



Licence Number	L9008/2016/1
Licence Holder	Community Greenwaste Recycling Pty Ltd
ACN	607 612 073
Registered business address	Level1, 72 Marine Terrace FREMANTLE WA 6160
File Number	DER2016/002200-1
Duration	01/02/2019 to 02/12/2020
Date of issue	01/02/2019
Prescribed Premises	Category 61A
Premises	Community Greenwaste Recycling Lease Area 7, 190 Flynn Drive, Neerabup Legal description - Part Lot 5 on Diagram 91435 Certificate of Title Volume 2083 Folio 241 As defined by the coordinates in Schedule 1 (delete if not applicable)

This Licence is granted to the Licence Holder, subject to the following conditions, on 1 February 2019, by:

Tracey Hassell

**A/MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

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.

Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition
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	means a 12 month period commencing from 1 February until 31 January.
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
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.
Department Request	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: <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.

Term	Definition
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).
Implementation Agreement or Decision	has the same meaning given to that term under the EP Act.
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
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	refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at 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	refers to the premises to which this Licence applies, as specified at the front of this Licence and as shown on the 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 Prescribed Premises activities listed on the front of this Licence as described in Schedule 2, at the locations shown in Schedule 1.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Unreasonable Emission	has the same meaning given to that term under the EP Act.

Term	Definition
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	
Nil	N/A
General Emissions (excluding Specified Emissions)	
Emissions which: <ul style="list-style-type: none">• arise from the Primary Activities set out in Schedule 2; or• arise from a Material Change	Emissions excluded from General Emissions are: <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 comply with an Approved Policy; or• 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,

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
	including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .

Waste acceptance and management

2. The Licence Holder must only allow waste to be accepted onto the Premises if:
- (a) it is of a type listed in Table 3; and
 - (b) the quantity accepted is below any limit specified in Table 3; and
 - (c) it meets any specification listed in Table 3.

Table 3: Waste acceptance table

Waste type	Waste Code	Quantity limit	Specifications
Greenwaste only	N/A	25,000 tonnes per annual period	Biodegradable waste comprising of 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. Treated timbers must not be accepted.
		A maximum combined total (unprocessed and processed) of 4,000 tonnes is deposited on the premises at any given time	

3. The Licence Holder must ensure that where waste does not meet the specification in Table 3 that it is removed from the Premises by the delivery vehicle, or where that is not possible, separated out and stored in a sealed, enclosed container and removed to an appropriately authorised facility for disposal as soon as practicable within 48 hours of receipt.
4. The Licence Holder must ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 4 and in accordance with any process limits described in that table.

Table 4: Waste processing table

Waste type	Process	Operational requirements
Greenwaste	Receipt, handling, sorting (mechanical and by hand), processing (shredding / grinding) and storage, prior to transport off-site	<ul style="list-style-type: none"> (a) Operations taking place within the hours of 0700 and 1700 excluding Sundays and Public Holidays (b) All waste acceptance, processing and storage is to take place on 300mm limestone hardstand with a permeability $\leq 1 \times 10^{-6} \text{m/s}$ and within a 500mm high perimeter bund (c) Greenwaste stockpiles, unprocessed or processed, must not cover perimeter bunding or extend beyond the boundary of the premises. (d) Only 1 shredding / grinding unit to be operating at any given time (e) All shredding / grinding operations to take place behind a 4 meter high bund wall (constructed of processed or unprocessed greenwaste material) located on the southern side of the operation taking place (f) All greenwaste material to be maintained at $\geq 40\%$ moisture content (g) All greenwaste material to be maintained at $\leq 70^\circ\text{C}$ (h) Firefighting equipment identified in Condition 5, Table 5(8) to be available and maintained in an operational order to achieve the intended purpose of the equipment. (i) 5 meter wide access roads are to be maintained around stockpiles at all times (j) Dust suppression is to be carried out on an 'as needed' basis to maintain compliance with Condition 6 of this licence.

Infrastructure and equipment

5. The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 5 is maintained in good working order and operated in accordance with the requirements specified in Column 2 of Table 5.

Table 5: Infrastructure and equipment controls table

Column 1	Column 2
Site infrastructure and equipment	Operational requirements
1. Limestone hardstand	300mm thick with a permeability $\leq 1 \times 10^{-6}$ m/s and maintained in a manner to ensure all leachate and stormwater runoff reports to the stormwater catchment basin and sediment trap.
2. Stormwater catchment basin with adjoining sediment trap	(a) HDPE lined to achieve a minimum permeability $\leq 2.8 \times 10^{-11}$ m/s (b) Freeboard of 0.5m to be maintained at all times
3. Perimeter bund wall	Minimum 500 mm height from the operational hardstand around the perimeter of the premises.
4. Shredder	(a) Maintained in accordance with manufacturers recommendations (b) Utilised in conjunction with fitted dust suppression measures, such as water sprays (c) If shredding equipment does not contain dust suppression fittings alternative dust suppression is to be applied whilst shredding activities take place.
5. Excavator	Maintained in accordance with manufacturers recommendations
6. Front end loader	Maintained in accordance with manufacturers recommendations
7. Perimeter ring main, free standing sprinkler system and water cart	Maintained in working order to achieve dust suppression capable of preventing windblown dust crossing the boundary of the premises subject to this licence

Column 1	Column 2
Site infrastructure and equipment	Operational requirements
<p>8. Firefighting equipment</p> <ul style="list-style-type: none"> - 10 kL water truck - Premises water extraction bore - 60 kL water tank and submersible pump - 400 kL dam with electrical pump and genset power backup - Six large reticulated freestanding sprinklers reaching approximately 50 meters - Lay flat firefighting hoses connectable to the premises ringmain and associated firefighting nozzels 	<p>Maintained in a manner to remain operational and combat unauthorised fires occurring on the premises.</p>
<p>9. Height markers installed on the southern boundary within 90 days of the date of the issue of this licence</p>	<p>A minimum of two height markers indicating 4 meters height from the level of the adjacent operational hardstand installed along the southern boundary to assist in maintaining compliance with Condition 4, Table 4, Requirement (e).</p>

Dust

6. The licence holder must ensure that no visible dust generated from the primary activities crosses the boundary of the premises

Fire

7. The licence holder must ensure that:
- (a) Fires are not deliberately started on the premises;
 - (b) All unauthorised fires are promptly managed, extinguished and reported to DWER within 24 hours of the event taking place.
 - (c) Within 6 months of the issue of this licence the Fire Management Plan must be reviewed by a suitably qualified professional in the field of fire management and firefighting and provided to the CEO.

Monitoring

8. The licence holder must record the total amount of waste accepted onto and removed from 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 and removed from the premises

Waste type	Unit	Time period
Greenwaste	Tonnes (m ³ when weighbridge is not operational)	Each load accepted onto and removed from the premises.
Non-conforming waste		

9. The licence holder must monitor the greenwaste stockpiles for concentrations of the parameter listed in Table 7:
- at the corresponding monitoring location;
 - in the corresponding unit; and
 - at no less that the corresponding frequency;
- as set out in Table 7.

Table 7: Stockpile monitoring requirements

Parameter	Monitoring location	Unit	Frequency
Moisture content	All greenwaste stockpiles	%	Daily
Temperature		°C	

Record-keeping

10. The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
- the calculation of fees payable in respect of this Licence;
 - the works conducted in accordance with Condition 5 of this Licence;
 - the maintenance of infrastructure required to ensure that it is kept in good working order in accordance with Condition 5 of this Licence;
 - monitoring undertaken in accordance with Conditions 8 and 9 of this Licence;
 - Reportable Events reported in accordance with Condition 7 of this Licence;
 - complaints received under Condition 11 of this Licence; and
 - any Material Change.
- In addition, the Books must:
- be legible;
 - if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - be retained for at least 3 years from the date the Books were made; and
 - be available to be produced to an Inspector or the CEO.
11. The Licence Holder must record the number and details of any complaints received by the Licence Holder relating to its obligations under this Licence and its compliance with Part V of the EP Act at the Premises, and any action taken by the

Licence Holder in response to the complaint. Details of complaints must include:

- (a) an accurate record of the concerns or issues raised, for example a copy of any written complaint or a written note of any verbal complaints made;
- (b) the name and contact details of the complainant, if provided by the complainant;
- (c) the date of the complaint; and
- (d) the details and dates of the actions taken by the Licence Holder in response to the complaints.

- 12.** The Licence Holder must submit to the CEO, no later than 31 February, a Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period.
- 13.** 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 are shown in the map below.





Government of Western Australia
Department of Water and Environmental Regulation

Community Greenwaste Recycling - Neerabup



Legend

- Roads - State Roads
- Roads - Major Roads

Notes

Lease area 7, 190 Flynn Drive, Neerabup

Author: DWER
Recipient: L9008/2016/1



1: 11,351



0.6 0 0.29 0.6 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Premises boundary

The Premises boundary is defined by the coordinates in Table 8.

Table 8: Premises boundary coordinates

Map Reference	Latitude	Longitude
1	-31.6829	115.7973
2	-31.6829	115.7990
3	-31.6833	115.7990
4	-31.6833	115.7973