



Licence

Environmental Protection Act 1986, Part V

Licensee: Shire of Chittering

Licence: L6845/1997/11

Registered office: 6177 Great Northern Hwy
 Bindoon WA 6502

Premises address: Muchea Landfill and Recycling Centre
 Lot 300 on Plan 71254 (536), Wandena Road
 Lower Chittering WA 6084
 As depicted in Schedule 1.

Issue date: Thursday, 14 April 2011

Commencement date: Monday, 9 May 2011

Expiry date: Friday, 10 May 2024

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
62	Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	500 tonnes or more per year	2 000 tonnes per annual period
64	Class II 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.	20 tonnes or more per year	5 000 tonnes per annual period

Conditions

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

.....
Alan Kietzmann
 MANAGER LICENSING (WASTE INDUSTRIES)

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



Contents

Licence	1
Contents	2
Introduction	2
Licence conditions	4
1 General	4
2 Monitoring	8
3 Information	9
Schedule 1: Maps	11
Schedule 2: Reporting & notification forms	13

Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

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

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process the DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. The DER 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

The Muchea Landfill and Recycling Centre services the region in conjunction with the Bindoon Landfill and Recycling Centre. Most residents participate in a weekly kerbside collection service and a fortnightly recycling collection service. Residents use tip passes for larger items and greenwaste with fully sorted loads admitted free. Muchea Landfill is open Saturday, Sunday, Monday, Wednesday and Friday 10am to 3pm. Waste is received at the landfill and placed as directed by the operator. Not all wastes received at the site are buried, and waste suitable for recycling or disposal at other facilities is collected at premises in special segregated areas. There are segregated areas for construction and demolition waste, cardboard and newsprint, steel, waste oil and Drum Muster Chemical drums.

The site receives:

- Type 1 inert waste;
- Putrescible waste;
- Type 2 inert wastes.
- Green waste; and,
- Hazardous wastes (oils, paints and batteries).

In accordance with DER’s *Guidance Statement: Licence Duration* (Revised May 2015), the licence duration has been extended to 10 May 2024 on 29 April 2016.

This amendment includes the addition of Category 62 to reflect the current activities on the premises and updates to the licence format and conditions. Changes are described and detailed in the Decision Document.

The licences and works approvals issued for the Premises are:

Instrument log		
Instrument	Issued	Description
L6845/1997/11	11/04/2011	Licence Renewal
L6845/1997/11	29/04/2016	Amendment Notice- extend the licence duration to 2024
L6845/1997/11	20/06/2016	Amendment - additional category and update licence format

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:

'Act' means the *Environmental Protection Act 1986*;

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

'annual period' means the inclusive period from 1 April until 31 March;

'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);

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

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au

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

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

'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;

'freeboard' means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point;

'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 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 L6845/1997/11 and issued under the Act;



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

'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 the Landfill Definitions;

'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; and

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

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 Premises operation

1.2.1 The Licensee shall only accept waste on to the Premises if:

- (a) it is of a type listed in Table 1.2.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.2.1; and
- (c) it meets any specification listed in Table 1.2.1

Table 1.2.1: Waste acceptance		
Waste	Quantity Limit	Specification¹
Inert Waste Type 1	Combined total of no more than 5 000 tonnes per annum	None specified
Clean Fill		
Putrescible Waste		
Special Waste Type 1		Received in accordance with <i>Environmental Protection (Controlled Waste) Regulations 2004</i>
Other waste that comply with the acceptance criteria for Class II Landfills		None specified
Inert Waste Type 2	Combined total of no more than 2 000 tonnes per annum	Tyres and plastic only
Hazardous waste		Limited to waste oil, paint, vehicle batteries and Drum Muster products only
Green Waste		None specified

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*.

1.2.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, the Licensee shall contact the CEO to agree a course of action in relation to the waste.



1.2.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 1.2.2 and in accordance with any process limits described in that Table.

Table 1.2.2: Waste processing		
Waste type	Processes	Process limits^{1,2}
Inert Waste Type 1	Receipt, handling and disposal of waste by landfilling	<p><u>All waste types</u></p> <ul style="list-style-type: none"> The separation distance between the base of the landfill and the highest groundwater level shall not be less than 3 m. Disposal of waste shall be at least 35 m from the premises boundary. Waste must be placed within a defined trench or with an area enclosed by earthen or other bunds. The licensee shall not burn or allow the burning of non-green waste on the premises. <p><u>Hazardous Wastes</u></p> <ul style="list-style-type: none"> Stored in a designated receptacle or on a hardstand in a bunded area. Paint can be evaporated and then buried. <p><u>Inert Waste Type 2 (Tyres)</u></p> <ul style="list-style-type: none"> No more than 100 car tyres to be stored at any one time; External tyre stockpiles must be stored: <ul style="list-style-type: none"> in rows with 6 m of clear ground between each row and any combustible material; located not less than 6 m from the premises boundary; in rows no more than three metres in height where the greatest area of used tyre storage is not to exceed 100 m². <p><u>Special Waste Type 1</u></p> <ul style="list-style-type: none"> Only to be disposed of into a designated asbestos disposal area within the landfill; The disposal area(s) for any more than one cubic meter of asbestos material is defined by grid references on the site plan; A copy of the site plan marked with the locations used for asbestos disposal should be kept as permanent record and made available for viewing by inspectors; No waste shall be temporarily stored or landfilled within 35 m from the boundary of the premises; Not to be deposited within 2 m 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. <p><u>Green waste</u></p> <ul style="list-style-type: none"> Stored in stockpiles no more than 4 m high and no greater than 1000 m³ in volume; All mulched green waste shall be stored in windrows; Shall only be burnt if: <ul style="list-style-type: none"> It is dry and seasoned for at least 2 months before it is burnt; It is in a designated burning area at least 35 metres from the premises boundary or active fill
Clean Fill		
Putrescible Waste		
Special Waste Type 1		
Other waste that comply with the acceptance criteria for Class II Landfills		
Hazardous waste	Receipt, handling and storage prior to being taken offsite to a recycling facility,	
Inert Waste Type 2	Receipt, handling and storage prior to being taken offsite to a tyre recycling facility	
Green Waste	Receipt, handling, mulching and disposal of waste by landfilling or burning	



Table 1.2.2: Waste processing		
Waste type	Processes	Process limits ^{1,2}
		<ul style="list-style-type: none"> area; ○ It is burnt in trenches or windrows; ○ It is burnt quickly and in such a way that the generation of smoke is minimised; ○ The volume of green waste is restricted such that it is completely burnt during daylight hours; ○ An adequate water supply and distribution system to prevent fires from escaping beyond the green waste area; ○ There is present in the area from the time burning commences until the Fire Control Officer for the landfill site declares the area safe: <ul style="list-style-type: none"> ○ A fire fighting vehicle carrying at least 500 litres of water, fitted with at least 30 metres of 19mm 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 ○ 2 persons, who have such qualifications in firefighting as are approved.

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*.

1.2.4 The Licensee shall manage the landfilling activities to ensure:

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

1.2.5 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.2.3 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.2.3: Cover requirements ¹	
Waste Type	Cover requirements
Inert Waste Type 1	None specified
Clean Fill	
Putrescible Waste	Waste is to be: <ul style="list-style-type: none"> • Covered with a dense, inert and incombustible material. • Covered with at least 230 mm of cover material on a weekly basis and at the end of each working day on which municipal waste collections is received and landfilled. • Covered with a final soil cover of at least 1 m.
Other waste that comply with the acceptance criteria for Class II Landfills	
Inert Waste Type 2 (Plastics)	
Green Waste	Ensure there is sufficient cover material available to cover waste in the event of a fire.
Special Waste Type 1 (Asbestos)	<ul style="list-style-type: none"> • To be covered with 1 m of Inert Waste Type 1, Clean Fill or putrescible waste as soon as practicable. • To be covered no later than the end of the working day after deposit and prior to compaction.

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



- 1.2.6 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.
- 1.2.7 The Licensee shall ensure that wind-blown waste is contained within the boundary of the Premises and that wind-blown waste is returned to the tipping area on at least a weekly basis.

2 Monitoring

2.1 Monitoring of inputs and outputs

2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

Table 2.1.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Inert Waste Type 1, Inert Waste Type 2, Special Waste Type 1, Clean Fill, Putrescible Waste, Green waste, and Other Waste (meeting acceptance criteria for Class II Landfills)	Cubic metres (m ³)	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 Improvements

3.1 Improvement program

3.1.1 The Licensee shall complete the improvements in Table 3.1.1 by the date of completion in Table 3.1.1.

Table 3.1.1: Improvement program		
Improvement reference	Improvement	Date of completion
IR1	The Licensee shall provide to the CEO a report detailing the stormwater management on the premises including, but not limited to, the location and capacity of the existing retention ponds.	01/09/2016
IR2	The Licensee shall provide to the CEO a groundwater monitoring report detailing, but not limited to: <ul style="list-style-type: none"> Number and location of monitoring bores associated with the Premises; Water quality parameters being monitored; Depth to groundwater; and Any historical monitoring results from the previous annual period. 	01/09/2016



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 4.1.1(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 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.

4.1.3 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 4.2.1 in the format or form specified in that table.

Table 4.2.1: 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
-	Measures undertaken to control pests and vermin	None specified
-	Number and severity of any fires on site	None specified
Table 2.1.1	Monitoring of inputs and outputs	None specified
4.1.2	Compliance	Annual Audit Compliance Report (AACR)
4.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2



4.3 Notification

4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
-	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. Part B: As soon as practicable	N1

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 map below. The pink line depicts the Premises boundary.





Site layout





Schedule 2: Reporting & 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.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non-compliance occurred, if applicable:	
c) Was this non-compliance reported to DER?	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____
<input type="checkbox"/> No	
d) Has DER taken, or finalised any action in relation to the non-compliance?	
e) Summary of particulars of the non-compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non-compliance occurred (attach map or diagram):	
g) Cause of non-compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non-compliance:	
i) Action taken or that will be taken to prevent recurrence of the non-compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L6845/1997/11 Licensee: Shire of Chittering
 Form: N1 Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Shire of Chittering	
Date	