



Licence

Environmental Protection Act 1986, Part V

Licensee: Westmore Corporation Pty Ltd

Licence: L9198/2019/1

Registered office: Level 1
24/199 Balcatta Road
BALCATTWA WA 6021

ACN: 082 140 403

Premises address: Westmore Muchea Landfill
4040 Great Northern Highway,
MUCHEA WA 6501
Being Lot 607 on Plan 409232 as depicted in Schedule 1.

Issue date: 26/03/2019

Commencement date: 26/03/2019

Expiry date: 31 December 2025

Prescribed premises category
Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
13	Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned)	1,000 tonnes or more per year	240,000 tonnes per annual period
61A	Solid waste facility: premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.	1,000 tonnes or more per year	50,000 tonnes per annual period
63	Class I inert 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	240,000 tonnes per annual period

Conditions

The Licence is subject to the conditions set out in the attached pages.

.....
Officer delegated under section 20
of the *Environmental Protection Act 1986*



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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 and Minister for Water. DWER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DWER 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.

Ministerial conditions

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

Premises description and Licence summary

Westmore Corporation Pty Ltd commenced operating an inert landfill in Muchea at Lot M1920 Great Northern Highway. The Premises accepts inert waste material primarily from the company’s Jandakot Waste Transfer Station for landfilling but also from other potential commercial customers. The landfilling operation is to rehabilitate the area that has previously been mined for clay and returning the site to its pre-mining operations profile. The throughput of the premises is 240,000 tonnes per year.

The nearest residents are located over at least 1 kilometre away from the premises in all directions. The main potential emissions from the site are dust as the site will only accept inert waste, the risk of groundwater contamination is considered low however groundwater monitoring will be undertaken to validate waste inputs.

The western portion of the premises has a depth to groundwater of approximately 30 metres. The premises does not fall within a Public Drinking Water Source Area. The closest groundwater area (Gnangara Mound) is located seven kilometres to the west of the premises. The nearest wetland is located 1.5 kilometres to the north-east of the premises and is classified as a Resource Enhancement. There are other various Resource Enhancement and Multiple Use wetlands located within 2.5 kilometres of the premises.

The Licence was previously amended to include category 61A to allow the crushing of waste glass material from materials recovery facilities, and category 13 to authorise crushing of building material. A works approval was issued in relation to the glass processing was issued in July 2014.

The licences and works approvals issued for the Premises since 08/04/2009 are:

Instrument log		
Instrument	Issued	Description
W4525/2009/1	08/04/2009	New application for a works approval
L8629/2012/1	22/03/2012	Licence issued
L8629/2012/1	04/01/2013	Licence amended
W5675/2014/1	31/07/2014	Works approval for crushing glass
L8629/2012/1	7/08/2014	Amendment to include category 61A for glass crushing
L8629/2012/1	06/03/2015	Amendment to include category 13
L8629/2012/1	7/03/2018	Amendment to licence duration
L8629/2012/1	20/12/2018	Amendment to licence duration
L9198/2019/1	25/03/2019	New licence issued due to non-payment of annual fees for previous licence

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

1 General

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:

‘**AACR**’ means Annual Audit Compliance Report, the template of which can be found on DWER’s website www.dwer.wa.gov.au

‘**Act**’ means the *Environmental Protection Act 1986*;

‘**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);

‘**AHD**’ means the Australian height datum;

‘**Acceptance Criteria**’ has the meaning defined in Landfill Definitions;

‘**annual period**’ means the inclusive period from 1 January until 31 December;

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

‘**AS/NZS 5667.11**’ means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

‘**AS 4964**’ means the Australian Standard AS 4964 *Methods for the qualitative identification of asbestos in bulk samples*;

‘**asbestos**’ means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysolite, crocidolite, tremolite and any mixture containing 2 or more of those;

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

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

‘**asbestos fines**’ has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

‘**averaging period**’ means the time over which a limit or target is measured or a monitoring result is obtained;

‘**Clean fill**’ has the meaning defined in Landfill Definitions;

‘**CEO**’ means Chief Executive Officer.

‘**CEO**’ for the purposes of notification means:

Director General

Department Administering the *Environmental Protection Act 1986*

Locked Bag 33 Cloisters Square



PERTH WA 6850
info@dwer.wa.gov.au

'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 and Petroleum, as amended from time to time;

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

'construction and demolition waste' has the meaning defined in Landfill Definitions;

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

'Department of Health Asbestos Guidelines' means the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

'DWER Asbestos Guidelines' means document titled "Guidelines for managing asbestos at construction and demolition waste recycling facilities", published by the Department of Environment and Conservation, as amended from time to time;

'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 and Petroleum;

'fugitive emissions' means all emissions not arising from point sources;

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

'Inert Waste Type 2' has the meaning defined in 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.

'Licence' means this Licence numbered L8629/2012/1 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'MRF' means material recovery facility;

'NATA' means the National Association of Testing Authorities, Australia;

'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

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

'quarantined storage area or container' means a hardstand storage area or sealed-bottom 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;

'spot sample' means a discrete sample representative at the time and place at which the sample is taken;

'TRH' means total recoverable hydrocarbons; and

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

'w/w' means weight for weight

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.

1.1.4 Any reference to a guideline or code of practice in the Licence means the current version of the guideline or code of practice in 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

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

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; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.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; and
- (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
- (c) it meets any specification listed in Table 1.3.1.



Table 1.3.1: Waste acceptance		
Waste type	Quantity limit tonnes/ annual period	Specification ¹
Clean Fill	240,000	Waste containing visible asbestos or ACM shall not be accepted.
Inert Waste Type 1		
Inert Waste Type 2		Plastics only.
Putrescible	50,000	Only glass residue waste derived from MRFs.

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 visually inspect all waste on arrival at the Premises and again before it enters any stockpile or treatment process to ensure that it complies with the waste acceptance criteria in Table 1.3.1.
- 1.3.3 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.
- 1.3.4 The Licensee shall ensure that any waste that does not conform to the waste acceptance criteria in Table 1.3.1 due to asbestos content, is bagged and kept within a clearly identified, labelled, segregated and secure container prior to being removed off site to an appropriate authorised facility.
- 1.3.5 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	Process(es)	Process limits ^{1, 2}
Inert Waste Type 1	Receipt, handling, associated storage and disposal of waste by landfilling	<p>No more than 20,000 tonnes of waste awaiting treatment shall be stored at any one time.</p> <p>No more than 20,000 tonnes of processed waste shall be stored at any one time.</p> <p>Processed and unprocessed waste shall be stored in designated storage areas provided with dust control measures.</p>
	Or Receipt, handling, associated storage, mechanical treatment consisting of crushing and screening prior to removal from site or disposal by landfilling	
Clean Fill	Receipt, handling, associated storage and disposal of waste by landfilling	No waste shall be temporarily stored or landfilled within 35 metres from the boundary of the premises.
Inert Waste Type 2		The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2m.



Putrescible	Receipt, handling, associated storage, crushing, processing and removal from the premises	<p>Only glass residue material from MRFs.</p> <p>A maximum of 2,000 tonnes of MRF glass residue material may be stored on the premises at any time.</p> <p>Any non-conforming waste residue material shall be stored in an enclosed leak-proof container.</p>
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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*.

1.3.6 The Licensee shall ensure that the asbestos content of any recycled output originating from construction and demolition waste does not exceed the contamination limits specified in Table 1.3.3.

Table 1.3.3: Recycled output contamination limits		
Output	Parameter	Limit
Recycled drainage rock	Asbestos (in any form)	0.001%w/w
Recycled sand		
Recycled road base		
Any other recycled output		

1.3.7 The Licensee shall ensure that recycled outputs originating from construction and demolition waste are sampled and tested in accordance with Table 1.3.4.

Table 1.3.4: Recycled output sampling and testing			
Output	Parameter	Limit	Method
Recycled drainage rock	Asbestos (in any form)	0.001%w/w	In accordance with the DWER Asbestos Guidelines.
Recycled sand			
Recycled road base			
Any other recycled output			

1.3.8 The Licensee shall undertake activities on the Premises and manage asbestos and asbestos contaminated material in accordance with the Asbestos Management Plan Westmore Corporation Muchea Waste Management Site – Asbestos Management Plan Dated 13 January 2015.

1.3.9 The Licensee shall manage the landfilling activities to ensure:

- waste is levelled and compacted as soon as practicable after it is discharged; and
- waste is placed and compacted to ensure all faces are stable and capable of retaining rehabilitation material; and
- rehabilitation of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed.

1.3.10 The Licensee shall implement the following security measures at the site:

- erect and maintain suitable fencing to prevent unauthorised access to the site; and
- ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
- undertake regular inspections of all security measures and repair damage as soon as practicable.



1.3.11 The Licensee shall take all reasonable and practical measures to ensure that no wind-blown waste escapes from the Premises and that wind-blown waste is collected on at least a weekly basis and returned to the tipping area or appropriately contained.

2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

2.2 Fugitive emissions

2.2.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.

2.2.2 The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.

2.2.3 The Licensee shall implement and adhere to the Dust Management Procedure Westmore Corporation Lot M1920 Great Northern Highway Dated June 2010 and reviewed October 2014.

3 Monitoring

3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11;
- (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.

3.1.2 The Licensee shall ensure that quarterly monitoring is undertaken at least 45 days apart.

3.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications and the requirements of the Licence.

3.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.1 Monitoring of inputs and outputs

3.1.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Clean fill, Inert Waste type 1 and Inert Waste type 2.	Tonnes (where a weighbridge is present on the site) or m ³ (where no weighbridge is present)	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Definitions.			Each load leaving or rejected from the Premises



3.2 Ambient environmental quality monitoring

3.2.1 The Licensee shall undertake the monitoring specified in Table 3.3.1.

Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
SE1 SE2 SE3	Standing water level	m(AHD)	Spot sample	Six monthly
	pH	-		
	Electrical conductivity	µS/cm		
	Ammoniacal nitrogen, cadmium, chloride, chromium (total), copper, iron, lead, manganese, nickel, nitrate-nitrogen, potassium, total nitrogen, total phosphorus, zinc and TRH	mg/L		

4 Information

4.1 Records

4.1.1 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.

4.1.2 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.

4.1.3 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.

4.1.4 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.

4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 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 form¹
-	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 1.3.4	Summary of recycled output monitoring results	None specified
Table 3.1.1	Summary of inputs and outputs	None specified
Table 3.2.1	Monitoring of ambient groundwater quality	None Specified
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

- 4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and
 - (b) 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.

4.3 Notification

- 4.3.1 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)	Parameter	Notification requirement¹	Format or form²
-	Breach of any limit specified in the Licence	As soon as practicable but no later than 5pm of the next usual working day.	None specified
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution		
3.1.4	Calibration report	As soon as practicable.	None specified

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

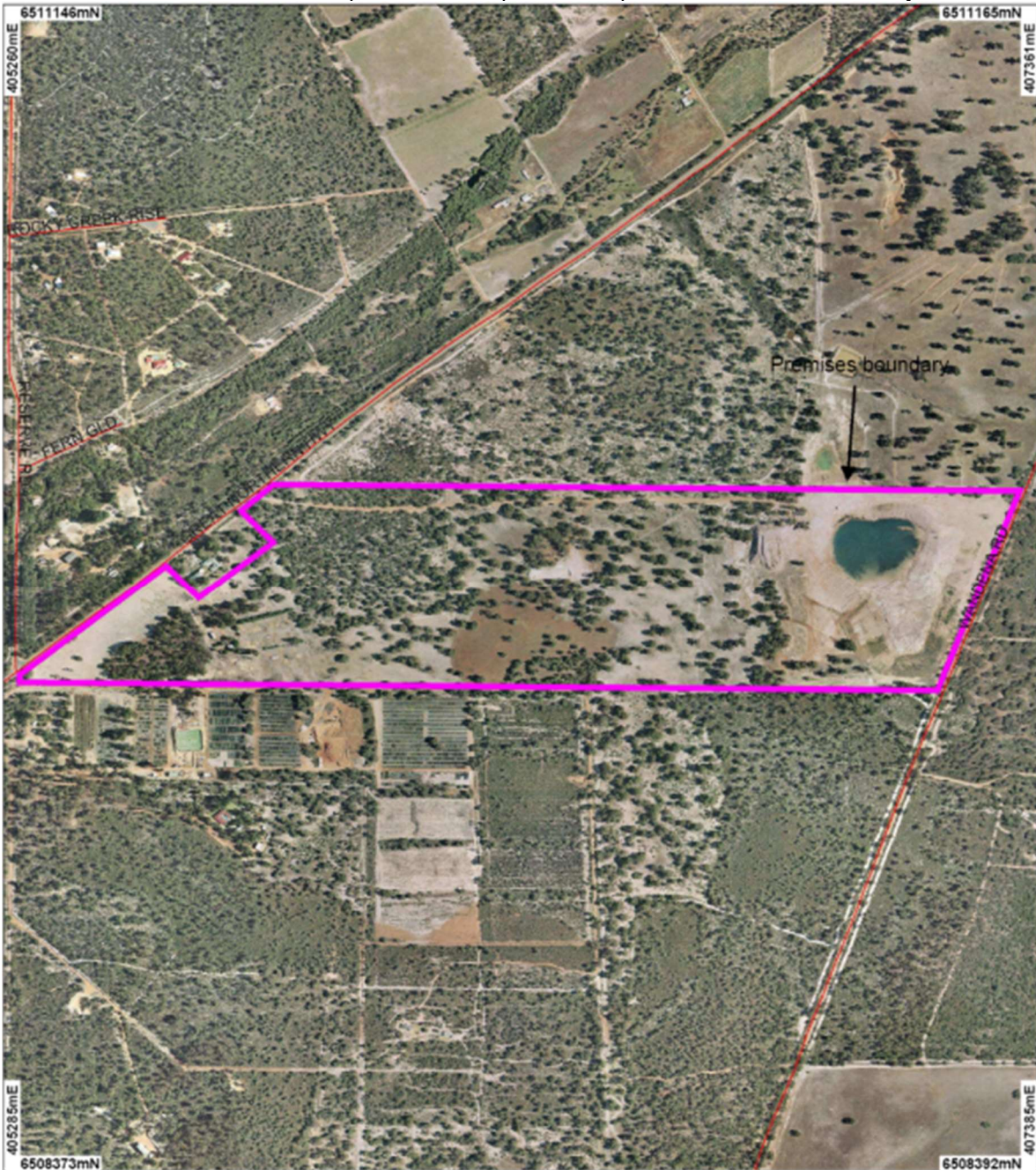
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the maps below. The pink line depicts the Premises boundary.





Monitoring bore locations

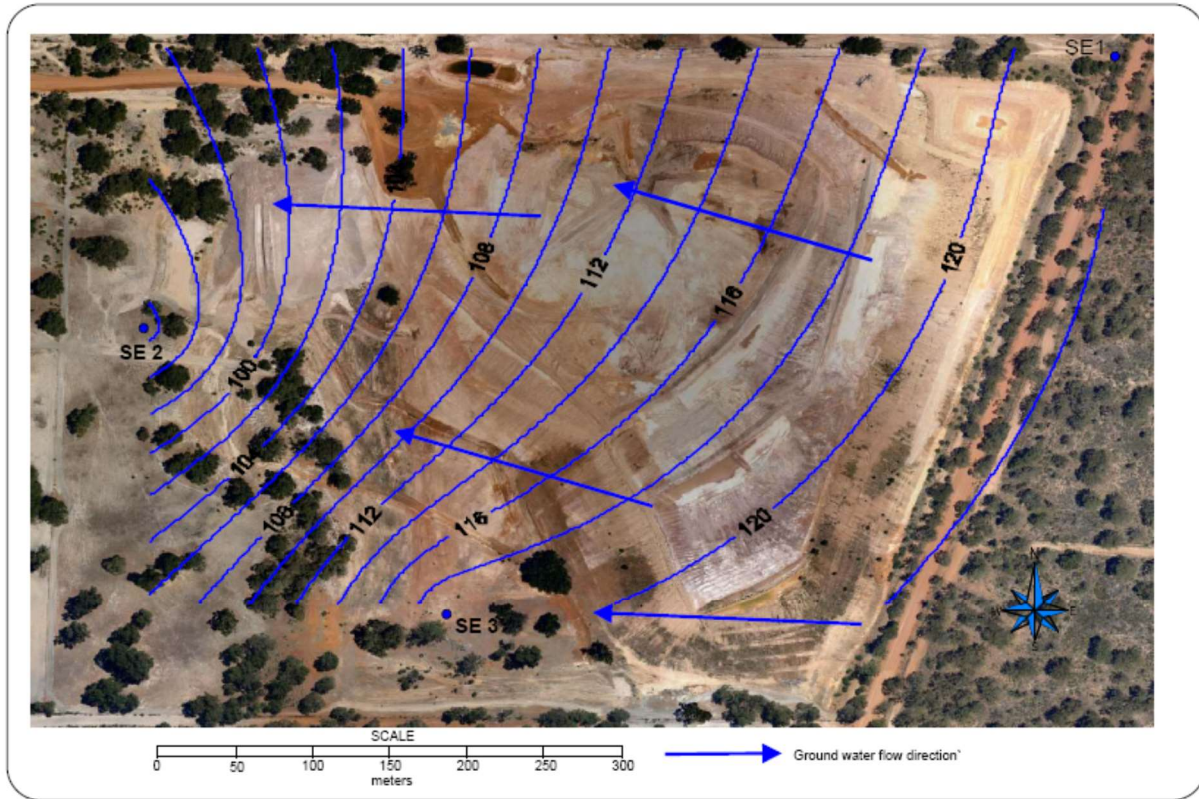
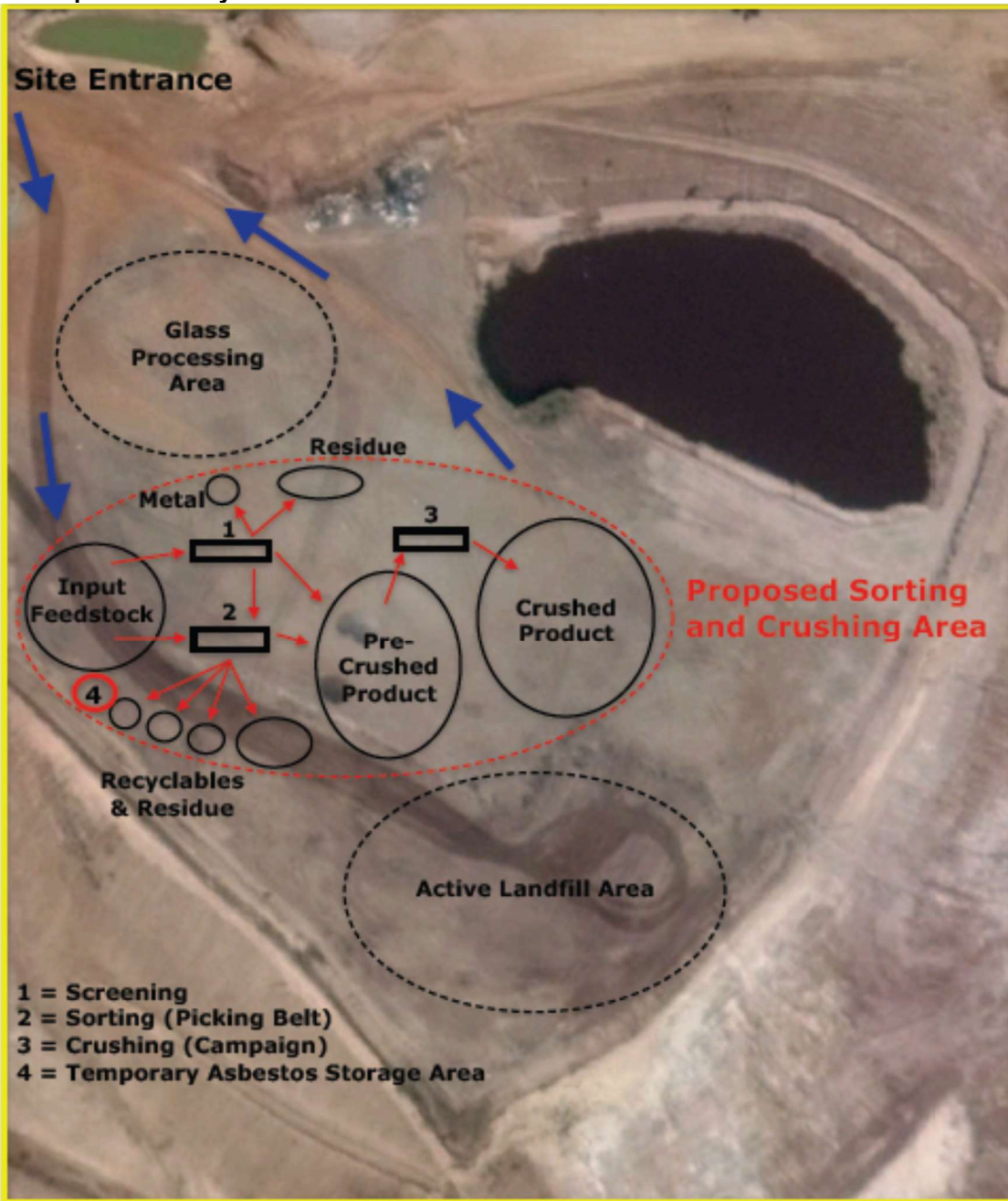


Figure 3 : Ground water contours and flow direction





Conceptual Site Layout



Overall Site Layout

