



Government of Western Australia
Department of Environment and Conservation

Your ref: L6834/1997/11
Our ref: L59/97
Enquiries: Luke Claessen
Phone: 9333 7510
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COPY

Mr Gary Tuffin
Shire of Chittering
PO Box 70
BINDOON WA 6502

Dear Mr Tuffin

ENVIRONMENTAL PROTECTION ACT 1986 – AMENDMENT TO LICENCE 6834/1997/11
Bindoon Landfill and Recycling Centre
Lot 101 on Diagram 48571 Mingah Road
MOOLIABEENEE WA 6504

Further to my letter dated 19 April 2013, please find enclosed your amended *Environmental Protection Act 1986* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on 9333 7510 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment, you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely

Stefan de Haan
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Thursday, 23 May 2013

enc: Amended licence 6834/1997/11

1900

WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Environmental Protection Act 1986

LICENCE

LICENCE NUMBER: L6834/1997/11

FILE NUMBER: L59/97

NAME OF OCCUPIER:

Shire of Chittering

ADDRESS OF OCCUPIER:

Shire of Chittering
PO Box 70
BINDOON, WA 6502

NAME AND LOCATION OF PREMISES:

Bindoon Landfill & Recycling Centre
Lot 101 on Diagram 48571
Mingah Road
MOOLIABEENEE, WA, 6504
(as depicted in Attachment 1)

Environmental Protection Regulations 1987

CLASSIFICATION(S) OF PREMISES:

Category (64): Class II putrescible landfill site

COMMENCEMENT DATE OF LICENCE: Saturday, 4 June 2011

EXPIRY DATE OF LICENCE: Friday, 3 June 2016

CONDITIONS OF LICENCE:

As described and attached:

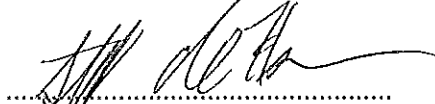
DEFINITIONS: 16

GENERAL CONDITIONS: 14

AIR POLLUTION CONTROL CONDITIONS: 6

WATER POLLUTION CONTROL CONDITIONS: 5

ATTACHMENTS: 2



Stefan de Haan

Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Date of Issue: Thursday, 2 June 2011

Date of Amendment Thursday, 23 May 2013

WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Environmental Protection Act 1986

LICENCE NUMBER: L6834/1997/11

FILE NUMBER: L59/97

PREAMBLE

Applicability

This licence relates to Bindoon Landfill and Recycling Centre, Lot 101 on Diagram 48571, Mingah Road, Mooliabeenee (as depicted in attachment 1), which is a prescribed premises within Schedule 1 of the *Environmental Protection Regulations 1987* as outlined in Table 1. The activity at the premises includes, but is not necessarily limited to, the following operation:

Table 1: Category under which the premises is prescribed:

Category number	Category name	Description
64	Class II 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 Director General and as amended from time to time) is accepted for burial.

Nominal Rated Throughput

The nominal rated throughput of the premises covered by this Licence is in accordance with the following:

- Production or design capacity: more than 20 tonnes per year but not more than 5,000 tonnes per year

Any increase greater than 10 percent above the nominal rated throughput listed shall not occur unless the licensee has been granted prior approval in writing from the Director under the provisions of the *Environmental Protection Act 1986*.

Emergency, Accident or Malfunction

The licensee should be aware of the requirement to notify the Director General of any discharges of waste, in accordance with Section 72 of the *Environmental Protection Act 1986*. The licensee should inform the Regional Office, as soon as practicable, of the identification of any discharge of waste which has occurred as a result of an emergency, accident or malfunction, or extreme weather conditions, otherwise than in accordance with any condition of this licence and has caused or is likely to cause pollution.

Alteration to premises

Prior to making any significant alterations to the premises which may affect the air, water or noise emissions from the premises the licensee must submit a proposal to the Director accompanied by supporting information and plans which allow the environmental impact of the change to be assessed.

General Requirements

The following statements reflect important sections of the *Environmental Protection Act 1986* and are included for the information of the licensee:

- Noise emissions from operations on site are required to comply with the *Environmental Protection (Noise) Regulations 1997*.
- The licensee should take all reasonable and practicable measures to prevent or minimise the discharge of waste and the emission of noise, odours or electromagnetic radiation from the premises.

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- The licensee should inform the Director at least 24 hours prior to the commencement of any planned non-standard operations, which may have the potential to cause pollution

Storage and Disposal of Used Tyres

The storage and disposal of used tyres is controlled under the Environmental Protection Regulations 1987.

Disposal of Asbestos and Clinical Waste

Waste containing asbestos must be separated from all other waste materials where separation is reasonably practicable. All material containing asbestos must be wrapped in plastic to prevent the release asbestos fibres into the environment during transportation to the disposal site. Asbestos should be offloaded at the foot of the excavation at the landfill site in such a manner as to avoid the generation of dust and the release of asbestos fibres. Asbestos material should be buried as soon as possible following its arrival at the disposal site, with any load to be recorded on a register, defined by grid references on the site plan.

Compliance with other Acts, Regulations and Policy

The licensee should be aware that these conditions do not exempt them from other statutory obligations under the *Bush Fires Act 1954*, *Environmental Protection Act 1986* or *Health Act 1911*.

Where appropriate, the licensee should be aware of and endeavour to comply with the following policy documents issued by the Department of Environment and Conservation (and advise the Director where the licensee is unable to comply with any of the documents):

- Landfill Waste Classification and Waste Definitions 1996 (as amended 2009);
- 'Guidelines for Acceptance of Solid Waste to Landfills, January 2001';

Greenwaste

The licensee should be aware that the Department of Fire and Emergency Services (DFES) control the burning of greenwaste during prohibited and restricted burning times under the *Bush Fires Act 1954*. The licensee should also be aware that one of the State's objectives is to divert greenwaste from landfills and should endeavour to implement strategies that will meet this objective.

Buffers

In the past, landfills have caused significant offsite impacts to adjacent land which have resulted in restrictions being placed on the landfill's operations. To minimise these impacts, a 35 metre internal buffer zone has been set in this licence, however this may not be adequate and the buffer distance set in the 'Code of Practice Rural Landfill Management' should be followed. Where appropriate buffer distances cannot be maintained and protected in the local authority's town planning scheme, the internal buffer distance may be increased to compensate for the loss of buffer distance.

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CONDITIONS OF LICENCE

DEFINITIONS

In these conditions of licence, unless inconsistent with the text or subject matter:

'clean fill', 'type 1 inert waste', 'putrescible waste' and 'type 1 special waste', 'type 2 special waste' means the fill and waste as defined in the document titled 'Landfill Waste Classification and Waste Definitions' 1996 (as amended December 2009);

'cover material' means soil, subsoil or approved inert waste used for covering of waste;

'DEC' means the Department of Environment and Conservation;

'Director' means Director, Environmental Regulation Division of the Department of Environment and Conservation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the Environmental Protection Act 1986;

'Director' or 'Department of Environment and Conservation' for the purposes of correspondence means:

Regional Manager, Industry Regulation
Swan Region
Department of Environment and Conservation
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6983

Telephone: 9333 7510
Facsimile: 9333 7550

'designated burning area' means an area of a the premises that has been designated by the occupier of the premises as a designated burning area and which:

- (a) is at least 50 metres from the boundary of the premises;
- (b) has no flammable material on it, other than the greenwaste and live trees, for a radius of 50 metres;
- (c) is positioned in the area of the site where waste (other than the greenwaste to be burnt) has not been deposited; and
- (d) is at least 500 metres from any person's residence or place of employment (other than the landfill site) or an educational institution, hospital or other public place.

'DFES' means the Department of Fire and Emergency Services;

'Fire Control Officer', in relation to the premises, means a person who has such qualifications in fire fighting or fire control as are approved, appointed to that position by the occupier of the premises;

'green waste' or 'garden waste' means biodegradable waste comprising plants and their component parts such as flower cuttings, hedge trimmings, branches, grass, leaves, plants, seeds, shrub and tree loppings, tree trunks, tree stumps and similar materials and includes any mixture of those materials;

'Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009)', refers to the document published by the Director General, Department of Environment on 1 July 2005;

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'mm' means millimetre;

'mg/L' means milligrams per litre;

'putrescible' means as defined in the "Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009);

'surface water body' means any natural or artificial water course or wetland (as those terms are defined in the Rights in Water Irrigation Act 1914) dam or other impoundment and any other surface water exposed to the atmosphere;

'the Act' means the *Environmental Protection Act 1986* (WA)

'tipping area' means the area of the premises where waste currently being brought to the premises is being deposited;

GENERAL CONDITIONS

WASTE ACCEPTANCE

G1 The licensee shall accept and bury only the following types of waste at the premises:

- (i) clean fill;
- (ii) type 1 inert wastes;
- (iii) type 2 inert wastes;
- (iv) putrescible wastes;
- (v) type 1 special wastes; and
- (vi) type 2 special wastes.

DISPOSAL OF CLINICAL AND ASBESTOS WASTE

G2(a) The licensee shall ensure that material containing asbestos is covered as soon as practicable, after its disposal, with a minimum depth of one metre of cover material.

G2(b) The licensee shall ensure that material containing biomedical waste is covered as soon as practicable, after its disposal, with a minimum depth of one metre of cover material.

G2(c) The licensee shall ensure that material containing asbestos and/or biomedical waste is disposed of under the personal supervision of the licensee, or the personal supervision of a person nominated by the licensee.

G2(d) The licensee shall ensure that an accurate and up to date register is kept of material containing asbestos and/or biomedical waste disposed of at the premises and include the following information in the register within 2 hours of supervising the covering of waste;

- (i) the date;
- (ii) the person's name that disposed of the waste; and
- (iii) that the waste has been covered in accordance with condition G2(b).

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- G2(e) The licensee shall maintain a plan showing the current position of material containing asbestos and/or clinical waste disposed of at the premises.

MANAGEMENT OF LANDFILL ACTIVITIES

- G3 The licensee shall ensure that:

- (i) no waste is placed closer than 35 metres to the premises boundary;
- (ii) waste is placed in a defined trench or within an area enclosed by earthen bunds;
- (iii) the tipping area is restricted to a maximum linear length of 30 metres;
- (iv) waste in the tipping area is covered in accordance with Table 1;
- (v) there is enough cover material to cover waste in accordance with Condition G3(iv), at least twice;
- (vi) waste is covered with cover material;
- (vii) waste is totally covered so that no waste is left exposed; and
- (viii) the tipping area is no greater than two metres in height.

Table 1: Landfilling of waste

Tonnes of waste received per year	Frequency waste is to be covered
Less than 500 tonnes	Monthly
Between 500 and 2 000 tonnes	Fortnightly
Between 2 000 and 5 000 tonnes	Weekly

WIND-BLOWN WASTE

- G4(a) The licensee shall maintain a wire stock fence around the boundary of the active landfill area. The licensee shall ensure that any entrance to the premises is securely locked when the premises is unattended.
- G4(b) The licensee shall ensure that wind-blown waste is contained within the boundaries of the premises.
- G4(c) The licensee shall ensure that any waste that has been washed or blown away from the tipping area is collected and returned to the tipping area on a monthly basis.

SIGNAGE

- G5 The licensee shall install and maintain a sign at the entrance to the premises which clearly displays the following:
- (i) contact telephone number for information and complaints or notification of fires;
 - (ii) a list of materials that are accepted;
 - (iii) the types of waste that must not be deposited on the premises and a contact telephone number for alternative disposal options; and
 - (iv) a warning, indicating penalties for people lighting fires.

MONITORING AND REPORTING

- G6(a) The licensee shall provide to the Director a copy of the annual monitoring report containing the monitoring data required by any condition of this licence. The report shall contain data collected from 1 January to 31 December the following year, and shall be provided by **1 February each year**.

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- G6(b) The licensee shall provide details of:
- (i) the number and severity of any fires on site;
 - (ii) the measures taken to suppress dust;
 - (iii) the measures taken to control windblown waste;
 - (iv) the average compaction rates; and
 - (v) the number and type of complaints received including complainants name, address, nature of complaint (where appropriate cross referenced with prevailing wind directions) and action taken.

ANNUAL AUDIT COMPLIANCE REPORT

- G7 The licensee shall by 1 February in each year, provide to the Director an Annual Audit Compliance Report in the form in Attachment 2 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the premises, during the period beginning 1 January the previous year and ending on 31 December in that year.

AIR POLLUTION CONTROL CONDITIONS

DUST – GENERAL REQUIREMENT

- A1 The licensee shall ensure that no visible dust crosses the boundary of the premises.

BURNING OF WASTE

- A2(a) The licensee shall not burn or allow the burning of non-greenwaste on the premises.
- A2(b) If greenwaste is burnt on the premises, the licensee, or a person nominated by the licensee, shall:
- (i) ensure the greenwaste is dry and seasoned for at least two months before being burnt;
 - (ii) ensure the greenwaste is burnt in a designated burning area;
 - (iii) provide an adequate water supply and distribution system to prevent fires from escaping beyond the greenwaste area;
 - (iv) burn greenwaste in a manner to minimise the generation of smoke;
 - (v) burn greenwaste in windrows or trenches;
 - (vi) burning does not commence before 8 a.m. and the Fire Control Officer for the landfill site declares the area safe by 12 noon on the same day;
 - (vii) ensure that, from the time burning commences until the Fire Control Officer for the premises declares the area safe;
 - (a) a fire fighting vehicle carrying at least 500 litres of water, fitted with at least 30 metres of 19 mm diameter rubber hose and with a pump capacity capable of delivering a minimum of 250 litres of water per minute at a minimum of 700 kPA through a nozzle capable of projecting water by spray or by jet; and
 - (b) 2 persons, who have such qualifications in fire fighting as are approved.
- A2(c) The licensee shall ensure that there are appropriate procedures in place at the premises so that any unauthorised fire is promptly extinguished;
- A2(d) The licensee shall ensure that an unauthorised fire on the premises is extinguished as soon as possible.

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- A2(e) The licensee shall provide the Director with a report on an unauthorised fire within 14 days of the fire and include:
- (i) details of the date, time and location of the fire;
 - (ii) the time the fire was declared safe by the Fire Control Officer for the premises; and
 - (iii) the cause, or suspected cause, of the fire.


WATER POLLUTION CONTROL CONDITIONS

UNCONTAMINATED STORMWATER MANAGEMENT

- W1(a) The licensee shall direct stormwater away from the tipping area.
- W1(b) The licensee shall ensure stormwater drains on the premises are kept clear to allow for drainage.
- W1(c) The licensee shall ensure that water that has come into contact with waste is diverted into a sump on the premises or otherwise retained on the premises.

PROTECTION OF GROUND AND SURFACE WATERS

- W2(a) The licensee shall maintain an undisturbed separation distance of at least three metres between the waste and the highest level of the water table aquifer at the premises.
- W2(b) The licensee shall maintain a minimum distance of at least 100 metres between the previously filled areas of the premises and the tipping area and any surface water body.



Stefan de Haan
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

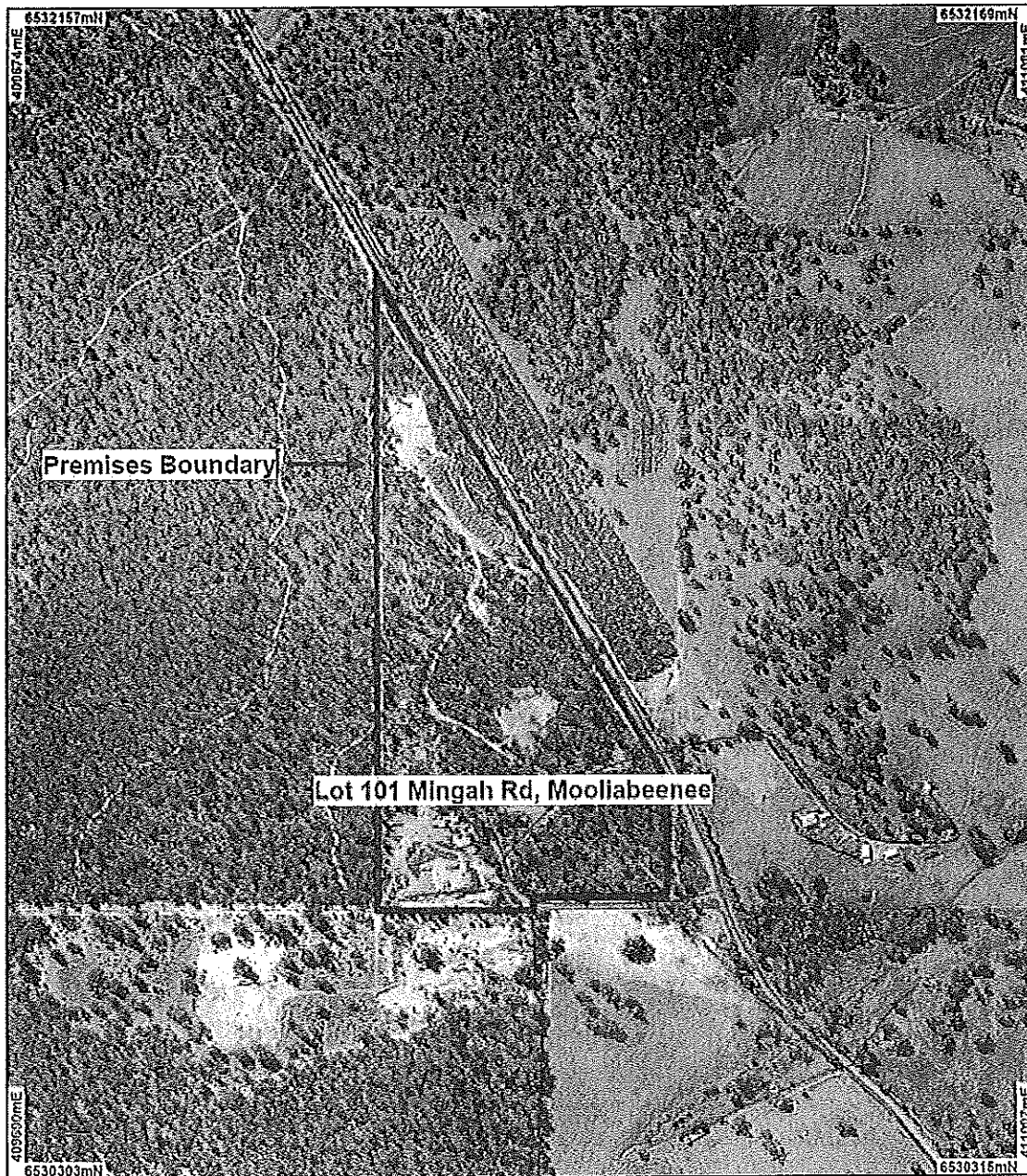
Date of Issue: Thursday, 2 June 2011

Date of Amendment: Thursday, 23 May 2013

ATTACHMENT 1: Premises Location

LICENCE NUMBER: L6834/1997/11

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LEGEND

- ☒ Local Government Authorities
- ☐ Swan River Trust Act, Swan River Trust Management Area

- ☒ Road Centrelines
- Chittering 50cm
- Orthomosaic - Landgate 2008



Scale 1:6596

(Approximate when reproduced at Letter)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Prepared by: sarphio

Prepared for:

Date: 25/05/2011 2:45:26 PM

Information derived from this map should be confirmed with the data custodian and acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

Our environment, our future
WA Open Copyright 2011

* Project Data: This data has not been quality assured. Please contact map author for details.

ATTACHMENT 2: ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER: L6834/1997/11

FILE NUMBER: L59/97

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 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 2: ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER: L6834/1997/11

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SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with?	
b) Date(s) when the non compliance occurred, if applicable?	
c) Was this non compliance reported to DEC?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DEC verbally Date _____ <input type="checkbox"/> Reported to DEC in writing Date _____	<input type="checkbox"/> No
d) Has DEC taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 2: ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER: L6834/1997/11

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SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report may only be signed by a person(s) with legal authority to sign it. The ways in which the Annual Audit Compliance Report 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 Annual Audit Compliance Report 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"/>	by the individual licence holder, or
	<input type="checkbox"/>	by a person approved in writing by the Chief Executive Officer of the Department of Environment and Conservation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/>	by the principal executive officer of the licensee; or
	<input type="checkbox"/>	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 and Conservation.
A corporation	<input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; or
	<input type="checkbox"/>	by two directors of the licensee; or
	<input type="checkbox"/>	by a director and a company secretary of the licensee, or
	<input type="checkbox"/>	if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or
	<input type="checkbox"/>	by the principal executive officer of the licensee; or
	<input type="checkbox"/>	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 and Conservation.
A public authority (other than a local government)	<input type="checkbox"/>	by the principal executive officer of the licensee; or
	<input type="checkbox"/>	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 and Conservation.
a local government	<input type="checkbox"/>	by the chief executive officer of the licensee; or
	<input type="checkbox"/>	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: _____
NAME: _____
(printed) _____

POSITION: _____

DATE: ____/____/____

SEAL (if signing under seal)

SIGNATURE: _____
NAME: _____
(printed) _____

POSITION: _____

DATE: ____/____/____