



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Plantagenet

Licence: L8767/2013/1

Registered office: Shire of Plantagenet
22-24 Lowood Road
MT BARKER WA 6324

ACN: N/A

Premises address: Kendenup Waste Management Facility
Lot 1 on Diagram 83367
Lake Matilda Road
KENDENUP WA 6323

Issue date: Thursday 29/08/2013

Commencement date: Monday 02/09/2013

Expiry date: Saturday 01/09/2018

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 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:

Lesley Hart
Regional Environmental Officer

Decision Document Authorised By:

Caron Goodbourn
Regional Leader



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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	Category Number(s)	Design Capacity
	62	2000 tonnes per annual period
Application Verified	Date: 09/07/2013	
Application Fee Paid	Date: 26/07/2013	
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 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

The Kendenup Waste Transfer Station occupies a small area along the north eastern boundary of the existing Kendenup Waste Management Facility located 2.9km north of the Kendenup town site, off Lake Matilda Road and is operated by the Shire of Plantagenet. The Kendenup Waste Management Facility is a registered Category 89 Putrescible landfill site, Registration number 1517, but currently is operated as a waste transfer station only. The site includes closed landfill trenches and a more recent inactive landfill area. Landfilling is proposed to recommence subject to a future Works Approval application. The current Waste Transfer Station facility was built in 2004/2005 without a Works Approval.

The nearest residential dwelling, located on the Kendenup town site perimeter, is approximately 850 metres south of the facility. No nearby commercial enterprises have been identified. Closest waterways to the site include two seasonally inundated creeks west and north east of the site, approximately 1km away and are part of the upper Kalgan River catchment. Lake Matilda lies approximately 5km north east of the site.

The Kendenup Waste Transfer Station currently receives the bulk of waste entering the Waste Management Facility premises with an average of 400 to 500 tonnes per year of municipal solid waste received and recyclables of approximately 740 tonnes per annum. Occasional large waste loads with minimal or no recycling content, will be delivered direct to landfill (once active landfill recommences), while large loads of green waste, tyres or scrap metal are delivered direct to the large stockpile areas defined within the Waste Management Facility.

The waste management facility has been assessed for a maximum capacity of 2000 tonnes per year and existing site infrastructure within the waste transfer station includes two 30 cubic meter (m³) lidded general waste bins, a comingled recyclables bin, a Drum Muster compound, used oil collection and storage facility, used batteries storage, plus storage areas for green waste, building construction materials, assorted metal, white goods and tyres. Existing site infrastructure also includes the closed landfill area, more recent inactive landfill area, a 1.8 metre high security fence around the Waste Transfer Station, secure gated access, a site office and gravel access roads.

The transfer station is open to the public three half days a week and is staffed during this time. The contents of the domestic waste bin on site are currently transported to the Shire of Plantagenet's O'Neill Road landfill site for burial at least once every 14 days. However, subject to a future Works Approval application, which includes an application to excavate new waste trenches and develop above ground landfill, contents of the domestic waste bin will be transferred to the adjacent active landfill in the future. Separate to this new licence, the impending Works Approval application also includes minor works to upgrade the existing Waste Transfer Station facilities and bring them into line with other Regional stations.

The Shire of Plantagenet has undertaken the following consultation:

- 7 May 2012 – Scoping document submitted to Albany DER . Further detailed documentation required for validation
- Shire consulting with DER and Opus International Consultants. Draft supporting documentation submitted in February 2013
- Further consultation with DER and Consultant Ian Watkins of IW Projects Pty Ltd. and Opus Final supporting documentation submitted 3 July 2013
- 24 June – 12 July 2013 – DER seeking further information to enable drafting of Solid Waste Depot Licence, including liaison with consultant, Ian Watkins of IW Projects Pty Ltd

The existing Waste Transfer Station has been operational since 2004/2005. This Licence is for the operation of an existing facility established without a works approval.

4 Decision Table

All applications are assessed under the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, DEC's *Policy Statement - Limits and targets for prescribed premises* (2006) 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	L 1.2.5	OSC	<p>Operation Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – licence conditions</p> <p>Waste is stored on site, hence it is considered appropriate for the OSC for stormwater management to be included on the licence due to the possibility of stormwater becoming contaminated. It is best practice for uncontaminated stormwater to be directed away from storage areas to minimise any generation of leachate. The existing Transfer Station site is designed to ensure that surface water is diverted away from waste management areas and there is no pooling of water.</p>	Application supporting documentation
	L1.3.2 / 1.3.5	OSC	<p>Operation Emission Significance - 3 Socio-political context - No concern or interest. Risk Assessment - D – licence conditions</p> <p>The current site design includes storage areas for putrescible waste, recyclable wastes (including scrap metal & white goods), used oil, used batteries, empty plastic chemical containers, tyres, building construction materials, and green waste. Waste which does not fit into these categories should not be accepted on site, and the OSC condition should be included in the licence to ensure this occurs. The licensee will accept putrescible wastes on site which may attract pests/vermin. The inclusion of OSC 1.3.5 for taking measures to manage pests/flies/vermin is appropriate for the licence.</p>	Application supporting documentation

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Works Approval / Licence Section	Condition Number W = Works Approval L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference Documents
Emissions General	L2.1	N/A	No specific conditions relating to Emissions General are required to be added to the licence. The standard condition 2.1.1 has been placed on the licence to ensure that the limit outlined in 2.6.2, regarding visible dust crossing the boundary, is investigated if it's exceeded.	
Point source emissions to air including monitoring	L2.2/L3.2	N/A	There are no point source emissions to air generated by the operation of the waste transfer station. Therefore no specified conditions relating to point source emissions to air or the monitoring of these emissions are required to be added to the licence.	
Point source emissions to surface water including monitoring	L2.3/L3.3	N/A	There are no point source emissions to surface water, and no surface water bodies near to the site. No specified conditions relating to point source emissions to water or the monitoring of such emissions are required to be added to the licence.	
Emissions to land including monitoring	L2.5/L3.5	N/A	<p>Operation Emission Significance - 1 Socio-political context - No concern or interest. Risk Assessment - E – No regulation, other management mechanisms</p> <p>No emissions to land are likely due to design of facility/bins being sealed, lidded and in hardstand areas. The oil recovery facility and battery storage areas are bunded and are required to meet the respective standards for their respective handling and storage. It is considered that no special conditions are required. OSC 1.2.5 regarding stormwater and the unauthorised discharges regulations should adequately address this low risk.</p>	<p>Environmental Protection (Unauthorised Discharges Regulations, 2004).</p> <p>Application supporting documentation</p> <p>Code of Practice for the Storage and Handling of Dangerous Goods, Department of Mines and Petroleum, Government of Western Australia</p>

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
Point source emissions to groundwater including monitoring	L2.4/L3.4	N/A	<p>Operation Emission Significance - 1 Socio-political context- No concern or interest. Risk Assessment - E – No regulation, other management mechanisms No emissions to groundwater by leaching are likely due to design of facility and bins being sealed, lidded and in hardstand areas. Used oil and battery storage facilities are in bunded and covered purpose built storage locations. No specified conditions relating to point source emissions to groundwater or the monitoring of such emissions are required to be added to the licence, as the low risk is adequately managed under the general provisions of the EP Act.</p>	<p>General provisions of the <i>Environmental Protection Act 1986 (EP Act)</i></p> <p>Application supporting documentation</p>
Fugitive Emissions	L2.6	N/A	<p>Operation Emission Significance - 1 Socio-political context- No concern or interest. Risk Assessment - E – No regulation, other management mechanisms The low vehicle speed and controlled vehicle movement within the transfer station, combined with minimal operating hours, will result in minimal dust generation. There is no need for specific requirements relating to dust other than the standard licence conditions and adequately managing the site under the general provisions of the EP Act.</p>	<p>General provisions of the <i>Environmental Protection Act 1986 (EP Act)</i></p> <p>Application supporting documentation</p>

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
Odour	L2.7.2	NSC	<p>Operation Emission Significance - 3 Socio-political context- No concern or interest. Risk Assessment - D – licence conditions Odour is likely to be generated from the storage of putrescible waste in bins on site (even allowing for covering with the lid when the facility is not open). Condition 2.7.2 has been added to ensure frequent and regular disposal of general waste to minimise potential odour issues. The licensee has indicated the general waste bin will be emptied more frequently if odour becomes a problem. Standard condition 2.7.1 is also on the licence to ensure that general odour emissions do not interfere with the health, welfare, convenience, comfort or amenity of any person off site.</p>	Application supporting documentation
Noise	L2.8	OSC	<p>Operation Emission Significance - 1 Socio-political context- No concern or interest. Risk Assessment - E – No regulation, other management There are no specified conditions relating to noise. Noise is not expected to be an issue on site. OSC's have not been used. Adequately managed under the noise regulations.</p>	Environmental Protection (Noise) Regulations 1997 Application supporting documentation
Monitoring General	L3.1	N/A	No specified conditions relating to monitoring are required.	Application supporting documentation
Monitoring of inputs and outputs	L3.6	OSC	Standard conditions were considered adequate for waste input and output monitoring.	Environmental Protection Regulations 1987 Application supporting documentation
Process Monitoring	L3.7	N/A	No special conditions necessary, process is simply storage in sealed bins or in designated storage areas.	

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Ambient Quality Monitoring	L3.8	N/A	No special conditions necessary. Ambient air quality will not be affected by stationery bin storage of putrescible waste and recyclable wastes for two weeks at a time. The occasional generation of smoke from the burning of green waste will be minimal and will be adequately covered by monitoring any complaints received. Processing of green waste will be handled under the site Registration as a Prescribed Premises Category 89 Putrescible landfill site and the application of the Rural Landfill Regulations: R13 Burning of green waste only.	Environmental Protection (Rural Landfill) Regulations 2002
Meteorological monitoring	L3.9	N/A	No special conditions necessary. Meteorological condition should not affect process or environmental impact.	
Improvements	L4.1	N/A	There are no improvements deemed necessary from the application. This is an application for the operation of an existing waste transfer station. OSC's have not been used.	
Information	L5	NSC	Reporting on the waste inputs and outputs as required under Table 3.6.1 has been included in the reporting requirements	

5 Advertisement and Consultation Table

Date	Event	Comments received/Notes	How comments were taken into consideration
05/08/2013	Application advertised in West Australian (or other relevant newspaper)	No comments received	N/A
09/08/2013	Proponent sent a copy of draft instrument	No comments received	N/A

Appendix A

EMISSIONS AND DISCHARGES RISK ASSESSMENT MATRIX

Note: These matrix are taken from the DEC Officer's Guide to Emissions and Discharges Risk Assessment (2006).

Table 3: Measures of Significance of Emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95 th Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal Operating Conditions (50 th 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 *Officer's Guide to Emissions and Discharges Risk Assessment* (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