



Licence Number L6919/1997/11

Licence Holder Shire of Katanning

ACN NA

File Number: DEC6733/2

Premises
Katanning Shire Refuse Site
Lot 9241 on Plan 215173 (Crown Reserve 6044)
Katanning-Nyabing Road
KATANNING WA 6317

Date of Amendment 5 April 2019

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* as set out in this Amendment Notice. This DRAFT constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act and follows.

**STEVE CHECKER
MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
Amendment Notice	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
CS Act	<i>Contaminated Sites Act 2003 (WA)</i>
Decision Report	refers to this document
Delegated Officer	an officer under section 20 of the EP Act
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	Shire of Katanning
Minister	the Minister responsible for the EP Act and associated regulations
NEPM	National Environmental Protection Measure
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.

Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B (9) of the EP Act.

This notice is limited only to an amendment for:

- a change of premises boundary map; and
- addition of Category 61;

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Land Use Planning (February 2017)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*
- *Guidance Statement: Environmental Siting (November 2016)*

Additional documents used to inform the decision are listed in Appendix 1.

Amendment description

The Katanning Shire Refuse Site is operated by the Shire of Katanning. It is located east of the town of Katanning. Surrounding land uses include rural, recreation and open space with the landfill premises being classified as public purposes under Town Planning Scheme No. 5 (LPS5).

The Shire currently has two liquid waste ponds on site and have been accepting and storing small volumes of liquid waste (less than 100 tonnes per year – below Category 61 licensing thresholds). However the Shire have recently exceeded the annual 100 tonne threshold and would therefore need to add category 61 to existing license if they intended to continue receiving more than 100 tonnes per year.

It was also noted by the Licensee that the licensed boundary of the refuse site is not consistent with historical site boundary. According to Shire of Katanning the adjoining crown reserves 37590 and 10023 are also part of the historical refuse site boundary. The Department of Water and Environmental Regulation (DWER) received licence amendment applications from the licensee on 31 October 2018 to allow for the acceptance and disposal of 200 tonnes of liquid waste and on 14 November 2018 to change the existing refuse site boundary and incorporate the two reserves into the existing refuse site licence to reflect the past and current land use.

Additional categories and the nominated production throughput applied for under this amendment are shown in Table 2.

Table 2: Additional categories

Category Number	Description	Nominated production throughput
61	Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, processed, treated or irrigated.	200 tpa

Compliance history

The Shire of Katanning currently operate two adjoining liquid waste ponds at the shire refuse site (L6919/1997/11). The liquid waste ponds are not licensed by DWER as the shire has historically received less than 100 tonnes of liquid waste per year which is below the threshold for licensing.

The Shire have recently exceeded the annual 100 tonne threshold and have applied to add category 61 to the existing licence.

Operational aspects

Information provided with the application details that the following about the liquid waste ponds:

- consists of two clay lined ponds which are 30m long x 12 m wide x 2m deep;
- each pond has the capacity to receive 500 tonnes of liquid waste (excluding 0.5m freeboard);
- the ponds freeboard is designed to contain leachate and storm water produced as a result of a 1 in 100-year storm event;
- the Shire receives liquid waste from licensed liquid waste contractors only;
- all liquid waste arriving on site is discharged directly into the liquid waste ponds;
- the Shire only accepts waste from grease traps (K110) and sewage waste (K130); and
- the Shire operates one pond at a time which allows for drying time and cleaning out of sludge build up; and
- the liquid waste ponds were designed to achieve a permeability of 1×10^{-9} m/s or less

Other approvals

The Licence Holder has provided the following information relating to other approvals as outlined in Table 3.

Table 3: Relevant approvals

Legislation	Number	Approval
<i>Planning and Development Act 2005- Shire of Katanning</i>	<i>NA</i>	<i>No approval required</i>

Amendment history

Table 4 provides the amendment history for L6919/1997/11.

Table 4: Licence amendments

Instrument	Issued	Amendment
L6919/1997/10	31/03/2011	Licence amendment (update special waste, inert waste, green waste, used tyres and stormwater conditions)
L6919/1997/11	29/04/2016	Licence amendment to extend expiry date to 2025.
L6919/1997/11	5/04/2019	Amendment Notice 1: add category 61 to existing license and incorporating the two adjoining historical crown reserves (37590 and 10023) to the existing licence site boundary.

Location and receptors

Table 4 below lists the relevant sensitive land uses in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 4: Receptors and distance from activity boundary

Residential and sensitive premises	Distance from the Prescribed Premises boundary
Closest residential premises	approximately 270 m north east from the boundary

Table 5 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 5: Environmental receptors and distance from activity boundary

Environmental receptors	Distance from Prescribed Premises
The subject site lies within the same catchment as the Ramsar site Toolibin lake	approximately 100km to the north.

Risk assessment

Table 5 below described the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. The table identifies whether the emissions present a material risk to public health or the environment, requiring regulatory controls

Table 5: Risk assessment for proposed amendments during operation

Source/Activities		Risk Event				Consequence rating	Likelihood rating	Risk	Reasoning
		Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts				
Cat 61	Operation of the liquid waste ponds	Odour: associated with liquid waste disposal and desludging activities	approximately 270 m north east from the boundary	Air / wind dispersion	Amenity and health impacts	Slight	Possible	Low	<p>The operations will possibly generate odour. However current licence condition 2.7.1 requires that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the premises.</p> <p>Therefore the Delegated Officer considers that the provisions of the existing licence and Section 49 of the Environmental Protection Act 1986 are sufficient to regulate odour emissions during operation; therefore the risk is considered low and does not require any further regulatory controls.</p>
		Leachate: migrating from the liquid waste ponds when in contact with storm-water may enter the environment from heavy rainfall events	Surrounding land, Groundwater – depth approximately 10m – 18m and surface water drainage system	Seepage or overland flow of leachate	Amenity and health impacts	Minor	Possible	Medium	<p>The Delegated Officer has reviewed the information regarding the risk of leachate migrating and considers that:</p> <ul style="list-style-type: none"> • current licence condition 1.3.3 which requires liquid waste disposal within the two ponds only; • current licence condition 1.3.4 which ensures liquid waste to be stored and treated within containment structures that are lined to achieve a permeability of 1×10^{-9} m/s, contain leachate and storm water produced as a result of a 1 in 100-year storm event, • each pond will have the capacity to receive 500 tonnes of liquid waste (excluding 0.5m freeboard);

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts					
								<ul style="list-style-type: none"> the Shire receives liquid waste from licensed liquid waste contractors only; all liquid waste arriving on site is discharged directly into the liquid waste ponds; the Shire only accepts waste from grease traps (K110) and sewage waste (K130); and the Shire operates one pond at a time which allows for drying time and cleaning out of sludge build up; <p>Existing controls are considered adequate and no additional regulatory controls will be added to the licence.</p>	
		Dust-associated with truck movements	approximately 270 m north east from the boundary	Air / wind dispersion	Amenity and health impacts	Slight	Possible	low	<p>The Delegated Officer has considered that current licence condition 2.6.1 which required the licensee to use all reasonable and practical measures to minimise dust emissions from the premises and the provisions of Section 49 of the Environmental Protection Act 1986 are sufficient to regulate odour emissions during operation; therefore the risk is considered low and does not require any further regulatory controls.</p>
		Noise-associated with truck movements	approximately 270 m north east from the boundary	Air / wind dispersion	Amenity and health impacts	Slight	Possible	low	<p>The primary noise emissions will be generated from the movement of trucks</p> <p>The Delegated Officer considers noise emissions are adequately addressed under the provisions of the Environmental Protection (Noise) Regulations 2002.</p>

Decision

The Delegated Officer has determined that an amendment be made to the Licence with the inclusion of additional licence conditions to allow for the operation of two liquid waste ponds on site. The Delegated Officer is aware that the current land use on reserve 9242 is being listed as recreational, speedway land and that the Shire has been in contact with the Department of Planning, lands and heritage to change the land use issues relating to the reserves. The first Katanning speedway track was built in 1960 at O'Callaghan park several kilometres away from the refuse site. The current speedway track is located in Dumbleyung Rd, Pinwernying which is also several km's away from the refuse site.

The separation distance between the proposed refuse site boundary realignment and the nearest single dwelling is 270m.

Key findings:

Separation distance: the **Delegated Officer** has also considered the separation distance specified in the EPA *Guidance for the Assessment of Environmental Factors: Separation distances between industrial and sensitive land uses 2005* which recommends a 150m setback from a single dwellings to a Class II refuse site.

Dust controls

The Delegated Officer considers that there is a low risk of impacts from dust emissions from the proposed amendments.

The complaints history of the Premises indicates that there have been no dust complaints received by DWER in regards to the Premises.

The Licence Holder will also be subject to the general provisions of the EP Act.

Leachate controls

The Delegated Officer considers that there is a medium risk of impacts from leachate emissions from the proposed amendment. However this risk is considered acceptable subject to regulatory controls and given the liquid waste ponds are lined to achieve a permeability of at least 1×10^{-9} m/s.

Noise controls

The Delegated Officer has determined that there is a low risk of impacts from noise emissions during the operation of the liquid waste ponds. The Licence Holder will also be subject to the general provisions of the Environmental Protection (Noise) Regulations 1997.

Odour

The Delegated Officer considers that storing, treatment and the desludging activities will possibly generate odour however there is a low risk of impacts from odour emissions from the proposed amendments since the Licence Holder will also be subject to the general provisions of the EP Act.

Using the above information, the Delegated Officer has determined that an amendment be made to the licence with the inclusion of additional licence conditions to allow for the operation of the liquid waste ponds and incorporating the two historical crown reserves (37590 and 10023).

The Delegated Officer considers the proposed conditions will not increase any risk relating to emissions at the premises.

The Delegated Officer has considered DER's *Guidance Statement: Regulatory Principles*, *Guidance Statement: Setting Conditions* and *Guidance Statement: Risk Assessment* in granting this amendment, and does not consider that this amendment will impact the risk profile of the premises, which is currently considered as low.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 1 March 2019. The Licence Holder responded on 2 April 2019. No comments were submitted on the draft Amendment Notice.

Amendment

1. The front page of the Licence is amended by the insertion of the red text shown in underline below.

Premises address Katanning Shire Refuse Site
Lot 9241 on Plan 215173 (Crown Reserve 6044),
[Lot 9242 on Plan 215173 \(Crown Reserve 37590\) &](#)
[Lot 3943 on Plan 126479 \(Crown Reserve 10023\)](#)

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
57	Used tyre storage (general): premises (other than premises within category 56) on which used tyres are stored	100 tyres or more	< 1,000 tyres at any one time
64	Class II putrescible landfill site: premises on which waste (as determined by reference to the 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	< 5,000 tonnes per year
<u>61</u>	<u>Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.</u>	<u>100 tonnes or more per year</u>	<u>< 200 tonnes per year</u>

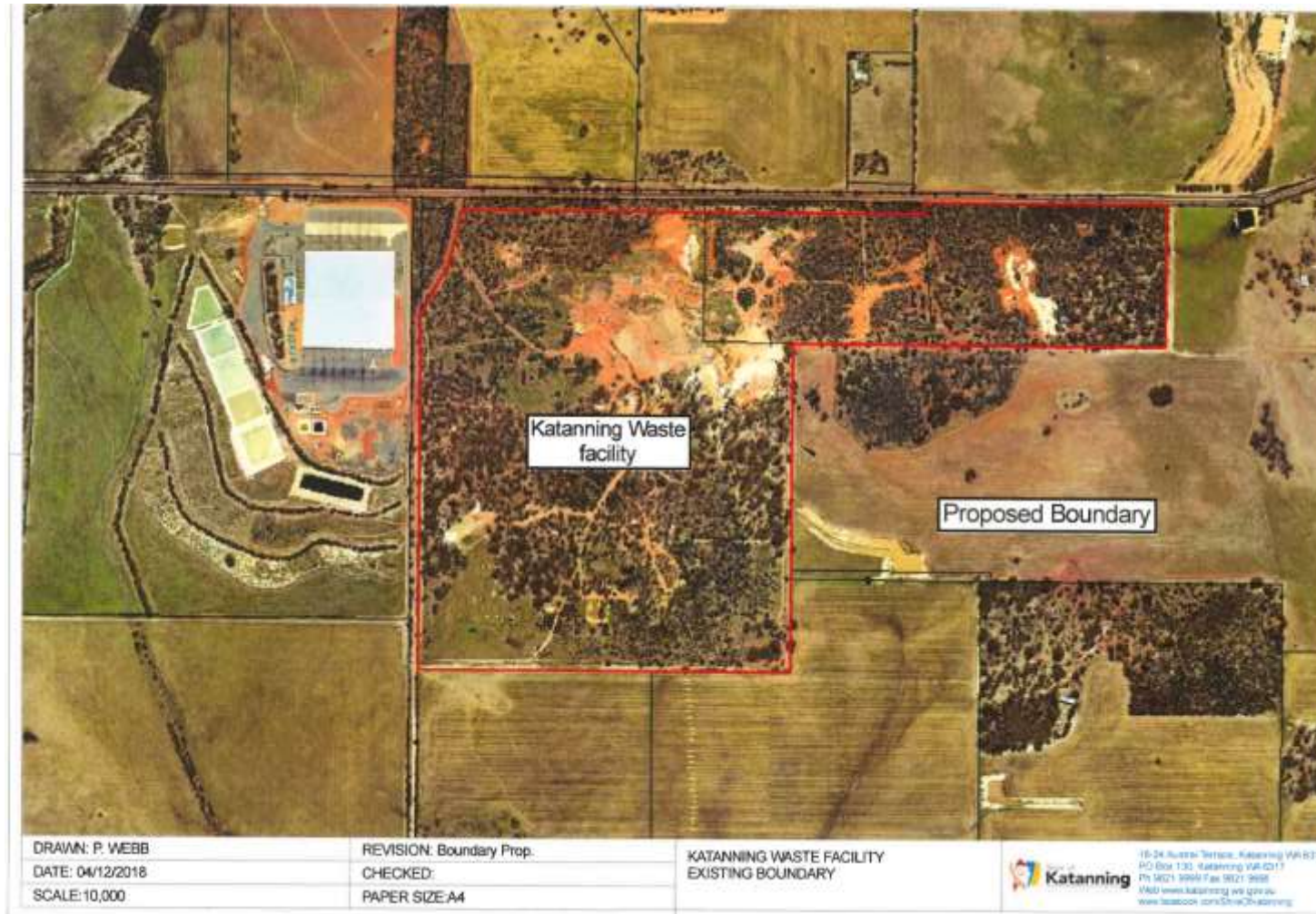
2. Condition 1.3.1 (Table 1.3.1) of the licence is amended by the deletion of the text shown in strike through below and the insertion of the red text shown in underline below:

Table 1.3.1: Waste acceptance		
Waste	Quantity Limit	Specification
Clean fill	None	None specified
Controlled waste <u>Waste from grease traps (K110)</u> <u>Septage wastes (K210)</u>	< 400 400 <u>200</u> tpa	Biological wastes (septage effluent only) to be deposited in septage ponds; <u>Brought to the premises by a controlled waste carrier and discharged into the liquid waste pond (as depicted as 'Effluent' in Schedule 1);</u>
Inert Waste Type 1	None	None specified
Inert Waste Type 2 (except tyres)		Scrap metal and plastic only
Contaminated solid waste	Combined total of <5 000 tonnes per year	Must meet the acceptance criteria for Class II landfills
Hazardous waste		Limited to waste oil, paint, vehicle batteries, and Drum Muster products
Putrescible waste		None specified
Special Waste Type 1		Cement bonded asbestos only. No fibrous asbestos shall be accepted. Asbestos to be received only by prior arrangement with the Licensee, or wrapped in plastic prior to acceptance
Special Waste Type 2		E.g. Biomedical / clinical

3. The Licence is amended by the replacement of the map labeled 'Premises Map' in Schedule 1 with the map over.

Premises Map

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



Appendix 1: Key documents

	Document title	Availability
1	Amendment Application Documentation	DWER records
2	L6919/1997/11 Katanning Shire Refuse Site	Accessed at www.dwer.wa.gov.au