



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Donnybrook-Balingup

Licence: L7084/1997/16

Registered office: 1 Bentley Street
DONNYBROOK WA 6239

Premises address: Donnybrook Waste Management Facility
Goodwood Road
PAYNEDALE WA 6239
Being State Forest 27 (Interim Tenancy Agreement No. 911/97)

Issue date: Thursday, 4 June 2015

Commencement date: Wednesday, 17 June 2015

Expiry date: Tuesday, 16 June 2020

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Damian Thomas
Licensing Officer

Decision Document authorised by: Caron Goodbourn
Delegated Officer



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1 Purpose of this Document

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



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	<input type="checkbox"/>
	New Licence <input type="checkbox"/>	<input type="checkbox"/>
	Licence amendment <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Works Approval amendment <input type="checkbox"/>	<input type="checkbox"/>
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	64: Class II putrescible landfill site	6,700 tonnes per annual period
	62: Solid waste depot	500 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input checked="" 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"/>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



3 Executive summary of proposal and assessment

The Shire of Donnybrook-Balingup (the Shire) operates a Class II putrescible landfill site, licensed by DER to accept 3500 tonnes per year of municipal waste. The site is located approximately 2.5 km southwest of the town of Donnybrook. An “Interim Tenancy Agreement” exists between the Shire and the Department of Parks and Wildlife to allow the use of the land (classed as State Forest) as a landfill (a request to excise the land from State Forest is pending). The site and surrounding area are currently zoned as “Boyanup State Forest”.

Potential emissions from the operation of this site are odour and fugitive emissions from leachate.

This Licence is the result of a an amendment sought by the proponent to increase their Category 64 production and design capacity from 3500 tonnes per year to 6700 tonnes per annual period. There is a solid waste depot at the premises so Category 62 solid waste depot has been added to the licence to allow recycling operations at the premises. The licence has also been converted to the new licence format.

As part of this amendment, the assessment has considered the acceptability or impacts of emissions and discharges from the Premises and consequently re-visited existing emission control levels as outlined in the Decision table below. During this amendment process changes to the conditions on the licence have also been made in line with global changes and licence template updates. The Shire has applied for a works for the construction of new landfill cells at the premises and the works approval application (W5577/2013/1) is currently being assessed. The assessment of this application will consider groundwater and surface water emissions as a detailed hydrogeological assessment has been submitted as part of the works approval application. Post construction of the landfill cells the licence will require an amendment and at this time the licence will be reviewed and groundwater monitoring conditions may be included in the licence.



4 Decision table

All applications are assessed under the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, DER's *Policy Statement No.7 – Operational Risk Management* 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	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.1	Previous licence condition 21, 22 and 23 that regulated stormwater management has been converted to condition 1.2.1.	Application supporting documentation L7084/1997/16
Premises operation	L1.3.1-L1.3.10	<p>Previous licence condition 1 has been converted to condition 1.3.1.</p> <p>Previous licence condition 2 has been converted to condition 1.3.3.</p> <p>Previous licence condition 3 has been converted to condition 1.3.1.</p> <p>Previous licence condition 4 has been converted to condition 1.3.1.</p> <p>Previous licence condition 5 has been converted to condition 1.3.1.</p> <p>Previous licence condition 6 has been converted to condition 1.3.2.</p> <p>Previous licence condition 7 has been converted to condition 1.3.3.</p> <p>Previous licence condition 8 has been converted to condition 1.3.3.</p> <p>Previous licence condition 9 (i)-(viii) has been converted to condition 1.3.3.</p>	Application supporting documentation L7084/1997/16



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>Previous licence condition 9 (viii) has been converted to condition 1.3.5.</p> <p>Previous licence condition 10 and 11 has been converted to condition 1.3.6.</p> <p>Previous licence condition 12 and 13 has been converted to condition 1.3.7.</p> <p>Previous licence condition 14 has been converted to condition 1.3.8.</p> <p>Previous licence condition 16 has been converted to condition 1.3.9.</p> <p>Previous licence condition 17 has been converted to condition 1.3.10.</p>	
Fugitive emissions	N/A	<p>Operation <i>Emission:</i> Potential dust emissions from site works, vehicle movement etc. <i>Impact:</i> Fugitive dust emissions can impact on local air quality and cause nuisance to nearby residents. Fugitive dust emissions can also adversely impact on adjacent vegetation (State Forrest) including any agricultural crops grown on land adjacent to the premises. <i>Controls:</i> Access roads to be compacted, water cart to be used during dry periods and heavy traffic movements, speed limits on roads, daily assessment of dust generating risks and operations to be ceased in unfavourable conditions.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk rating:</i> Low</p> <p><u>Regulatory controls</u> Previous licence conditions 19 and 20 regulated dust management at the premises. DER considers that fugitive dust emissions during operations can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>. No specified</p>	<i>Environmental Protection Act 1986.S49</i>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>conditions for fugitive emissions have therefore been included in the Licence.</p> <p><u>Residual risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk rating:</i> Low</p>	
Odour	N/A	<p>Operation <i>Emission:</i> Potential odour emissions from the deposition and decomposition of putrescible waste at the landfill. <i>Impact:</i> Odour emissions can unreasonably interfere with the health, convenience, comfort and amenity of any person or residence close to the premises. <i>Controls:</i> Dispose of putrescible waste as soon as possible after acceptance. Cover waste as soon as possible but at the latest at the end of each working day.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk rating:</i> Low</p> <p><u>Regulatory controls</u> Previous licence condition 15 regulated odour management at the premises. DER considers that odour emissions during operations can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>. No specified conditions for odour emissions have therefore been included in the Licence.</p> <p><u>Residual risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk rating:</i> Low</p>	<i>Environmental Protection Act 1986.S49</i>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Monitoring of inputs and outputs	L2.1.2	Condition 2.1.2 has been added to the licence for monitoring of inputs and outputs to ensure that waste quantities accepted at the premises are monitored so that they can be reported to DER. The estimated tonnages buried in the landfill per annual period must also be reported	Application supporting documentation L7084/1997/16
Information	L3.1 L3.2 L3.3	Previous licence condition 18 has been converted to condition 3.3.1. Previous licence condition 24 has been converted to condition 3.2.1. Previous licence condition 25 has been converted to condition 3.1.3. Previous licence condition 26 has been converted to condition 3.3.1.	Application supporting documentation L7084/1997/16
Licence Duration	N/A	The licence has been issued for five years and there are no mitigating circumstances that warrant the licence duration to be changed for this amendment. Post construction of the landfill cells the licence will require an amendment and at this time the licence will be reviewed.	N/A



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
15/01/2016	Proponent sent a copy of draft instrument	Proponent responded on 1/2/2016. 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