waste</u></p> <ul style="list-style-type: none"> Green waste is dry and seasoned for at least two months prior to burning. Ensure burning does not commence before 8am and the Fire Control Officer for the landfill site declares the area safe by 12 noon on the same day. Place in a designated burning area at least 25m from the boundary of any active disposal areas. Place in trenches or windrows. Place only when an adequate supply of water and equipment are available to effectively manage the burning process.

Note 1: Requirements for landfilling tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

Note 2: Additional requirements for the acceptance and landfilling of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

1.3.4 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.3.5 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.3.5: Cover requirements¹

Waste Type	Material cover requirements	Depth	Timescale
Putrescible wastes	Type 1 inert waste, clean fill or other appropriate cover material to prevent the spread of fire and harbouring of disease vectors.	100mm	To be covered by the end of the working day in which the waste was deposited.

Note 1: Additional requirements for final cover of tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

1.3.5 The Licensee shall install and maintain a capping system on each waste cell in accordance with the requirements of Table 1.3.6.

Table 1.3.6: Capping requirements

Cell Number(s)	Specification	Timescales
1	300mm of inert material or soil	Each cell to be capped within 6 months of achieving final waste contours

1.3.6 The Licensee shall implement the following security measures at the site:

- erect and maintain suitable fencing to prevent unauthorised access to the site as far as is practicable.

1.3.7 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information:

- contact telephone number for information or complaints; and
- a warning indicating penalties for people lighting fires.



- 1.3.8 The licensee shall ensure that vermin, birds, flies and other insects do not give rise to nuisance at the premises or in the immediate area of the premises. Any method used by the licensee shall not cause environmental pollution or harm.
- 1.3.9 The Licensee shall ensure that there are appropriate procedures in place at the premises so that any unauthorised fire is promptly extinguished.

2 Emissions

2.1 General

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

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

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

2.5 Emissions to land

There are no 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 on 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

3.1.1 The Licensee shall ensure that monthly monitoring is undertaken at least 15 days apart.

3.2 Monitoring of point source emissions to air

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

3.5 Monitoring of emissions to land

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

3.6 Monitoring of inputs and outputs.

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

Table 3.6.1 Monitoring of inputs and outputs				
Input/ Output	Parameter	Units	Averaging Period	Frequency
Waste Inputs	Putrescible waste	m ³	Monthly	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Definitions			Each load leaving or rejected from the Premises

3.7 Process monitoring

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

3.8 Ambient environmental quality monitoring

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

3.9 Meteorological monitoring

There are no specified conditions relating to meteorological monitoring.



4 Improvements

4.1 Improvement Program

4.1.1 The Licensee shall complete the improvements in Table 4.1.1 by the date specified.

Table 4.1.1: Improvement Program		
Improvement Reference	Improvement	Date of completion
IR1	<p>The Licensee shall submit to the CEO a plan to identify an improved method of managing waste stream disposal (other than burial) on West Island, including:</p> <ul style="list-style-type: none">• timeframes for implementation and operation;• location; and• interim measures to manage or reduce waste streams to the Premises for any proposed improvements.	31/03/2015
IR2	<p>The Licensee shall prepare and submit to the CEO a post closure rehabilitation plan for the Premises.</p> <p>The post closure rehabilitation (or phased restoration plan) shall set out a plan for the rehabilitation of the site and shall include, as a minimum:</p> <ul style="list-style-type: none">• Options (including the preferred option) for the use of the site after it has ceased to be a landfill site;• A conceptual design of the infrastructure needed for the preferred option for the use of the site after it has ceased to be a landfill site;• The estimated final contours of the site, after allowing for settlement, and specifying to what extent settlement has been allowed for;• The capping materials proposed to be used on the site;• Measures proposed for the protection of the environment and the monitoring of the site;• Timeframe for implementing the plan; and• The estimated period for which the site will require protection and monitoring.	31/12/2015



5 Information

5.1 Records

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

5.2 Reporting

- 5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 56 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 form¹
1.3.1	Documentation that demonstrates compliance with Class II landfill acceptance requirements	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified
Table 3.6.1	Monitoring of inputs and outputs	None specified
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the annual period and any action taken	None specified

Note 1: Forms are in Schedule 2

- 5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded;
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and



- (c) a list of any original monitoring reports submitted to the Licensee from third parties for the annual period and make these reports available on request.

5.3 Notification

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

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
-	Any unauthorised fire at the premises	Provide the CEO with a report within 14 days of the fire. The report should include: <ul style="list-style-type: none"> • details of the date, time and location of the fire; • the time the fire was declared safe; and • the cause or suspected cause of the fire. 	None specified
1.3.2	Waste that does not meet the waste acceptance criteria set out in condition 1.3.1	Contact the CEO within 24 hours of receiving that waste to agree a course of action in relation to the waste.	None specified
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable, but no later than 5pm of the next usual working day.	N1
-	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	Part B: As soon as practicable	

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

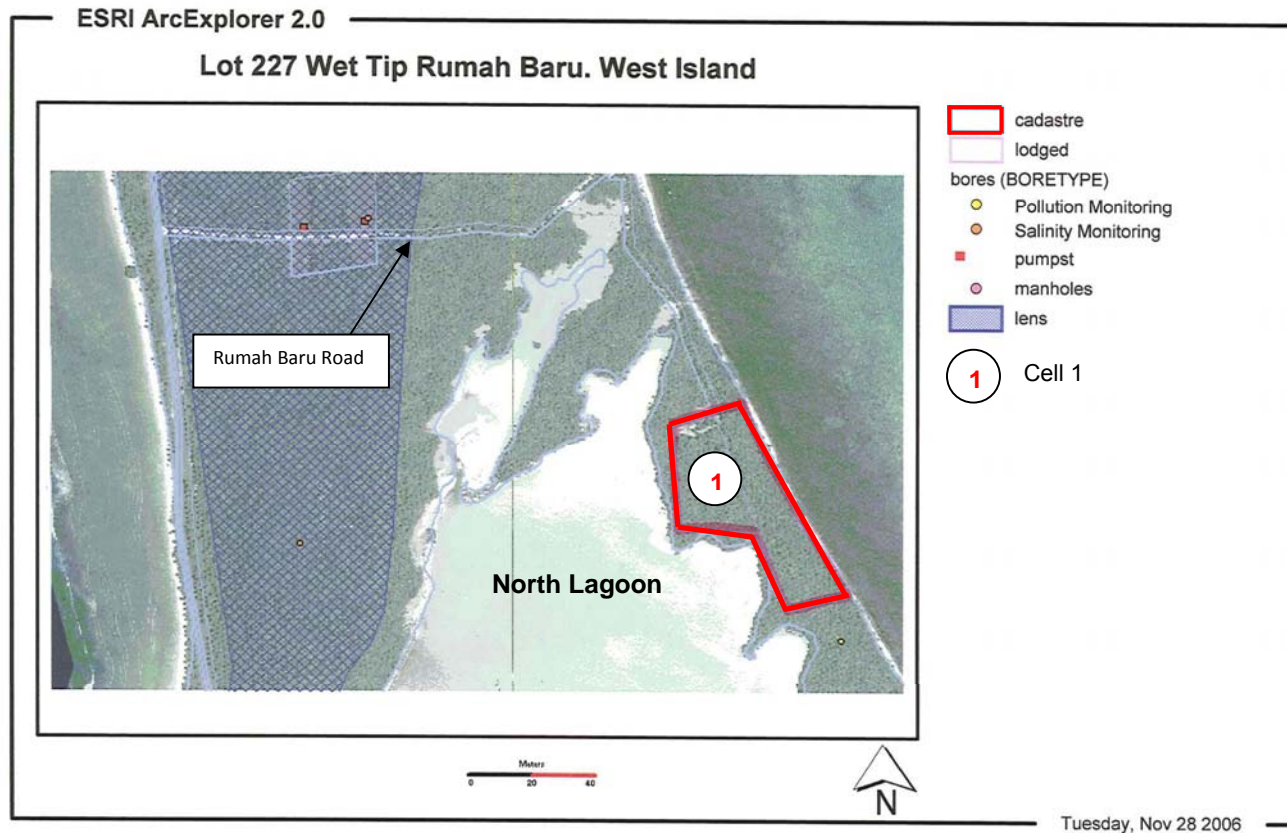
Note 2: Forms are in Schedule 2



Schedule 1: Maps

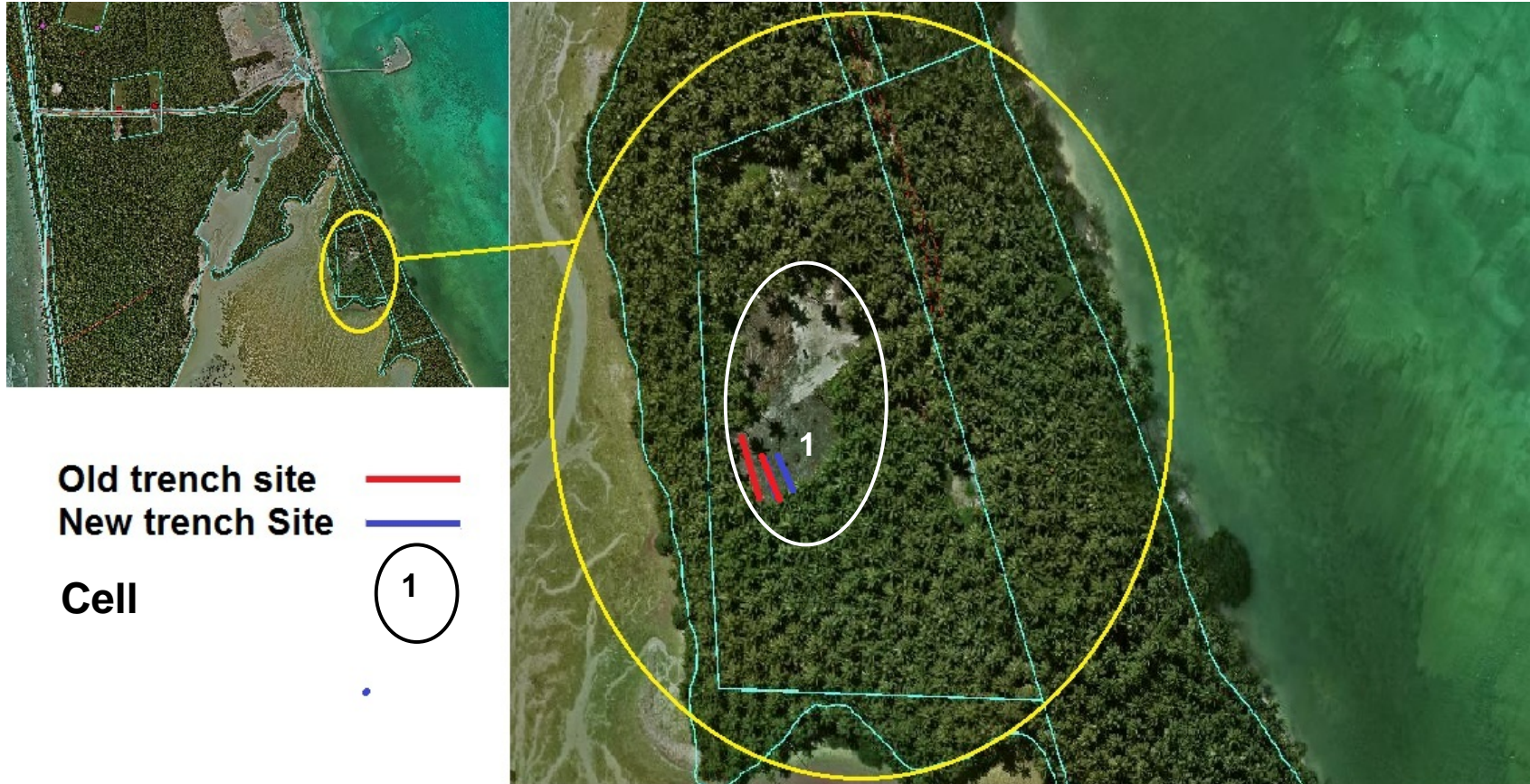
Premises Map

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





Premises emission points





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: L8686/2012/1
Form: N1

Licensee: Shire of Cocos (Keeling) Islands
Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

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

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

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



Part B

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

Name	
Post	
Signature on behalf of: Shire of Cocos (Keeling) Islands	
Date	



Decision Document

Environmental Protection Act 1986 (WA)(CKI), Part V

Proponent: Shire of Cocos (Keeling) Islands

Licence: L8686/2012/2

Registered office: Shire of Cocos (Keeling) Islands
Lot 256 Jalan Melati Home Island
Cocos (Keeling) Islands
Indian Ocean Territories WA 6799

Premises address: Rumah Baru Wet Tip
Rumah Baru Road, West Island
Cocos (Keeling) Islands
Indian Ocean Territories WA 6799
Being Lot 227 on Plan 18529 as depicted in Schedule 1.

Issue date: Monday, 8 September 2014

Commencement date: Thursday, 18 September 2014

Expiry date: Tuesday, 17 September 2019

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence.

Decision Document prepared by: Caroline Conway-Physick
Licensing Officer

Decision Document authorised by: Stephen Checker
Manager Licencing



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application 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 (WA)(CKI)*. 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: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1, 5.1.2 and 5.3.1.

Licence conditions: 1.1.1-1.1.4, 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 as a result of this application is 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 type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	64	1,300 tonnes per year
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	N/A	
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 checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.		



3 Executive summary of proposal and assessment

The Shire of Cocos (Keeling) Island operates a putrescible Class II landfill on West Island, Cocos (Keeling) Islands which consists of an unmanned, locked landfill that is accessed and utilised only by the Shire. Shire staff visit the site twice a week to dispose of only putrescible (household) wastes at the Premises.

The waste is initially deposited within an arc of metal sea containers (2 m high) before being burned and the residual ash buried.

All other waste streams are disposed of, or stored for later transfer, at 'West Island Transfer Station' or at 'West Island Sludge Disposal Facility (L8685/2012/1) which are separate from the putrescible landfill.

High groundwater levels at Cocos Islands and the influences of seawater ingress make the management of wastes difficult. Depth to groundwater at the premises is approximately 0.5m – 1m.

Prevailing winds, for the majority of the year, are South easterly (Trade winds). The Premises is surrounded by dense vegetation (coconut trees at various stages of height) which minimises the effects of wind within the Premises.

Discharges to environment include random, low level emissions to air from the burning of waste with residual ash being discharged to land for burial. There are no monitoring bores within the Premises boundary.

This Licence is the result of an amendment sought by DER to convert the Licence (L8686/2012/2) to REFIRE format and to amend current licence conditions to more accurately reflect the activities being undertaken at the premises.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986 (WA)(CKI)*, 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.

DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.5		SC 1.2.5 has replaced condition 12 of the previous Licence.	General provisions of the <i>Environmental Protection Act 1986 (WA)(CKI)</i> .
Premises operation	L1.3.1-L1.3.2	OSC	<p>OSC 1.3.1 and 1.3.2 replace condition 1 of the previous Licence. Condition 1(b) and (c), and 2 have not been carried over as the premises does not dispose of inert wastes or special wastes and requested this removal in correspondence received 28/08/2014.</p> <p>The Premises is not suitable for the disposal of multiple waste types due to the following:</p> <ul style="list-style-type: none"> • The flat nature and size of the Island, exposure to strong cyclonic weather and tidal action; • Cover material is difficult to obtain due to the size of the Island and limited clean fill/ soil available; and • Groundwater level is very high (less than 1 metre in most places) on the Island causing considerable difficulty in managing wastes through burial. <p>The Shire has acknowledged the need for alternative methods to dispose of waste streams from the island however shipping costs are prohibitive. As such, they are working towards the purchase of an incinerator for West Island, through the Commonwealth, and have already procured an incinerator for Home Island.</p>	<p>General provisions of the <i>Environmental Protection Act 1986(WA)(CKI)</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004.</i></p> <p><i>Environmental Protection (Rural Landfill) Regulations 2002.</i></p>



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
	L1.3.3 L1.3.4 L1.3.5 L1.3.6 L1.3.7-L1.3.8 L1.3.9 L1.3.10-1.3.11 L1.3.12	OSC OSC OSC OSC OSC OSC OSC OSC	<p>OSC 1.3.3 replaces conditions 3(a)-(c), (h), 4, 5, 8, 9, and 13.</p> <p>The tipping face descriptive limits have been reduced to assist with the effective onsite management at the tip and to fit within the confines of the burning area at the premises which includes the tipping face.</p> <p>OSC 1.3.5 replaces conditions 3(d) and (e) of the previous Licence with the frequency reduced.</p> <p>OSC1.3.6 has been included to outline rehabilitation and closure requirements for all cells.</p> <p>Have been included into the amended Licence and are already in place at the Premises.</p> <p>OSC 1.3.9 replaces condition 6 of the previous Licence.</p> <p>OSC 1.3.10-1.3.11 have been included to manage waste at site.</p> <p>Condition 9 of the previous Licence has been replaced by OSC 1.3.3. and 1.3.12.</p> <p>OSC1.3.12 has replaced condition 10 of the previous Licence.</p> <p>Condition 14 of the previous Licence has been removed as the Premises is unable to comply with this condition due to the size of the Island and landfill, and current land utilisation.</p> <p>Conditions 15-18 have not been carried over as they apply to special waste types which are no longer accepted onto the site.</p> <p>Category 57 is being removed from the Premises Licence as this waste type is not disposed of at the site and is not a suitable location.</p>	
Emissions general	L2.1.1		OSC 2.1.1 is included in the licence as there are descriptive limits within this section.	
Point source emissions to	L2.2 L3.2	N/A	Point source emissions to air from the premises have not been reassessed as part of this Licence amendment process.	General provisions of the



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
air including monitoring			As the previous licence did not impose controls on air emissions, no specified conditions have been included in this section.	<i>Environmental Protection Act 1986 (WA)(CKI).</i>
Point source emissions to surface water including monitoring	L2.3 L3.3	N/A	There are no point source emissions to surface water from the premises.	General provisions of the <i>Environmental Protection Act 1986 (WA)(CKI).</i>
Point source emissions to groundwater including monitoring	L2.4 L3.4	N/A	There are no point source emissions to groundwater from the premises.	General provisions of the <i>Environmental Protection Act 1986 (WA)(CKI).</i>
Emissions to land including monitoring	L2.5 L3.5	N/A	Emissions to land have not been reassessed as part of this Licence amendment process. As the previous licence did not impose controls on emissions to land, no specified conditions have been included in this section.	General provisions of the <i>Environmental Protection Act 1986 (WA)(CKI).</i>
Fugitive emissions	L2.6.1	OSC	OSC 2.6.1 replaces condition 7 of the previous Licence. Due to the high rainfall and humidity on the Island, proximity to sensitive receptors and vegetative cover from palms and other native plant species, dust issues are not an issue at the landfill.	General provisions of the <i>Environmental Protection Act 1986 (WA)(CKI).</i>
Odour	L2.7	N/A	Odour has not been reassessed through this amendment process.	
Noise	L2.8	N/A	Noise has not been reassessed as part of this amendment. As the previous licence did not impose controls on noise, no specified conditions have been included in this section. The <i>Environmental Protection (Noise) Regulations 1997</i> apply and SC1.2.1.	<i>Environmental Protection (Noise) Regulations 1997</i>



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
				General provisions of the <i>Environmental Protection Act 1986 (WA)(CKI)</i> .
Monitoring general	L3.1		No reassessment of general monitoring has been undertaken during this Licence amendment process.	
Monitoring of inputs and outputs	L3.6.1	OSC	Monitoring of inputs and outputs has been included within the new Licence as part of this amendment. The Premises supports a community of approximately 160 people who, along with the seasonal tourism population, generate approximately 1,300 tonnes per annual period of putrescible waste. Formalised recording of waste volumes and types is required to assess impact, and for management purposes.	General provisions of the <i>Environmental Protection Act 1986</i> <i>Environmental Protection (Unauthorised Discharges) Regulations 2004.</i>
Process monitoring	L3.7	N/A	Process monitoring has not been reassessed as part of this Licence amendment process.	
Ambient quality monitoring	L3.8	N/A	Ambient quality monitoring has not been reassessed through this Licence amendment process.	General provisions of the <i>Environmental Protection Act 1986 (WA)(CKI)</i> .
Meteorological monitoring	L3.9	N/A	Meteorological monitoring has not been reassessed as part of this Licence amendment process.	
Improvements	L4.1.1	NSC	<u>Emission description</u>	General



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p><i>Emission:</i> Leachate from putrescible wastes being disposed of in high groundwater table areas. <i>Impact:</i> Contamination of surrounding groundwater and potential impacts to marine ecosystems. <i>Controls:</i> The Shire will burn waste, prior to burial of residue, to reduce volumes and to stop potential windblown wastes.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Possible <i>Risk:</i> Moderate</p> <p><u>Regulatory controls</u> Improvement conditions (IR1 and IR2) have been placed within the Licence to consider improved methods of waste disposal on West Island and the subsequent rehabilitation of the current premises.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Possible <i>Risk:</i> Moderate</p>	provisions of the <i>Environmental Protection Act 1986(WA)(CKI)</i> .
Information	L5.3.1	OSC	OSC 5.3.1 has replaced condition 11 of the previous Licence.	
Licence Duration	N/A	N/A	<p>The licence is recommended for a five year period as per DER procedure.</p> <p>No complaints or incidents have been reported for the Premises over the last reporting period. There have been no issues that warrant limiting the duration of the Licence.</p> <p>This premises is considered a moderate risk site due to its environmental sensitivity.</p>	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
26/12/2014	Application advertised in West Australian (or other relevant newspaper)	Nil	N/A
29/01/2015	Proponent sent a copy of draft instrument	Signed waiver received 29/01/2015 – no comments received.	N/A



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