Licence

Licence Number L6806/1997/8

Licence Holder Shire of Ashburton

Registered business address Lot 246, Poinciana Street

TOM PRICE WA 6751

File Number DER2014/000525-1

Duration 13/06/2014 to 12/06/2034

Revision date 20/09/2019

Date of issue 5/07/2014

Prescribed Premises Category 64

As defined in Schedule 2

Premises Paraburdoo Waste Disposal Site

120 Beasley Road PARABURDOO WA 6754

Being Lot 35 on Plan 241590 as depicted in

Schedule 1

This Licence is granted to the Licence Holder, subject to the following conditions, on 20 September 2019, by:

Stephen Checker
MANAGER WASTE INDUSTRIES
REGULATORY SERVICES

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

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Introduction

This Introduction is not part of the Licence conditions.

DWER's industry licensing role

The Department of Water and Environmental Regulation (DWER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. The Departments purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

The Department has responsibilities under Part V of the *Environmental Protection Act* 1986 (the Act) for the licensing of prescribed premises. Through this process DWER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DWER 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. Operating without a licence is an offence under the Act.

Ministerial conditions

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

Premises Description and Licence Summary

The Shire of Ashburton (the Shire) has operated the Paraburdoo Waste Disposal Site (the Landfill) since 2000. The Landfill is located at 120 Beasley Road, Paraburdoo.

The Landfill is opened to the public Tuesday to Saturday from 7:30am to 3:30pm and Sunday from 07:30 to 12:30pm, closed public holidays. The nearest sensitive receptor to the Landfill is the Paraburdoo Township located 1km away, namely is the Paraburdoo Golf Course. All loads are inspected upon entry to the Landfill. The Landfill is also fenced around the boundary with fencing and signage detailing waste accepted at the site.

The waste streams that are accepted at the Landfill are Inert Wastes Type 1 and Type 2, Putrescible Waste, Green Waste and Special Wastes Type 1 and Type 2. Special Waste Type 1 requires disposal by appointment made to the Landfill. Waste oil is accepted at the premises and stored in a below ground 2500 litre (L) oil tank. Waste oil is then removed from the site by a licenced contractor.

This Licence is the successor to licence L6806/1997/7. The Licenses issued for the Premises since 05/07/2000 are detailed in the table below.

Instrument Log

Instrument	Issued	Description
L6806/1997/1	05/07/2000	Licence re-issue
L6806/1997/2	02/07/2001	Licence re-issue
L6806/1997/3	12/06/2002	Licence re-issue
L6806/1997/4	12/06/2003	Licence re-issue
L6806/1997/5	12/06/2004	Licence re-issue
L6806/1997/6	12/06/2005	Licence re-issue
L6806/1997/7	12/06/2009	Licence re-issue
L6806/1997/8	05/06/2014	Licence re-issue to new format
L6806/1997/8	29/04/2016	Licence amendment to extend expiry date - part of a blanket amendment notice covering a majority of licensed premises in the state.
L6806/1997/8	20/09/2019	Licence amendment to remove conditions pertaining to firefighting requirements, tyre storage and the

	burning of greenwaste, and the amendment of conditions relating to the containment and removal of fire debris and wash waters
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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

General 1

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:

'ACM' means asbestos containing material and has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

'Acceptance Criteria' has the meaning defined in Landfill Waste Definitions;

'Act' means the Environmental Protection Act 1986:

'AHD' means the Australian height datum

'Annual period' means the inclusive period from 1 January until 31 December in each year;

'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 those;

'Asbestos fibres' has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

'CEO' means Chief Executive Officer.

CEO for the purposes of notification means:

Director General

Department Administering the Environmental Protection Act 1986

Locked Bag 10

JOONDALUP DC WA 6919

info@dwer.wa.gov.au

'Clean Fill' has the meaning defined in Landfill Waste Definitions;

Environmental Protection Act 1986

Licence: L6806/1997/8 File number: DER2014/000525-1 'Code of practice for the storage and handling of dangerous goods' means document titled "Storage and handling of dangerous goods - Code of Practice, published by the Department of Mines, Industry Regulation and Safety, as amended from time to time";

'Controlled waste' has the definition in *Environmental Protection (Controlled Waste)* Regulations 2004;

'Dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'EP Act' Environmental Protection Act 1986 (WA)

'EP Regulations' Environmental Protection Regulations 1987 (WA)

'Environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines Industry Regulation and Safety;

'Green Waste' means waste that originates from flora and does not contain or has not been treated or coated with, preserving agents, biocides, fire retardants, paint, adhesives or binders;

'Hazardous waste' has the meaning defined in Landfill Waste Definitions;

'Inert Waste Type 1' has the meaning defined in Landfill Waste Definitions;

'Inert Waste Type 2' has the meaning defined in Landfill Waste Definitions;

'Landfill Definitions' means the document entitled *'Landfill Waste Classification and Waste Definitions 1996'* published by the Chief Executive Officer of the Department of Water and Environmental Regulation as amended from time to time;

'Licence' means this licence numbered L6806/1997/8 and issued under the EP Act;

'Licensee' or 'License Holder' means the Shire of Ashburton;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Putrescible' has the meaning defined in Landfill Waste Definitions;

'Quarantined storage area or container' means a hardstand storage area or sealedbottom container that is separate and isolated from authorised waste disposal areas and is capable of containing all non-conforming waste and its constituents, these areas must be clearly marked and their access restricted to authorised personnel;

'Rehabilitation' means the completion of the engineering of a landfill cell and includes capping and/or final cover;

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

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

'Special Waste Type 1' has the meaning defined in Landfill Waste Definitions;

'Special Waste Type 2' has the meaning defined in Landfill Waste Definitions;

'Tipping area' means the area of the landfill in which waste other than cover material is being deposited; and

'Usual working day' means 0800 - 1700 hours, Monday to Friday excluding public holidays in Western Australia.

'Waste Code' means the Waste Code assigned to a type of controlled waste for purposes of waste tracking and reporting as specified in the Department of Water and Environmental Regulation "Controlled Waste Category List" (May 2018), as amended from time to time.

- 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.
- Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice 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.

1.2 **General conditions**

- Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:
 - pollution: a)
 - b) unreasonable emission:
 - discharge of waste in circumstances likely to cause pollution; or c)

being contrary to any written law. d)

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- 1.2.2 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.
- 1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods.
- 1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- a) Implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises/landfill; and
- b) Treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises/landfill.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 accept waste on to the Premises if:
 - (a) it is of a type listed in Table 1.3.1;
 - (b) the quantity accepted is below any quantity limit listed in Table 1.3.1;
 - (c) it meets any specification listed in Table 1.3.1. and;
 - (d) in the case of contaminated solid waste is supported by documentation that demonstrates compliance with the acceptance criteria for Class II Landfills.

Table 1.3.1: Waste acceptance

Waste	Controlled Waste Code	Quantity Limit	Specification 1
Clean fill	N/A		None specified
Hazardous Waste	F100, F120, J100, J120, J130, J180, D221		Limited to waste oil, paint, and vehicle batteries.
Inert waste Type 1	N/A	Combined	None specified
Inert Waste Type 2	T140 (used tyres)	total of up to 5,000	Tyres and plastic only
Putrescible waste	N/A	tonnes per	None specified
Special Waste Type	N220	annual period	Cement bonded asbestos only. No fibrous asbestos shall be accepted.
Special Waste Type 2	R100, R120, R130, R140		Biomedical / clinical

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*.

- 1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.
- 1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the processes 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(s)	Process	Process limits 1,2
All	Disposal of waste by landfilling	 Shall only take place within designated landfill trenches or cells. No waste shall be temporarily stored or landfilled within 35m from the boundary of the premises. The separation distance between the base of the landfill and the highest groundwater level shall not be less than 3m.
Inert Waste Type 2 - Tyres	Receipt, handling, storage prior to re-use or disposal by landfilling	Less than 100 used tyres to be stored onsite at any time
Putrescible Waste	Receipt, handling, storage prior to disposal by landfilling	None specified
Clean Fill	Receipt, handling and	
Inert Waste Type 1	disposal by landfilling	None specified
Contaminated		Only to be stored in sealed containers on a hard-stand area bunded to prevent run-off.

Solid Waste		
Special Waste Type 1 (Asbestos Waste)		 Only to be disposed of into a designated asbestos disposal area within the landfill; Not to be deposited within 2m of the final tipping surface of the landfill; and No works shall be carried out on the landfill that could lead to a release of asbestos fibres.
Special Waste Type 2 (Biomedical and Clinical Waste)		 Only to be disposed of into a designated biomedical waste disposal area within the landfill; Not to be deposited within 2m of the final tipping surface of the landfill; and No works shall be carried out on the landfill that could lead to biomedical wastes being excavated or uncovered.
Waste oil	Receipt, handling and storage prior to reuse or disposal by landfilling	Only to be stored in the designated oil storage tank within a low permeability bunded area delineated for recycling.
Vehicle batteries	Receipt, handling and storage	Stored on hardstand area delineated for recycling.

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*.

- 1.3.4 The Licensee shall manage the landfilling activities to ensure:
 - the size of the tipping face is kept to a minimum and not larger than 30m x 30m;
 - (b) waste is levelled and compacted to ensure all faces are stable and capable of retaining rehabilitation material
 - (c) waste is covered as soon as possible after it is discharged and not later than by the end of the working day;
 - (d) rehabilitation of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed
- 1.3.5 The Licensee shall ensure that cover is applied to waste in accordance with Table 1.3.5 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.3.5: Cover requirements

Waste Type	Material	Depth	Timescales
Special Waste	Inert waste type 1 or clean fill	300mm	As soon as practicable after deposit and prior to compaction
Type 1	Solid waste or soil	1000mm	By the end of the working day in which the asbestos waste was deposited
Special Waste	Solid waste or soil	100mm	As soon as practicable after deposit.

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Type 2			
Putrescible	Inert waste type 1, soil or clay	150mm	As soon as practicable, and not later than the end of the working day.
Wastes	Inert waste type 1, soil, or clay	1000mm	Within 3 months of achieving final waste contours.
Inert Waste Type 2	Inert waste type 1, soil, clay or clean fill	100mm	By the end of the working day in which the waste was deposited Plastic waste with the potential to become windblown shall be covered as soon as practicable after deposit.

Note 1: Additional requirements for the covering of tyres are set out in Part 6 of the *Environmental Protection Regulations* 1987.

- 1.3.6 The Licensee shall implement the following security measures at the site:
 - (a) erect and maintain suitable fencing to prevent unauthorised access to the site as far as is practicable;
 - (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
- 1.3.7 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information:
 - (a) hours of operation;
 - (b) contact telephone number;
 - (c) a warning indicating penalties for people lighting fires; and
 - (d) list of materials accepted for recycling and the location of where they can be deposited on the premises.
- 1.3.8 The Licensee shall 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.
- 1.3.9 The Licensee shall ensure that vermin, birds, flies and other insects do not give rise to nuisance at the premises or in the immediate area of the premises. Any method used by the licensee shall not cause environmental pollution.
- 1.3.10 The Licensee shall ensure that an unauthorised fire on the Premises is extinguished as soon as possible.
- 1.3.11 The Licensee shall ensure that any fire debris and wash waters that may result from firefighting activities is captured and contained within the Premises.
- 1.3.12 The Licensee shall ensure that any collected fire debris and wash waters are removed from the Premises by a carrier licensed under the *Environmental Protection* (Controlled Waste) Regulations 2004.

2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit, and/or target in this section.

2.2-2.4 Point source emissions to air, surface water and groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in these sections.

2.5 Emissions to land

There are no conditions relating to emissions to land in this section.

2.6 Fugitive emissions

- 2.6.1 The Licensee shall use all reasonable and practical measures to prevent, and where that is not practicable, to minimise dust emissions from the Premises.
- 2.6.2 The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.

2.7 Odour

2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

2.8 Noise

There are no specified conditions relating to noise in this section.

3 Monitoring

3.1 General monitoring

There are no specified conditions relating to monitoring in this section.

3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in these sections.

3.5 **Emissions to land**

There are no specified conditions relating to monitoring of emissions to land in this section.

3.6 Monitoring of inputs and outputs

The Licensee shall undertake the monitoring in Table 3.6.1 according to the 3.6.1 specifications in that table.

Table 3.6.1: Monitoring of inputs and outputs

Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Inert 1, Inert 2, Special Waste 1, Special Waste 2 Clean Fill, and Putrescible Waste	m ³	N/A	Weekly (estimates recorded during weekly inspections)

3.7 **Process monitoring**

There are no specified conditions relating to process monitoring in this section.

3.8 Ambient environmental quality monitoring

There are no specified conditions relating to ambient environmental quality monitoring in this section.

3.9 **Meteorological monitoring**

There are no specified conditions relating to meteorological monitoring in this section.

4 Improvements

There are no specified conditions relating to Premises improvements in this section.

5 Information

5.1 Records

- 5.1.1 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 5.1.1(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.

5.1.2 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.
- 5.1.3 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.
- 5.1.4 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.
- 5.1.5 The Licensee shall maintain a register of Special Waste Type 1 (Asbestos waste) and Special Waste Type 2 (Biomedical and clinical waste) disposed of at the Premises which shall include a plan showing the position of Special Waste Type 1 (Asbestos waste) and Special Waste Type 2 (Biomedical and clinical waste) disposed of at the Premises.

5.2 Reporting

5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 91 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report

Condition or table (if relevant)	Parameter	Format or form
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 3.6.1	Monitoring of inputs and outputs	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR) ¹
5.1.4	Complaints summary	None specified

Note 1: Form available on the Department's website

- 5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
 - (a) any relevant process, production or operational data recorded under Condition 3.1.3;
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and
 - (c) a list of any original monitoring reports submitted to the Licensee from third parties for the annual period and make these reports available on request.

5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements

Condition or table (if relevant)		Notification requirement ¹	Format or form ²
1.3.10	Unauthorised fire	Within 48 hours of unauthorised	ET1

		fire ¹	
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable, but no later than 5pm of the next usual working day.	N1
-	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	Part B: As soon as practicable	

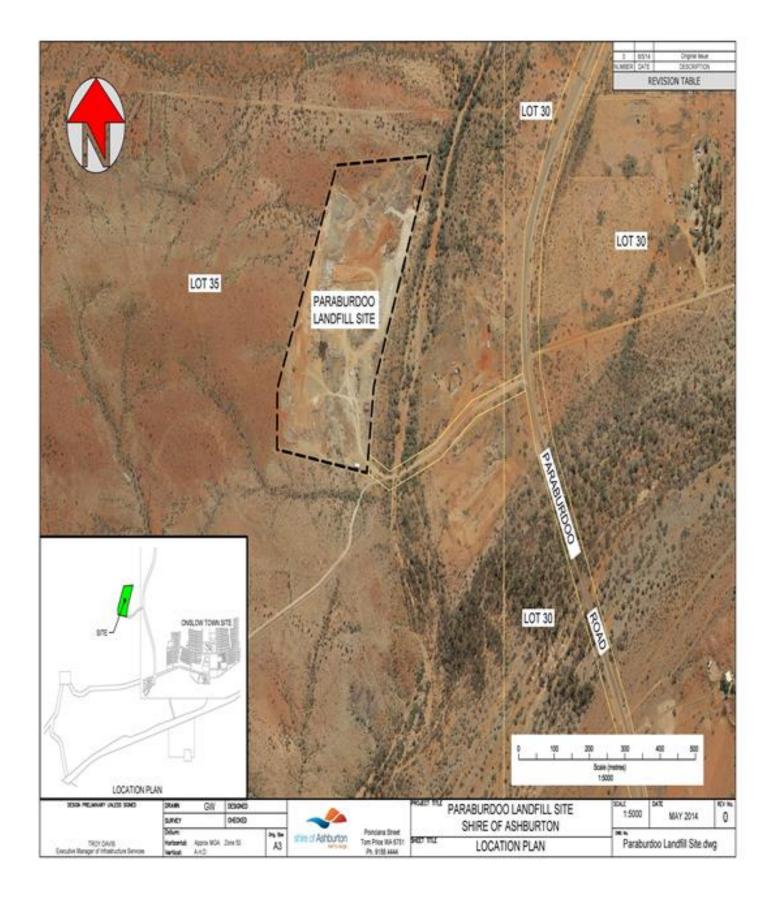
Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

Note 2: Forms provided in Schedule 3

Schedule 1: Maps

Premises map

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



Schedule 2: Prescribed Premises Categories

The Premises prescribed categories under schedule 1 of *Environmental Protection Regulation* 1987

Prescribed Premises categories

Category number	Category Description	Category production or design capacity	Approved Premises production or design capacity
64	Class II Class III putrescible landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the CEO and as amended from time to time) is accepted for burial.	500 tonnes or more per year	5,000 tonnes per annual period

Schedule 3: 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.

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Form: Name:	ET1 Unauthorised Fire	Period:	
	: Unauthorised Fire		
		promises including but not limited to	
-	ovide details of unauthorised fire on the		
` '	of the date, time and location of the fire		
	e the fire was declared safe by the Fire		
` '	use, or suspected cause, of the fire; and		
(d) a desc	ription measures taken or planned to be	e taken, to prevent recurrence of the unauthorised fires.	
Signed on b	pehalf of Shire of Ashburton	Date:	
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