



Government of **Western Australia**
Department of **Environment and Conservation**

Your ref: L7048/1997/11
Our ref: DEC9786
Enquiries: Peter van Schoubroeck
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City of Albany
Att: Mr. M Richardson – Manager City Works
PO Box 484
Albany WA 6331

Dear Mr Richardson

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises: Bakers Junction Waste Management Facility
Location: Reserve 31472, Chester Pass Road
Licence Number: L7048/1997/11

A licence under the *Environmental Protection act 1986* (the Act) has been granted for the above premises. The Department of Environment and Conservation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under Section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Peter van Schoubroeck on 9842 4553.

Yours sincerely

Carissa Aitken
A/Manager, Works Approvals and Emissions Licensing Section

enc: *Environmental Protection Act 1986* Licence L7048/1997/11

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000

Phone: (08) 6467 5000 Fax: (08) 6467 5562

PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009

Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151

Phone: (08) 9219 8000 Fax: (08) 9334 0498

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www.dec.wa.gov.au

wa.gov.au



LICENCE FOR PRESCRIBED PREMISES

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

LICENSEE

City of Albany
102 North Road
ALBANY WESTERN AUSTRALIA 6330
ABN: 84 717 875 167

PREMISES

Bakers Junction Waste Management Facility
Reserve 31472, Chester Pass Road
ALBANY WESTERN AUSTRALIA 6330
(as depicted in Attachment 1)

PRESCRIBED PREMISES CATEGORY

Schedule 1 of the Environmental Protection Regulations 1987

CATEGORY NUMBER	CATEGORY DESCRIPTION	CATEGORY PRODUCTION OR DESIGN CAPACITY	PREMISES PRODUCTION OR DESIGN CAPACITY
64	Class II putrescible landfill site	20 tonnes or more per year	Not more than 50 000 tonnes per year

CONDITIONS OF LICENCE

Subject to the conditions of licence set out in the attached pages.

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

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

DEFINITIONS

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

'active landfill area' means the area within the premises which has been, is being or will be used in the future for burial of waste;

'AHD' means Australian Height Datum;

'APHA-AWWA-WEF' means American Public Health Association – American Water Works Association – Water Environment Federation;

'AQIS' means Australian Quarantine and Inspection Service;

'asbestos' means as defined in the Environmental Protection (Controlled Waste) Regulations 2004;

'*Australian and New Zealand Guidelines for Fresh and Marine Water Quality (October, 2000)*' refers to the document with this title published by the Australian and New Zealand Environment and Conservation Council and the Agriculture and Resource Management Council of Australia and New Zealand in October 2000;

'AS/NZS' means the most recent version (unless otherwise stated) of the specified Australia and New Zealand Standard as jointly published by Standards Australia International Ltd, Sydney and Standards New Zealand, Wellington;

'AS/NZS 5667' means the most recent version and the relevant parts of the Australian and New Zealand series of guidance standards on Water Quality Sampling; (*see also AS/NZS*);

'AS/NZS 5667.1' means the current version of Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

'AS/NZS 5667.11' means the current version of Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

'clean fill' means material that will have no harmful effects on the environment and which consists of rock or soil arising from the excavation of undisturbed material. For material not from a clean excavation, it must be validated to have contaminants below relevant ecological investigation levels (as defined in the document *Assessment Levels for Soil, Sediment and Water, Department of Environment 2003*);

'clinical waste' means waste generated by medical, nursing, dental, veterinary, pharmaceutical or other related activity which is:

- a. poisonous or infectious;
- b. likely to cause injury to public health; or
- c. contains human tissue or body parts;

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

'DEC' means the Department of Environment and Conservation;

ISSUE DATE Thursday, 22 December 2011
COMMENCEMENT DATE: Sunday, 25 December 2011
EXPIRY DATE: Saturday, 24 December 2016

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

'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' for the purpose of correspondence means:

Regional Manager,
Department of Environment and Conservation
South Coast Regional Office
120 Albany Highway
ALBANY WA 6330

Telephone: (08) 9842 4500

Facsimile: (08) 9841 7105;

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

'inert waste type 1' means waste as defined in the DEC document titles 'Landfill waste Classification and Waste Definitions' 1996 (As amended December 2009);

'inert waste type 2' means waste as defined in the document titles 'Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009);

'*Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)*' means the DEC document of that name published by the Director General, Department of Environment and Conservation on 17 December 2009 pursuant to categories 63, 64, 65 and 66 in Schedule 1, Part 1 of the Environmental Protection Regulations 1987;

'litter screen' means a chicken wire fence, with a maximum hole aperture of 50millimetres and at least 1.8 metres in height;

'mg/L' means milligrams per litre;

'municipal waste' means waste collected at the kerbside by the local authority collection vehicle or its contractor;

'NATA' means Australian National Association of Testing Authorities;

'putrescible waste' means the component of the waste stream likely to become putrid;

'quarantine waste' means material from a foreign region or country that is capable of being host to insects, helminths or other parasites, diseases, weeds or any other organisms that are not existent or prevalent in this country and pose a potential threat to local ecosystems, people or local plant or animal industries. Quarantine waste may include:

- a. material used to pack and stabilise imported goods;
- b. galley, food and any other waste brought into Australia;
- c. animal or plant waste brought into Australia;
- d. refuse or sweepings from a hold of an overseas vessel;
- e. any other waste or other material, which comes into contact with quarantine waste;
- f. contents of AQIS airport amnesty bins; and
- g. articles seized by AQIS and/or not collected by clients.

ISSUE DATE Thursday, 22 December 2011
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CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

'security mesh fence' means a 'cyclone' style of fence with a minimum height of 1.8 metres and be topped with 3 strands of barbed wire;

'special waste type 1' means waste which includes asbestos and asbestos cement products as defined in the 'Landfill Waste Classification and Waste Definitions' 1996 (As amended December 2009);

'special waste type 2' means waste which includes clinical waste and products as defined in the 'Landfill Waste Classification and Waste Definitions' 1996 (As amended December 2009);

'SWL' or 'standing water level' means the water level of any surface water or in any piezometer measured prior to sampling and expressed in metres AHD;

'tipping area' means the area of the premises where waste (other than greenwaste) currently being brought to the premises is being deposited for burial; and

'wire stock fence' means a fence at least 1.2 metres in height which is constructed from 5 strand plain or barbed wire or a ringlock fence with at least one strand of plain or barbed wire on top.

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

GENERAL CONDITIONS

WASTE ACCEPTANCE AND MANAGEMENT

- 1) The licensee shall accept and bury only the following types of waste at the premises:
 - a) clean fill;
 - b) inert wastes type 1;
 - c) inert wastes type 2;
 - d) putrescible wastes;
 - e) special waste type 1;
 - f) special wastes type 2;
 - g) quarantine waste; and
 - h) other wastes that comply with Class II criteria in the document titled '*Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)*'.
- 2) The licensee shall ensure that all green waste received at the premises is mulched:
 - a) for disposal at the premises; or
 - b) for removal from the premises.

DISPOSAL OF SPECIAL WASTE TYPE 1

- 3) The licensee shall ensure that special waste type 1 (asbestos and asbestos products) is accepted and buried at the premises according to the following requirements:
 - a) upon entry to the site, special waste type 1 shall be wrapped in heavy duty plastic;
 - b) clearly signpost the area for asbestos waste disposal;
 - c) define the disposal area(s) by grid references on the site plan;
 - d) keep a copy of the site plan marked with the locations used for asbestos disposal as described in licence condition 3)c) as a permanent record;
 - e) record the contact details and vehicle registrations of persons or operators bringing asbestos waste to the site for disposal and record the individual volumes disposed;
 - f) witness the burial of the asbestos waste under at least 300 mm of soil or one (1) metre of putrescible waste as soon as practicable after placement in the landfill; and
 - g) sign a bound, numbered register within two (2) hours of the burial to attest that the special waste type 1 has been buried in accordance with the relevant legislative requirements.

DISPOSAL OF SPECIAL WASTE TYPE 2

- 4) The licensee shall ensure that special waste type 2 (clinical waste) is accepted and buried at the premises according to the following requirements:
 - a) the licensee, or their representative, must complete and sign the original waste transport certificate, noting, in writing, any discrepancies between waste declared and waste received;
 - b) keep a record of the waste transport certificate for at least three years;
 - c) immediately unload and cover the waste to a minimum depth of one metre of soil or solid waste;
 - d) define the disposal area(s) by grid references on the site plan;
 - e) keep a copy of the site plan marked with the locations used for asbestos disposal as described in licence condition 4)d) as a permanent record;
 - f) ensure the disposal areas are not excavated or uncovered during subsequent landfill operations; and
 - g) restrict access to the landfill site where the special waste type 2 is buried to authorised personnel only.

ISSUE DATE Thursday, 22 December 2011
COMMENCEMENT DATE: Sunday, 25 December 2011
EXPIRY DATE: Saturday, 24 December 2016

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

DISPOSAL OF QUARANTINE WASTE

- 5) The licensee may accept quarantine waste other than human waste, provided:
- a) such waste is solid waste;
 - b) such waste complies with Landfill Waste Classification and Waste Definitions 1996 (As amended) contaminant limits for the class of landfill;
 - c) the landfill is approved by AQIS as a Class 8.2 Quarantine Approved Premises unless otherwise agreed by AQIS;
 - d) quarantine waste accepted at the landfill is despatched to the landfill by an AQIS officer or a party that has been accredited by AQIS to carry out the transport of quarantine wastes to the site;
 - e) the quarantine waste is handled in accordance with AQIS requirements for the disposal of the waste; and
 - f) the licensee makes the information recorded in accordance with AQIS requirements Class 8.2 available for viewing or copying by the Director during any inspection of the premises.

MANAGEMENT OF LANDFILL ACTIVITIES

- 6) The licensee shall:
- a) dispose of waste on the premises no closer than at least five (5) metres from the premises boundary;
 - b) place waste within a defined cell or within an area enclosed by earthen or other bunds;
 - c) restrict the tipping area to a maximum linear length of 30 metres;
 - d) cover waste with at least 150mm of cover material every day the site is open;
 - e) cover municipal waste within 24 hours of delivery;
 - f) stockpile sufficient cover material to allow waste to be covered in accordance with licence condition 6)d) and 6)e) of this licence and to cover waste in the event of a fire;
 - g) shall manage the active landfill area such that at no time does land filling result in an exposed face exceeding two (2) metres in vertical height; and
 - h) shall cover waste with a final soil cover of at least one (1) metre.

TYRES

- 7) The licensee shall ensure that:
- a) no more than 100 tyres are stored on the premises at one time; and
 - b) no tyres or burnt tyres are buried at the premises.

FENCING

- 8) The licensee shall maintain a security mesh fence along the Chester Pass Road boundary and a wire stock fence around the remaining perimeter of the premises of the active landfill area, except where there is a lockable gate. The licensee shall ensure that any entrance to the premises is securely locked when the premises is unattended.
- 9) The licensee shall ensure that weekly inspections of the fence and gates referred to in licence condition 8) and any litter screens on the premises are undertaken and that any damage is repaired within two (2) working days of its discovery.

WIND BLOWN WASTE

- 10) The licensee shall ensure that all windblown waste is contained within the prescribed premises boundary.

ISSUE DATE Thursday, 22 December 2011
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CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

- 11) The licensee shall ensure that any windblown waste is removed from the fences and roads within the premises, and any windblown waste emanating from the premises is collected and returned to the active landfill area on a weekly basis.

EMISSION TO AIR

- 12) The licensee shall ensure that no visible dust crosses the premises boundary.
- 13) The licensee shall not burn or allow the burning of any waste on the premises.
- 14) The licensee shall extinguish any fire that occurs within the premises within eight (8) hours of being notified of the fire.

DISCHARGE TO LAND

STORMWATER MANAGEMENT

- 15) The licensee shall:
- a) ensure stormwater is directed away from the tipping area;
 - b) ensure stormwater is directed into a sedimentation pond prior to its release off the premises or into an infiltration basin on the premises; and
 - c) ensure stormwater drains on the premises are kept clear of waste.
- 16) The licensee shall ensure that stormwater that has come into contact with waste is diverted into a sump or infiltration basin on the premises or otherwise retained on the premises.

DISCHARGE TO WATER

GROUND WATER PROTECTION

- 17) The licensee shall maintain an undisturbed separation distance of at least three (3) metres between the base of the current and future waste disposal areas and the highest level of the groundwater.

MONITORING CONDITIONS

GROUNDWATER

- 18) The licensee shall maintain three (3) monitoring bores around the landfill site, designated BJ1, BJ2 and BJ3 at the locations depicted in Attachment 1 and to allow representative water samples to be collected.
- 19) The licensee shall conduct a monitoring program which measures the parameters stated in column 3 of table 1 at locations specified in column 1 of table 1, and the frequencies listed in column 2 of table 1 using the corresponding methods listed in column 4 of table 1.

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

Table 1: Water monitoring and sampling

Column 1	Column 2	Column 3	Column 4
Monitoring and sampling locations	Sampling frequency	Parameters to be measured	Methodology
BJ1, BJ2 and BJ3	Biannually (March to April and September to October)	ammonia-nitrogen, cadmium, chloride, chromium, conductivity, copper, lead, manganese, nickel, nitrate-nitrogen, potassium, total dissolved solids, total nitrogen, total phosphorus, zinc, and pH and SWL. ^{(1) (2)}	AS/NZS 5667 Standard Methods for Examination of Water and Wastewater – APHA-AWWA-WEF

⁽¹⁾ Standing Water Levels (SWL) to be taken prior to sampling for water quality.

⁽²⁾ With the exception of pH, conductivity and SWL, all measurements are to be reported in mg/L.

- 20) The licensee shall submit all water monitoring samples to a laboratory with current NATA accreditation for the specified parameters for analysis.

REPORTING CONDITIONS

ANNUAL ENVIRONMENTAL REPORT

- 21) The licensee shall provide to the Director each year with an Annual Environmental Report for the reporting period of **1 January** to the **31 December**. The report shall be provided by **31 January** each year. The report shall contain, but not necessarily limited to:

- a) an assessment of the premises operation and all data including:
 - i) waste acceptance and operations;
 - ii) compliance with licence conditions; and
 - iii) all monitoring data or other collected data required by any condition of this licence, including all previous years data (data should be provided in tables and in graphical format);
- b) any issues raised from inspections or incident responses during the reporting period together with details as to how these have been addressed and or rectified.
- c) the licensee shall provide details of:
 - i) measures taken to control pests and vermin;
 - ii) number and severity of any fires on site;
 - iii) measures taken to suppress dust;
 - iv) measures taken to control windblown waste; 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.
- d) copies of any original monitoring reports submitted to the licensee for the reporting period (submitted electronically as separate appendices).

ANNUAL AUDIT COMPLIANCE REPORT

The licensee shall by **31 January** 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 A, B and 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.

ISSUE DATE: Thursday, 22 December 2011
COMMENCEMENT DATE: Sunday, 25 December 2011
EXPIRY DATE: Saturday, 24 December 2016



day, 22 December 2011
y, 25 December 2011
ay, 24 December 2016

ATTACHMENT 2

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

ANNUAL AUDIT COMPLIANCE REPORT

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: _____

ISSUE DATE
COMMENCEMENT DATE:
EXPIRY DATE:

Thursday, 22 December 2011
Sunday, 25 December 2011
Saturday, 24 December 2016

ATTACHMENT 2

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

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: _____

ISSUE DATE Thursday, 22 December 2011
 COMMENCEMENT DATE: Sunday, 25 December 2011
 EXPIRY DATE: Saturday, 24 December 2016

ATTACHMENT 2

LICENCE NUMBER: L7048/1997/11

FILE NUMBER: DEC9786

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"/> <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 and Conservation 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 and Conservation.
A corporation	<input type="checkbox"/> <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 Corporations Act 2001; 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 and Conservation.
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 and Conservation.
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)

ISSUE DATE

Thursday, 22 December 2011

COMMENCEMENT DATE:

Sunday, 25 December 2011

EXPIRY DATE:

Saturday, 24 December 2016