



Licence

Licence number	L7011/1997/12
Licence holder	Shire of Victoria Plains
ACN	94 006 554 961
Registered business address	28 Cavell Street CALINGIRI WA 6569
DWER file number	DER2017/000602-1
Duration	23/10/2021 to 22/10/2026
Date of issue	14 October 2021
Premises details	Mogumber Refuse Site 47 Mogumber - Yarawindah Road MOGUMBER WA 6506 Legal description - Crown Reserve 8588 Lot 4110 on Deposited Plan 21718347 As depicted in Schedule 1

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 64: Putrescible landfill	Less than 500 tonnes per year

This licence is granted to the licence holder, subject to the attached conditions, on 14 October 2021, by:

Jane Dalin
Senior Environmental Officer
Industry Regulation

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

Licence history

Date	Reference number	Summary of changes
29/09/2011	L7011/1997/11	Licence granted.
14/10/2021	L7011/1997/12	Administrative licence renewal for five years. Issued in current DWER licence format.

Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (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:
 - (i) if dated, refers to that particular version; and
 - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

Licence conditions

The licence holder must ensure that the following conditions are complied with:

Premises Operation

1. The licence holder must only accept waste on to the Premises if:
 - (a) it is of a type listed in Table 1;
 - (b) the quantity accepted is below any quantity limit listed in Table 1; and
 - (c) it meets any acceptance specification listed in Table 1.

Table 1: Types of waste authorised to be accepted onto the premises

Waste type	Quantity limit	Acceptance specification ¹
Clean Fill	Combined total of no more than 500 tonnes per annum	None specified.
Inert Waste Type 1		
Inert Waste Type 2 (Tyres)		
Putrescible Waste		
Special Waste Type 1 (Asbestos waste)		Must be sealed in double-lined or double bagged, heavy duty plastic sheeting of at least 0.2 millimetres thickness; and Must be labelled or marked with the words "CAUTION – ASBESTOS" in letters not less than 50 millimetres high.
Special Waste Type 2 (Biomedical waste)		None specified
Other wastes, including contaminated waste		Must comply with Class II criteria in the document titled 'Land Waste Classification and Waste Definitions' 1996 (as amended)

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*.

2. The licence holder must ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 2 and in accordance with any process limits described in Table 2.

Table 2: Waste processing

Waste type	Processes	Process limits ¹
All	Receipt, handling and disposal	<ul style="list-style-type: none"> An undisturbed separation distance of at least three metres between the base of the current and future disposal areas and the highest level of groundwater is maintained. A minimum of 100 metres between any existing or new tipping areas and any naturally occurring surface water body is maintained. Not burn or allow the burning of non-green waste on the premises. No waste is placed closer than 35 metres to the premises boundary. Waste is placed in a defined trench or within an area enclosed by earthen bunds. The tipping area is restricted to a maximum linear length of 30 metres. Waste in the tipping area is covered monthly; There is enough cover material to cover waste in accordance with part (d) of this condition, at least twice and in the event of a fire. Waste is covered with cover material. Waste is totally covered so that no waste is left exposed. Washed or wind blown waste does not leave the premises. Any washed or windblown waste away from the tipping area is collected and returned to the tipping area on a monthly basis. The tipping area is no greater than two metres in height; and Waste shall be covered monthly with 25 cm of cover material.
Clean fill	Receipt, handling and storage	None specified
Inert Waste Type 1		
Inert Waste Type 2 (Tyres)		<p>Tyres must be stored:</p> <ul style="list-style-type: none"> only on level ground; stacked on their sides or, if stored upright on their treads, are baled together with a securing device made from Non-Combustible Materials; in windrows of less than one-hundred (100) tyres, with a minimum of three (3) metres between each stockpile and no greater than three (3) metres in height; to ensure that tyre stacks do not obscure fire protection equipment (including fire hydrants and fire hoses) or any related signage; and the tyres or tyre storage area is located at least six metres from any combustible material, wall, building or fence.

Waste type	Processes	Process limits ¹
Special Waste Type 1 (Asbestos)	Receipt, handling and disposal	<ul style="list-style-type: none"> • As soon as practicable cover the asbestos or material containing asbestos with a layer of soil at least 300 millimetres thick or with a layer of dense, inert and incombustible material at least one metre thick; • record as grid references on a premises plan all locations used for the disposal of asbestos waste or material containing asbestos and keep this plan as a permanent record; • Keep a permanent register of each load deposited at the premises, including the date, the name of the person that deposited the asbestos and the vehicle registration; • Witness the covering of the asbestos waste or material containing asbestos and sign the asbestos disposal register within two hours of waste covering taking place; • not deposit any asbestos waste or material containing asbestos within two metres of the final tipping surface of the landfill; • operate the landfill such that any existing asbestos waste or material containing asbestos deposited at the premises remains undisturbed; and • make all records available for viewing or copying by an authorised person or inspector upon request.
Special Waste Type 2 (Biomedical Waste)	Receipt, handling and disposal	<ul style="list-style-type: none"> • The licence holder, or their representative, must complete and sign the original waste transport certificate, noting, in writing, any discrepancies between waste declared and waste received. • Keep a record of the waste transport certificate for at least three years. • Immediately unload and cover the waste to a minimum depth of one metre of soil or solid waste; • Define the disposal area(s) by grid references on the site plan. • Ensure the disposal areas are not excavated or uncovered during subsequent landfill operations. • Restrict access to the landfill site where the waste is buried to authorised personnel only; and • Make the information recorded in accordance with part (ii) of this condition available for viewing or copying by the Director during any inspection of the premises.

Waste type	Processes	Process limits ¹
Greenwaste	Receipt, handling, and disposal of waste by burning	<p>Shall only be burnt if:</p> <ul style="list-style-type: none"> • it is dry and seasoned for at least two months before being burnt; • it is burnt in a designated burning area; • there is an adequate water supply and distribution system to prevent fires from escaping beyond the green waste area; • the generation of smoke burn is minimised; • it is in windrows or trenches; • it is carried out prior to 8 a.m. and the Fire Control Officer for the landfill site declares the area safe by 12 noon on the same day; • the licence holder can ensure that, from the time burning commences until the Fire Control Officer for the premises declares the area safe; <p>(a) a fire fighting vehicle carrying at least 500 litres of water, fitted with at least 30 metres of 19 mm diameter rubber hose and with a pump capacity capable of delivering a minimum of 250 litres of water per minute at a minimum of 700 kPA through a nozzle capable of projecting water by spray or by jet; and</p> <p>(b) 2 persons, who have such qualifications in fire fighting as are approved.</p>

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

3. The licence holder must ensure that no visible dust generated from the primary activities crosses the boundary of the premises.
4. The licence holder must ensure that:
 - (a) all trafficked areas;
 - (b) final landfill contours; and
 - (c) open landfill faces or trenches
 are sealed, or otherwise treated to minimise dust emissions at the premises.
5. The licence holder must maintain a wire stock fence around the perimeter of the site and a 1.8 metre high litter-proof fence around the boundary of the active landfill area, to restrict public access to the site to one point only, and to effectively control wind blown waste.
6. The licence holder shall ensure that monthly inspections of the fence referred to in condition 5 are undertaken and that any damage to the fence is repaired within five working days of its discovery.
7. The licence holder shall ensure that any entrance to the premises is securely locked when the premise is unattended.

8. The licensee shall maintain a sign at the entrance to the premises which clearly displays the following:
 - (a) hours of operation;
 - (b) contact telephone number for information and complaints or notification of fires;
 - (c) a list of materials acceptable for recycling and the location of where they can be deposited on the premises;
 - (d) the types of waste that must not be deposited on the premises and a contact telephone number for alternative disposal options; and
 - (e) a warning, indicating penalties for people lighting fires.
9. The licence holder shall ensure that there are appropriate procedures in place at the premises so that any unauthorised fire is promptly extinguished.
10. The licence holder shall ensure that an unauthorised fire on the premises is extinguished as soon as possible.
11. The licensee shall provide the Director with a report on an unauthorised fire within 14 days of the fire and include:
 - (a) details of the date, time and location of the fire;
 - (b) the time the fire was declared safe by the Fire Control Officer for the premises; and;
 - (c) the cause, or suspected cause, of the fire.
12. The licence holder shall ensure that uncontaminated stormwater within the premises is adequately managed so that:
 - (a) it is diverted from areas of the premises where there is waste; and
 - (b) water that has come into contact with the waste is diverted into a sump on the premises, or otherwise contained on the premises.

Records and reporting

13. 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.
14. 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 30 days after the end of that annual period an Annual Audit Compliance Report in the approved form.

- 15.** The licence holder must provide to the CEO by no later than 30 days after the end of that annual period a copy of the annual monitoring report containing the monitoring data required by any condition of this licence, to include details of:
- (a) details of the landfill cells used for active filling during the Monitoring and Reporting Period;
 - (b) measures to control pests and vermin;
 - (c) measures taken to suppress dust;
 - (d) the results of any environmental monitoring undertaken at the site;
 - (e) any changes to site boundaries, internal buffer zones, and asbestos waste disposal areas;
 - (f) measures taken to control windblown waste;
 - (g) any change to the location of any surface drainage channels; and
 - (h) average compaction rates.
- 16.** 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) records of all designated asbestos disposal areas, including the disposal register undertaken in accordance with condition 2, table 2 (Special Waste Type 1) of this licence;
 - (c) the reporting of unauthorised fires undertaken in accordance with condition 11 of this licence; and
 - (d) complaints received under condition 13 of this licence.
- 17.** The books specified under condition 16 must:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
 - (c) be retained by the licence holder for the duration of the licence; and
 - (d) be available to be produced to an inspector or the CEO as required.

Definitions

In this licence, the terms in Table 3 have the meanings defined.

Table 3: Definitions

Term	Definition
ACN	Australian Company Number
Acceptance Criteria	has the meaning defined in the Landfill Definitions.
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).
annual period	a 12 month period commencing from 1 September until 31 August of the immediately following 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, (Department of Health (Western Australia), 2009).
authorised person or inspector	means an authorised person or inspector as defined in sections 87 and 88 respectively of the EP Act
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer of the Department. "submit to / notify the CEO" (or similar), means either: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 or: info@dwer.wa.gov.au
clean fill	has the meaning defined in Landfill Definitions.
cover material	means subsoil or other approved inert waste used for the covering of waste
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
Fire Control Officer	means a person who has such qualifications in firefighting or fire control as are approved, appointed to that position by the occupier of the landfill site.
green waste	means waste that originates from untreated trees or plants.
hazardous waste	has the meaning defined in the Landfill Definitions.
Inert waste type 1	has the meaning defined in the Landfill Definitions.
Inert waste type 2	has the meaning defined in the Landfill Definitions.
Landfill Definitions	means the document titled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Environment as amended from time to time.

Term	Definition
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
municipal waste	means collected by the kerbside by the local authority collection vehicle or its contractor.
premises	refers to 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.
putrescible	has the meaning defined in the Landfill Definitions.
Special Waste Type 1	has the meaning defined in the Landfill Definitions.
Special Waste Type 2	has the meaning defined in the Landfill Definitions.
waste	has the same meaning given to that term under the EP Act.

END OF CONDITIONS

Schedule 1: Maps

Premises map

Figure 1: Map of the boundary of the prescribed premises

