



Licence number	L9256/2020/1
Licence holder	The Italo Pirone Family Trust trading as Wonthella Sand and Building Supplies Pty Ltd
ACN	008 862 137
Registered business address	20 Boyd Street Geraldton WA 6530
DWER file number	DER2020/000302
Duration	28/08/2020 to 27/08/2040
Date of issue	28/08/2020
Premises details	Moonyoonooka Sand Quarry 55 Abattoir Road Legal description - Lot 4 on Deposited Plan 13161 Certificate of Title Volume 1947 Folio 962

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 63: Class I inert 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	5000 tonnes per annual period

This licence is granted to the licence holder, subject to the attached conditions, on 28 August 2020, by:

**/MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

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

Licence history

Date	Reference number	Summary of changes
05/08/2005	L8032/2005/1	New Licence.
02/08/2010	L8032/2005/2	Licence reissue
09/07/2015	L8032/2005/3	Licence reissue and conversion to REFIRE format
28/08/2020	L9256/2020/1	Licence L8032/2005/3 ceased. New Licence L9256/2020/1 issued with updated format.

Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this licence:
 - (i) if dated, refers to that particular version; and
 - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

Licence conditions

The licence holder must ensure that the following conditions are complied with:

General conditions

1. The licence holder shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
2. The licence holder shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
3. The licence holder shall:
 - (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Premises operation

4. The licence holder shall only accept waste on to the Premises or landfill if:
 - (a) it is of a type listed in Table 1; and
 - (b) the quantity accepted is below any quantity limit listed in Table 1; and
 - (c) it meets any specification listed in Table 1.

Table 1: Waste acceptance		
Waste type	Quantity limit (tonnes per annual period)	Specification ²
Inert Waste Type 1	5,000	Waste containing visible asbestos or ACM shall not be accepted
Inert Waste Type 2		Tyres and plastic only
Clean Fill		None specified

5. The licence holder shall ensure that where waste does not meet the waste acceptance criteria set out in condition 4 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

¹ The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

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

6. The licence holder shall ensure that wastes accepted onto the Premises or landfill are only subjected to the process(es) set out in Table 2, and in accordance with any process limits described in that table.

Table 2: Waste processing		
Waste type	Process(es)	Process limits ³⁴
Inert Waste Type 1	Receipt, handling, associated storage and disposal of waste by landfilling	<u>All waste types</u> Disposal of waste by landfilling shall only take place within the landfill area shown on the Landfill Area Map in Schedule 1 No waste shall be temporarily stored or landfilled within 25 metres from the boundary of the Premises The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2 m Place waste within the mined out void (the result of sand mining operations) Storage of tyres is not to exceed 100 car tyre equivalents at any one time
Inert Waste Type 2		
Clean Fill		

7. The licence holder shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 3 and that sufficient stockpiles of cover are maintained on site at all times.

Table 3: Cover requirements ⁵			
Waste Type	Material	Depth	Timescales
Inert Waste Type 2	Type 1 Inert Waste or Soil	100 mm	By the end of the working day in which the waste was deposited Plastic waste with the potential to become windblown shall be covered as soon as practicable after deposit
	Soil	1 metre	At the completion of a filled mined void
Inert Waste Type 1	No cover required		
Clean Fill			

³ Requirements for landfilling and temporary storage of tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

⁴ 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*.

⁵ Additional requirements for the covering of tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

8. The licence holder shall implement the following security measures at the site:
 - (a) erect and maintain suitable fencing to prevent unauthorised access to the site; and
 - (b) ensure that any entrance gates to the Premises are securely locked when the Premises are unattended; and
 - (c) undertake regular inspections of all security measures and repair damage as soon as practicable.
9. The licence holder shall take all reasonable and practical measures to ensure that no wind-blown waste escapes from the Premises and that wind-blown waste is collected on at least a monthly basis and returned to the tipping area.
10. The licence holder shall not burn or allow the burning of waste on the Premises.
11. The licence holder shall ensure that fire-fighting equipment stored on the Premises is capable of controlling and extinguishing a tyre fire.
12. The licence holder shall take all immediate steps to extinguish any fire at the Premises.

Emissions

13. The licence holder shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.

Monitoring

14. The licence holder shall undertake the monitoring in Table 4 according to the specifications in that table.

Table 4: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Inert 1, Inert 2 and Clean Fill	tonnes (where a weighbridge is present on the site)	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Definitions	m ³ (where no weighbridge is present)		Each load leaving or rejected from the Premises

Information

15. 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 condition 15(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.
- 16.** The licence holder 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.
- 17.** The licence holder shall complete an Annual Audit Compliance Report indicating the extent to which the Licence holder 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.
- 18.** The licence holder 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.
- 19.** The licence holder shall submit to the CEO an Annual Environmental Report within 62 calendar days after the end of the annual period (i.e. by 1 October). The report shall contain the information listed in Table 5 in the format or form specified in that table.

Table 5: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form⁶
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 4	Summary of inputs and outputs	None specified
-	The number and type of tyres received on the Premises each month and the number disposed of each month	None specified
17	Compliance	Annual Audit Compliance Report (AACR)
18	Complaints summary	None specified
-	Number and severity of any fires on site	
13	Measures taken to suppress dust	
9	Measures taken to control windblown waste	

⁶ Forms are in Schedule 2

20. The Licence holder shall ensure that the parameters listed in Table 6 are notified to the CEO in accordance with the notification requirements of the table.

Table 6: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement⁷	Format or form⁶
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part A: As soon as practicable but no later than 5pm of the next usual working day Part B: As soon as practicable	N1
-	Fire at the Premises		

⁶ Forms are located in Schedule 2

⁷ Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

Definitions

In this licence, the terms in Table 7 have the meanings defined.

Table 7: Definitions	
Term	Definition
Acceptance Criteria	has the meaning defined in Landfill Definitions
ACM	means asbestos containing material and has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009)
ACN	Australian Company Number
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).
annual period	a 12 month period commencing from 1 August until 31 July of the immediately following year.
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer of the Department. "submit to / notify the CEO" (or similar), means either: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 or: info@dwer.wa.gov.au
Clean Fill	has the meaning defined in Landfill Definitions
Code of practice for the storage and handling of dangerous goods	means document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994 (WA)</i> and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
discharge	has the same meaning given to that term under the EP Act.
emission	has the same meaning given to that term under the EP Act.
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.

Table 7: Definitions	
Term	Definition
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
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 titled “Landfill Waste Classification and Waste Definitions 1996” published by the Chief Executive Officer of the Department of Environment as amended from time to time
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
premises	refers to the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map (Figure 1) in Schedule 1 to this licence.
prescribed premises	has the same meaning given to that term under the EP Act.
quarantined storage area or container	means a hardstand storage area or sealed-bottom container that is separate and isolated from authorised waste disposal areas and is capable of containing all non-conforming waste and its constituents, these areas must be clearly marked and their access restricted to authorised personnel
usual working day	means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia
waste	has the same meaning given to that term under the EP Act.

Schedule 1: Maps

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IR-T06 Licence template (v7.0) (February 2020)

below.

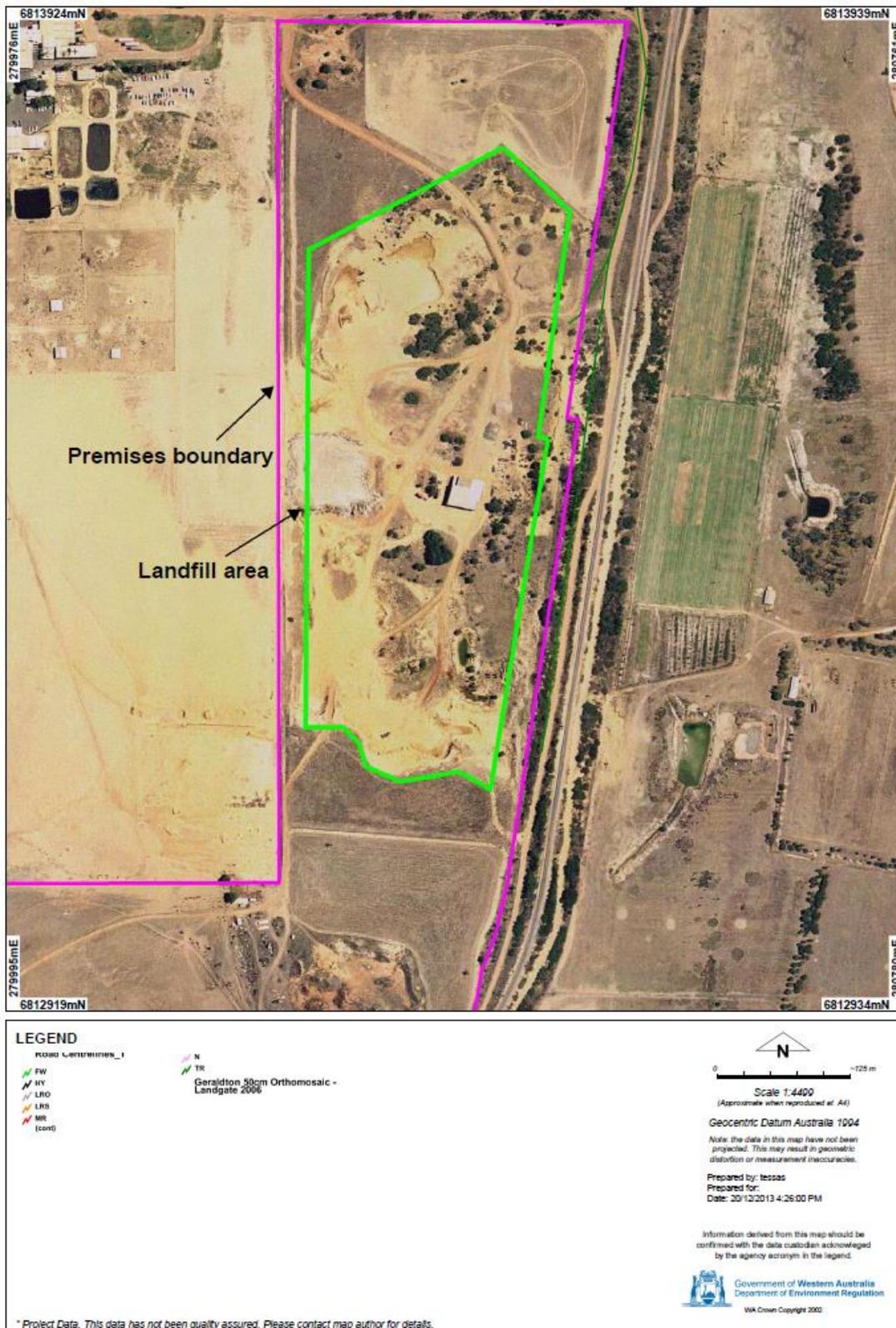


Figure 2: Landfill Area Map

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IR-T06 Licence template (v7.0) (February 2020)

Schedule 2: Reporting and 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 Form

Environmental Protection Act 1986, Part V Division 3

Once completed, please submit this form either via email to info@dwer.wa.gov.au, or to the below postal address:

Department of Water and Environmental Regulation
 Locked Bag 10
 Joondalup DC WA 6919

Section A – Licence details			
Licence number:		Licence file number:	
Licence holder name:			
Trading as:			
ACN:			
Registered business address:			
Reporting period:	/ /	to	/ /

Section B – Statement of compliance with licence conditions
Did you comply with all of your licence conditions during the reporting period? (please tick the appropriate box)
<input type="checkbox"/> Yes – please complete: <ul style="list-style-type: none"> • section C; • section D (if required); and • sign the declaration in Section F.
<input type="checkbox"/> No – please complete: <ul style="list-style-type: none"> • section C; • section D (if required); • section E; and • sign the declaration in Section F.

Section C – Statement of actual production	
Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.	
Prescribed premises category	Actual production quantity

Section D – Statement of actual Part 2 waste discharge quantity	
Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached.	
Prescribed premises category	Actual Part 2 waste discharge quantity

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:		Date(s) of non-compliance:	
Details of non-compliance:			
What was the actual (or suspected) environmental impact of the non-compliance? NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			

Section E – Details of non-compliance with licence condition	
Cause (or suspected cause) of non-compliance:	
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:	
Was this non-compliance previously reported to DWER?	
<input type="checkbox"/> Yes, and	
<input type="checkbox"/> Reported to DWER verbally	Date: / /
<input type="checkbox"/> Reported to DWER in writing	Date: / /

Section F – Declaration			
I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular ⁸ .			
I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.			
Signature ⁹ :		Signature:	
Name: (printed)		Name: (printed)	
Position:		Position:	
Date:		Date:	
Seal (if signing under seal):			

⁸ 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.

⁹ AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.

Licence: L9256/2020/1

Licence holder: The Italo Pirone Family Trust

Form: N1

Date of breach:

Notification of detection of the breach of a limit.

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	

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 licence holder	
Date	