



Licence Number	L9114/2018/1	
Licence Holder	Shire of Northam	
Registered business address	395 Fitzgerald Street W Northam WA 6401	
File Number	DER2017/002146-1	
Duration	25/10/2018 to	24/10/2028
Date of issue	25/10/2018	
Prescribed Premises	Category 57 Category 62 Category 64	
Premises	Inkpen Road Waste Management Facility COPLEY WA 6562 Legal description - Lot 28734 on Deposited Plan 215405 Certificate of Title Volume LR3023 Folio 181	

This Licence is granted to the Licence Holder, subject to the following conditions, on 25 October 2018, by:

**A/MANAGER WASTE INDUSTRIES
REGULATORY SERVICES (ENVIRONMENT)**

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

Explanatory notes

These explanatory notes do not form part of this Licence.

Defined terms

Definition of terms used in this Licence can be found at the start of this Licence. Terms which are defined have the first letter of each word capitalised throughout this Licence.

Department of Water and Environmental Regulation

The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986* (WA) (EP Act). The Department also monitors and audits compliance with licences, takes enforcement action and develops and implements licensing and industry regulation policy.

Licence

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased, or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered, or permitted to be altered, from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987* (WA) (EP Regulations).

This Licence does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Licence Holder to ensure that any action or activity referred to in this Licence is permitted by, and is carried out in compliance with, other statutory requirements.

The Licence Holder must comply with the Licence. Contravening a Licence Condition is an offence under s.58 of the EP Act.

Responsibilities of a Licence Holder

Separate to the requirements of this Licence, general obligations of Licence Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Licence Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under section 61; and
- 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 (s.53).

Strict penalties apply for offences under the EP Act.

Reporting of incidents

The Licence Holder has a duty to report to DWER all discharges of waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

Offences and defences

The EP Act and its regulations set out a number of offences, including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Licence Holder commits an offence if Emissions are caused, or altered from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a Closure Notice or an Environmental Protection Notice.

Defences to certain offences may be available to a Licence Holder and these are set out in the EP Act. Section 74A(b)(iv) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Licence Holder can prove that an Emission or Discharge occurred in accordance with a Licence.

This Licence specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of Specified Emissions and Discharges, in order for the defence to offence provision to be available.

Authorised Emissions and Discharges

The Specified and General Emissions and Discharges from Primary Activities conducted on the Prescribed Premises are authorised to be conducted in accordance with the Conditions of this Licence.

Emissions and Discharges caused from other activities not related to the Primary Activities at the Premises have not been Conditioned in this Licence. Emissions and Discharges from other activities at the Premises are subject to the general provisions of the EP Act.

Amendment of licence

The Licence Holder can apply to amend the Conditions of this Licence under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Licence at any time on the initiative of the CEO without an application being made.

Amendment Notices constitute written notice of the amendment in accordance with s.59B(9) of the EP Act.

Duration of Licence

The Licence will remain in force for the duration set out on the first page of this Licence or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

Suspension or revocation

The CEO may suspend or revoke this Licence in accordance with s.59A of the EP Act.

Fees

The Licence Holder must pay an annual licence fee. Late payment of annual licence fees may result in the licence ceasing to have effect. A licence that has ceased to have effect due to non-payment of annual licence fees continues to exist; however, it ceases to provide a defence to an offence under s.74A of the EP Act.

Late fees are a component of annual licence fees and should a Licence Holder fail to pay late fees within the time specified the licence will similarly cease to have effect.

Definitions and interpretation

Definitions

In this Licence, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
Acceptance criteria	has the meaning defined in Landfill Definitions.
ACN	Australian Company Number
Amendment Notice	means an amendment granted under s.59 of the EP Act in accordance with the procedure set out in s.59B of the EP Act.
Annual Period	a 12 month period commencing from 1 July until 30 June of the immediately following year.
approved form	the AACR Form template approved by the CEO for use and available via DWER's external website.
Asbestos	means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysotile, crocidolite, tremolite and any mixture containing 2 or more of these.
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
Clean Fill	has the meaning defined in Landfill Definitions.
Compliance Report	means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.

Term	Definition
Department Request	<p>means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to:</p> <ul style="list-style-type: none"> (a) compliance with the EP Act or this Licence; (b) the Books or other sources of information maintained in accordance with this Licence; or (c) the Books or other sources of information relating to Emissions from the Premises.
Discharge	has the same meaning given to that term under the EP Act.
DWER	Department of Water and Environmental Regulation.
Emission	has the same meaning given to that term under the EP Act.
Environmental Harm	has the same meaning given to that term under the EP Act.
EP Act	means the <i>Environmental Protection Act 1986</i> (WA).
EP Regulations	means the <i>Environmental Protection Regulations 1987</i> (WA).
E-waste	means discarded electrical or electronic devices
Fire suppression water	Means water this, in the event of a fire, has been used to extinguish a fire and all materials and combustion products dissolved or suspended within such water and includes other fire suppressant substances such as foams.
Green 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.
Hazardous waste	has the meaning defined in Landfill Definitions.
Implementation Agreement or Decision	has the same meaning given to that term under the EP Act.
Inert Waste Type 1	has the meaning defined in Landfill Definitions.
Inert Waste Type 2	has the meaning defined in Landfill Definitions.
Inspector	means an inspector appointed by the CEO in accordance with

Term	Definition
	s.88 of the EP Act.
Landfill Definitions	<i>Landfill Waste Classification and Waste Definitions 1996 (as amended 2018).</i>
Licence	refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.
Licence Holder	the occupier of the premises, being the person to whom this licence has been granted, as identified on the front of this licence.
Material Environmental Harm	has the same meaning given to that term under the EP Act.
Pollution	has the same meaning given to that term under the EP Act.
premises	the premises to which this licence applies, as specified at the front of this licence and as shown on the Premises Map in Schedule 1 to this licence.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Primary Activities	Refers to the activities listed in Schedule 2 of this licence.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Special Waste Type 1	has the meaning defined in Landfill Definitions.
Uncontaminated fill	has the meaning defined in Landfill Definitions.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
Waste	has the same meaning given to that term under the EP Act.

Interpretation

In this Licence:

- (a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';
- (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 means the version of the standard, guideline or code of practice in force at the time of granting of this Licence and includes any

amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Licence; and

- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

Conditions

Emissions

1. The Licence Holder must not cause any Emissions from the Primary Activities on the Premises except for specified Emissions and general Emissions described in Column 1 of Table 2 subject to the exclusions, limitations or requirements specified in Column 2 of Table 2.

Table 2: Authorised Emissions table

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
Specified Emissions	
Leachate and contaminated stormwater emissions	Subject to compliance with Conditions 2, 3, 4, 5, 6 and 16.
Contaminated fire suppression water	Subject to compliance with Condition 14.
Odour emissions	Subject to compliance with Conditions 2, 3, 4, 15 and 16.
Dust emissions	Subject to compliance with Conditions 2, 3 and 7.
Asbestos fibre emissions	Subject to compliance with Conditions 4, 15 and 16.
Smoke emissions	Subject to compliance with Conditions 10, 11, 12 and 13.
Windblown waste emissions	Subject to compliance with Conditions 8, 15 and 16.
General Emissions (excluding Specified Emissions)	
Emissions which arise from the Primary Activities set out in Schedule 2.	<p>Emissions excluded from General Emissions are:</p> <ul style="list-style-type: none">• Unreasonable Emissions; or• Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or• Discharges of Waste in circumstances likely to cause Pollution; or• Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or• Emissions or Discharges which do not

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
	<p>comply with an Approved Policy; or</p> <ul style="list-style-type: none"> Emissions or Discharges which do not comply with a prescribed standard; or Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.

Waste acceptance

2. The Licence Holder must only accept onto the premises waste of a waste type, which does not exceed the corresponding rate at which waste is received, and which meets the corresponding acceptance specification set out in Table 3.

Table 3: Types of waste authorised to be accepted onto the premises

Waste type	Rate at which waste is received	Acceptance specification
Clean fill and Uncontaminated Fill	Combined total of 3,000 tonnes per annual period for Category 62 activities.	None specified
Contaminated Solid Waste		(a) Must meet the acceptance criteria for Class II landfills
E-waste	Combined total of 5,000 tonnes per annual period for Category 64 activities.	None specified
Hazardous waste		(b) Car batteries, waste oil and empty (de-gassed) gas cylinders only
Inert Waste Type 1	200 tyres per annual period	None specified
Inert Waste Type 2		
Putrescible waste		
Scrap metal		
Aluminum and steel cans		
Special Waste Type 1 (asbestos waste)		

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

3. The Licence Holder must ensure that where waste does not meet the waste acceptance criteria set out in Condition 2 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, but no later than within 7 days from the initial segregation and storage.

Processing and storage requirements

4. The Licence Holder must only subject waste types to the corresponding process(es) and corresponding process specifications set out in Table 4.

Table 4: Waste processing requirements

Waste Type	Process(es)	Process specification
Clean fill and Uncontaminated Fill	Receipt, handling and disposal of waste by landfilling	Disposal by landfilling must only take place within the Active General Waste Tipping Area shown on the Site Layout Map in Schedule 1.
Contaminated Solid Waste		
Inert Waste Type 1		
Inert Waste Type 2		
Putrescible waste		
Special Waste Type 1 (asbestos waste)		Disposal by landfilling must only take place within the designated Active Asbestos Area shown on the Site Layout Map in Schedule 1.
Car batteries	Receipt, handling and storage prior to removal from the Premises	Stored on self-bunded plastic pallets within an undercover area.
Waste oil		Stored within a concrete bunded undercover area.
Empty gas cylinders		None specified
E-waste		Stored within an enclosed container or other container within an undercover area
Aluminum and steel cans		
Glass		
Cardboard and paper		
Plastics		
Scrap metal		None specified
Tyres		A maximum of 200 tyres may be stored at any one time.
Green waste	Receipt, handling, shredding and storage prior to removal from the Premises	None specified

5. The Licence Holder must immediately clean any spills of waste outside of a concrete bunded undercover area.

Stormwater

6. The Licence Holder must divert stormwater from areas of the Premises where waste is stored, and must retain on the Premises any stormwater which has come into contact with waste or waste storage areas.

Dust

7. The Licence Holder must ensure that no visible dust generated from the primary activities crosses the boundary of the premises.

Windblown waste

8. The Licence Holder must take all reasonable and practical measures to ensure that no windblown waste escapes from the Premises and that windblown waste is collected on at least a weekly basis and returned to the tipping area or appropriately contained.

Pests

9. The Licence Holder must implement control measures to prevent infestations of pests, flies and vermin at the Premises.

Security

10. The Licence Holder must implement the following security measures at the site:
 - (a) 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.

Fire

11. The Licence Holder must maintain a separation distance of at least 6m between stockpiles of green waste, tyre stacks and the landfill tipping area.
12. The Licence Holder must restrict stockpiles of green waste to not more than 10m long by 10m wide, or 100m³ and 3m in height.
13. The Licence Holder must restrict individual tyre stacks to a maximum height of 3.7m and a maximum area of 60m³.
14. The Licence Holder must maintain portable fire extinguishing equipment at a convenient, clearly accessible location on the Premises.
15. The Licence Holder must, in the event of a fire, retain on the Premises any fire suppression water.

Landfilling and cover

- 16.** The Licence Holder must manage the landfilling activities by:
- (a) maintaining a tipping face (excluding the Special Waste Type 1 disposal area and the animal carcass disposal area) no greater than 30m in length and 2m in height;
 - (b) only disposing of Special Waste Type 1 (asbestos waste) under the supervision of a person nominated by the Licence Holder;
 - (c) maintain a register of Special Waste Type 1 (Asbestos waste) disposed of at the Premises which must include a plan showing the position of Special Waste Type 1 (Asbestos waste) disposed of at the Premises;
 - (d) operating the landfill in such a way that Special Waste Type 1 which has been previously buried remains undisturbed.
- 17.** The Licence Holder must ensure that:
- (a) cover material is applied to the corresponding waste type, at the corresponding depth and frequency as set out in Table 5 so that waste is totally covered and no waste is left exposed; and
 - (b) that sufficient stockpiles of cover are maintained on site at all times.

Table 5: Landfill cover requirements

Waste Type	Cover Material	Depth	Timescales
Contaminated Solid Waste	Inert Waste Type 1, or Clean Fill or Uncontaminated Fill	At least 100mm	Twice per working week (6 day working week – waste to be covered every three days)
Inert Waste Type 2			
Putrescible waste			
Special Waste Type 1 (asbestos waste)		At least 1000mm	As soon as practicable and no later than the end of the working day in which the waste was deposited
Animal carcasses		At least 300mm	
Inert Waste Type 1	Clean Fill or Uncontaminated Fill	At least 1000mm	3 months of achieving final waste contours
Contaminated Solid Waste			
Inert Waste Type 2			
Putrescible waste			
Special Waste Type 1 (asbestos waste)			
Animal carcasses			

Record-keeping

- 18.** The Licence Holder must record the total amount of waste accepted onto the premises, for each waste type listed in Table 6, in the corresponding unit, and for each corresponding time period, as set out in Table 6.

Table 6: Waste accepted onto the premises

Waste type	Unit	Time period
Clean fill and Uncontaminated Fill	m ³	Each day
Contaminated Solid Waste		
E-waste		
Hazardous waste		
Inert Waste Type 1		
Inert Waste Type 2 (excluding tyres for recycling)		
Putrescible waste		
Scrap metal		
Aluminum and steel cans		
Special Waste Type 1 (asbestos waste)		
Tyres	Individual units	

19. The Licence Holder must record the total amount of waste removed from the premises, for each waste type listed in Table 7, in the corresponding unit, and for each corresponding time period set out in Table 7.

Table 7: Waste removed from the premises

Waste type	Unit	Time period
Clean fill and Uncontaminated Fill	m ³	Each day
Contaminated Solid Waste		
E-waste		
Hazardous waste		
Inert Waste Type 1		
Inert Waste Type 2 (excluding tyres for recycling)		
Putrescible waste		
Scrap metal		
Aluminum and steel cans		
Special Waste Type 1 (asbestos waste)		
Tyres	Individual units	

20. The Licence Holder must record the following information in relation to complaints received by the Licence Holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
- (a) the name and contact details of the complainant, (if provided);
 - (b) the time and date of the complaint;

- (c) the complete details of the complaint and any other concerns or other issues raised; and
 - (d) the complete details and dates of any action taken by the Licence Holder to investigate or respond to any complaint.
- 21.** The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
- (a) the calculation of fees payable in respect of this Licence;
 - (b) monitoring undertaken in accordance with Conditions 18 and 19 of this Licence;
 - (c) complaints received under Condition 20 of this Licence.
- In addition, the Books must:
- (d) be legible;
 - (e) if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - (f) be retained for at least 3 years from the date the Books were made; and
 - (g) be available to be produced to an Inspector or the CEO.

Reporting

- 22.** The Licence Holder must, in the event of a fire on the premises, advise the CEO within two hours of the Licence Holder becoming aware of the fire.
- 23.** The Licence Holder must:
- (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
 - (b) prepare and submit to the CEO by no later than 31 August each year an Annual Audit Compliance Report in the approved form.
- 24.** The Licence Holder must submit to the CEO by no later than 31 August each year, an Annual Environmental Report for that annual period for the conditions listed in Table 8, and which provides information in accordance with the corresponding requirement set out in Table 8.

Table 8: Annual Environmental Report

Condition	Requirement
18	Annual volumes of each waste type received at the Premises in m ³ and tonnes (and conversion factors used to convert volumes from m ³ to tonnes)
19	Annual volumes of each waste type removed from the Premises in m ³ and tonnes (and conversion factors used to convert volumes from m ³ to tonnes)
20	Complaints summary

- 25.** The Licence Holder must comply with a Department Request, within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

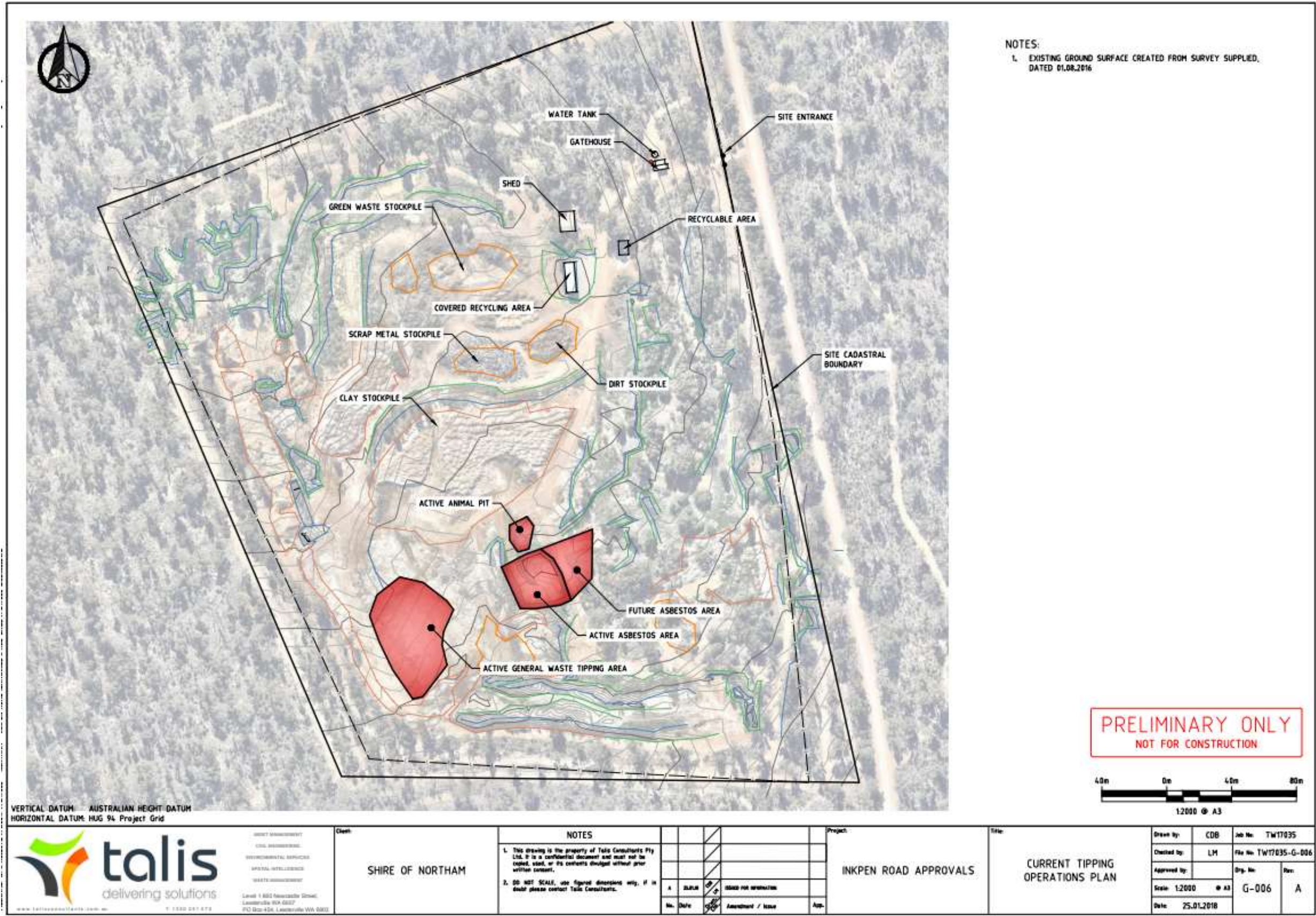
Schedule 1: Maps

Premises Map

The Premises boundary is indicated by the red line in the map below.



Site Layout Map



Schedule 2: Primary Activities

At the time of assessment, Emissions and Discharges from the following Primary Activities were considered in the determination of the risk and related Conditions for the Premises.

The Primary Activities are listed in Table 9:

Table 9: Primary Activities

Primary Activity	Premises production or design capacity
Category 57: Used tyre storage (general): premises (other than premises within category 56) on which used tyres are stored.	200 tyres per annual period
Category 62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or reuse.	3,000 tonnes per annual period
Category 64: Class II or III 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 and as amended from time to time) is accepted.	5,000 tonnes per annual period