



Licence

Environmental Protection Act 1986, Part V

Licensee: Hancock Prospecting Pty Ltd

Licence: L8661/2012/2

Registered office: HPPL House
 28-42 Ventnor Avenue
 WEST PERTH WA 6005

ACN: 008 676 417

Premises address: Mulga Downs Exploration Camp Landfill
 Part of E47/1244 within E656287 N7556031, E656339 N7556031,
 E656287 N7555959, E656339 N7555959
 MULGA DOWNS WA 6751
 as depicted in Schedule 1

Issue date: Thursday, 10 September 2015

Commencement date: Thursday, 17 September 2015

Expiry date: Wednesday, 16 September 2020

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
89	Putrescible landfill site: premises on which 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, as amended from time to time) is accepted for burial.	More than 20 but less than 5000 tonnes per year	50 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

.....
 Stephen Checker
 Manager Licensing (Waste Industries)
 Officer delegated under section 20
 of the *Environmental Protection Act 1986*



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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 advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within 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.

Licence fees

If you have a licence that is issued for more than one year, you are 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.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Hancock Prospecting Pty Ltd (HPPL) is a privately owned mineral exploration and extraction company that is conducting exploration drilling within the Mulga Downs Pastoral Station. HPPL operates a landfill 1km north-west of the Mulga Downs Exploration Camp. The landfill caters for the domestic putrescible waste that will be produced by the 32 person camp, which will be a maximum of 50 tonnes for the year. It is proposed that the landfill will be in operation for approximately two years.

HPPL operates a landfill on tenement E47/1244 on the Mulga Downs Pastoral Station within the Shire of Ashburton. The nearest residence is the Mulga Downs Pastoral Station Homestead, which is located approximately 4.5km west of the landfill site.

The main emissions from the premises include stormwater and leachate from decomposition of putrescible waste.

This Licence is the successor to licence L8661/2012/1 and includes changes to new format licence conditions.

The licences and works approvals issued for the Premises since 23/07/2012 are:

Instrument log		
Instrument	Issued	Description
W5185/2012/1	23/07/2012	New application
L8661/2012/1	13/09/2012	New Licence
L8661/2012/2	10/09/2015	New Licence and amendment to new 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* apply unless the contrary intention appears.

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

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 September until 31 August in the following year;

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

'CEO' for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: info@der.wa.gov.au;

'Licence' means this Licence numbered and issued under the Act;

'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;

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

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

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 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 General conditions



- 1.2.1 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.
- 1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.3 The Licensee 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

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 allow waste to be accepted on to the Premises if:
 - (a) it is of a type listed in Table 1.3.1;
 - (b) the quantity accepted is below any limit listed in Table 1.3.1; and
 - (c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance		
Waste	Quantity Limit	Specification
Clean fill	Combined total of up to 50 tonnes per annual period	None specified
Inert Waste Type 1		
Inert Waste Type 2		
Putrescible Waste		

- 1.3.2 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	Process(es)	Process Limits^{1,2}
All	Disposal of waste by landfilling	<ul style="list-style-type: none"> • Shall only take place within the landfill area shown on the Map in Schedule 1; • Place waste within a defined trench or within an area enclosed by earthen or other bunds; • Restrict the tipping area to a maximum linear length of thirty (30) metres; • The tipping area is no greater than 2 metres above ground level height; and • The separation distance between the base of the landfill and the highest groundwater level shall not be less than 3m.
Clean fill	Receipt, handling and disposal by landfilling	None specified
Inert Waste Type 1	Receipt, handling,	



	storage prior to re-use or disposal by landfilling	
Inert Waste Type 2 - Tyres	Receipt, handling, storage prior to re-use or disposal by landfilling	Less than 100 units to be stored at the premises.

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*.

1.3.3 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.3.3 and that sufficient stockpiles of cover material are maintained on site at all times.

Table 1.3.3: Cover requirements			
Waste Type	Material	Depth	Timescales
All (Putrescible and Inert)	Clean fill	150mm	Monthly

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

- (a) maintain suitable fencing to prevent unauthorised access to the site;
- (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.

1.3.5 The Licensee shall not allow windblown litter to escape from the Premises.

1.3.6 The Licensee shall collect any waste that has been washed or blown away from the tipping area and return it to the tipping area on a monthly basis.

1.3.7 The Licensee shall ensure there is a fire break of at least 3 metres around the boundary of the landfill site.

2 Information

2.1 Records

2.1.1 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 2.1.1(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.

2.1.2 The Licensee shall ensure that:



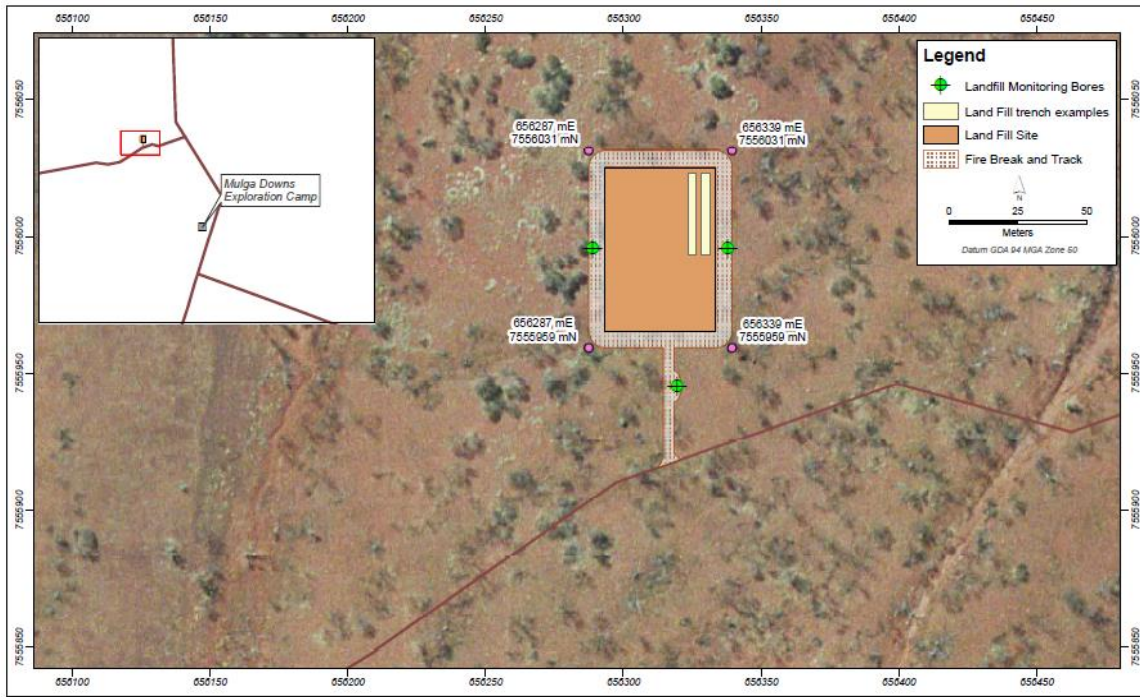
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 2.1.3 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.
- 2.1.4 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.



Schedule 1: Maps

Premises map

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





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 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"/>	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)



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Hancock Prospecting Pty Ltd

Licence: L8661/2012/2

Registered office: HPPL House
28-42 Ventnor Avenue
WEST PERTH WA 6005

ACN: 008 676 417

Premises address: Mulga Downs Exploration Camp Landfill
Part of E47/1244 within E656287 N7556031, E656339 N7556031,
E656287 N7555959, E656339 N7555959
MULGA DOWNS WA 6751

Issue date: Thursday, 10 September 2015

Commencement date: Thursday, 17 September 2015

Expiry date: Wednesday, 16 September 2020

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.

Decision Document prepared by: Damian Thomas
Licensing Officer

Decision Document authorised by: Stephen Checker
Delegated Officer



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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.



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)	Assessed design capacity
	89	50 tonnes per year
Application verified	Date: 04/08/2015	
Application fee paid	Date: 20/08/2015	
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

Hancock Prospecting Pty Ltd (HPPL) is a privately owned mineral exploration and extraction company that is conducting exploration drilling within the Mulga Downs Pastoral Station. HPPL operates a landfill 1km north-west of the Mulga Downs Exploration Camp. The landfill caters for the domestic putrescible waste that will be produced by the 32 person camp, which will be a maximum of 50 tonnes for the year. It is proposed that the landfill will be in operation for approximately two years.

HPPL operates a landfill on tenement E47/1244 on the Mulga Downs Pastoral Station within the Shire of Ashburton. The nearest residence is the Mulga Downs Pastoral Station Homestead, which is located approximately 4.5km west of the landfill site.

The main emissions from the premises are general emission including stormwater and leachate from decomposition of putrescible waste.

HPPL submitted a new licence application on 17 July 2015. As part of this new licence application, DER has not re-assessed the acceptability or impacts of emissions and discharges from the Premises or re-visited any existing emission control levels. No changes to the conditions on the licence have been made with the exception of global changes in line with new licence format template updates.



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	L1.2.3	Previous licence condition 4 regulated stormwater management and has been converted to licence condition 1.2.3 in the new licence.	Application supporting documentation L8661/2012/1
Premises operation	1.3.1-1.3.7	<p>Previous licence condition 1 that regulated waste acceptance at the premises has been converted to licence condition 1.3.1 in the new licence.</p> <p>Previous licence condition 2 that regulated management of landfill activities has been converted to licence condition 1.3.2, 1.3.3 and 1.3.7 in the new licence.</p> <p>Previous licence condition 3 that regulated wind-blown waste has been converted to licence condition 1.3.5 and 1.3.6 in the new licence.</p> <p>Previous licence conditions 6 that regulated fencing has been converted to licence condition 1.3.4 in the new licence.</p> <p>Previous licence condition 7 that regulated protection of groundwater has been converted to licence condition 1.3.2 in the new licence.</p>	Application supporting documentation L8661/2012/1
Fugitive emissions	N/A	Fugitive emissions of dust can be sufficiently regulated under the general provisions of the <i>Environmental Protection Act 1986</i> . In accordance with DER's licensing process, no specified conditions for fugitive emissions have been included on this licence. Accordingly previous licence condition 5 has been removed from the licence.	Application supporting documentation



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
			L8661/2012/1
Information	2.1.1-2.1.4	Previous licence condition 8 which required the submission of an annual audit compliance report has been converted to licence condition 2.1.3 in the new licence.	Application supporting documentation L8661/2012/1
Licence Duration		The original licence was issued for three years and the original application advised the life of landfill was approximately five years. This licence will be issued for another five years to allow time for closure.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
20/08/2015	Application advertised in West Australian (or other relevant newspaper)	No submissions	N/A
31/08/2015	Proponent sent a copy of draft instrument	Proponent advised no comments.	N/A



6. Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

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