



<b>Licence Number</b>	L8872/2014/1
<b>Licence Holder</b>	Shire of Ashburton
<b>Registered business address</b>	Lot 246 Poinciana Street TOM PRICE WA 6751
<b>File Number</b>	DER2014/003175
<b>Duration</b>	26/03/2015 to 28/03/2025
<b>Date of amendment</b>	<b>02 September 2019</b>
<b>Prescribed Premises</b>	Category 57 Category 62
<b>Premises</b>	Onslow Waste Transfer Station Part Lot 500 Onslow Road  Being part of Lot 500 on Plan 401881 Within the coordinates: E 302754.8169 N 7601162.218 E 302906.2324 N 7601294.793 E 302987.8051 N 7601204.227 E 302859.7177 N 7601095.768

This Licence is granted to the Licence Holder, subject to the following conditions, on 02 September 2019, by:

**Stephen Checker**

**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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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The CEO may suspend or revoke this Licence in accordance with s.59A of the EP Act.

#### Fees

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The Licence Holder must pay an annual licence fee. Late payment of annual licence fees may result in the licence ceasing to have effect.

## 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:

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

**‘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);

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

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

**‘Annual period’** means the inclusive period from 1 January until 31 December each year;

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

**‘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 of the Department of Water and Environment Regulation;

**‘CEO’** for the purpose of correspondence means;

Director General

Department of Water and Environmental Regulation  
Prime House, 8 Davidson Terrace, Joodalup, WA 6027  
Locked Bag 10, Joondalup DC, Joodalup, WA 6027  
T: (08) 6364 7000  
[info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au)

**‘Code of Practice for the Storage and Handling of Dangerous Goods’** means the Storage and handling of dangerous goods - code of practice, Mines, Industry Regulation and Safety, Government of Western Australia;

**‘Construction and Demolition Waste’** has the meaning defined in Landfill Definitions;

**‘Controlled Waste’** has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

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

**‘DWER Asbestos Guidelines’** means document titled “Guidelines for managing asbestos at construction and demolition waste recycling facilities”, published by the Department of Water and Environmental Regulation, 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, Industry Regulation and Safety.

**‘Fugitive Emissions’** means all emissions not arising from point sources;

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

**‘Hardstand’** means a surface with a permeability of  $10^{-9}$  metres/second or less;

**‘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 (as amended 2018)” published by the Chief Executive Officer of the Department of Water and Environmental Regulation as amended from time to time.

**‘Leachate’** means liquid released by or water that has percolated through waste and which contains some of its constituents;

**‘Licence’** means this Licence numbered L8872/2014/1 and issued under the Act;

**‘Licensee’** means the person or organisation named as License Holder 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 Landfill Definitions;

**‘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;

**‘Schedule 1’** means Schedule 1 of this Licence unless otherwise stated;

**‘Schedule 2’** means Schedule 2 of this Licence unless otherwise stated;

**‘Special Waste Type 1’** has the meaning defined in Landfill Definitions;

**‘Usual Working Day’** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

**‘Waste Code’** means the Waste Code assigned to a type of controlled waste for purposes of waste tracking and reporting as specified in the Department of Environment Regulation “Controlled Waste Category List” (July 2014), as amended from time to time; and

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.<sup>1</sup>

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) it meets any specification listed in Table 1.3.1.

Table 1.3.1 - Waste Acceptance			
Waste type	Controlled Waste Code	Quantity limit	Specification <sup>1</sup>
Clean Fill	N/A	Combined total limit of 15 000 tonnes per annual period	None Specified
Hazardous Waste	D221, J100, J120, J130, J160, J170, F100, F120		Waste hydrocarbons, oil and water based paints, and vehicle batteries
Inert Waste Type 1	N/A		Waste containing visible asbestos or ACM shall not be accepted.
Inert Waste Type 2	T140 – used tyres		Tyres and plastic
Putrescible waste	N/A		None Specified
Special Waste Type 1	N220		Asbestos and asbestos cement products only.

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

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) 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	Process Limits
Clean Fill	Receipt, handling and storage prior to disposal	None Specified

Hazardous waste	Receipt, handling and storage prior to disposal	Waste oil is to be stored in the double lined purpose built oil receptacle.
Inert Waste Type 1	Receipt, handling, mechanical sorting, hand sorting and storage prior to disposal.	Crushing and screening of Inert Waste Type 1 is not permitted
Inert Waste Type 2	Receipt, handling and storage prior to disposal	Tyres to be stored in piles of up to 100 units with a 6m separation distance between piles
Special Waste Type 1 (Asbestos Waste)		Cement bonded asbestos shall be bagged and stored in a clearly labelled and secure container
Putrescible waste	Receipt, handling and storage prior to disposal	<ul style="list-style-type: none"> <li>Received and sorted within the Putrescible Waste Bunker with hardstand and bunded to prevent run-off;</li> <li>Stored within the Putrescible Waste Bunker and/or within transfer trailers; and</li> <li>Shall not be stored onsite for longer than 96 hours.</li> </ul>

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

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

1.3.5 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information;

- (a) hours of operation;
- (b) contact telephone number;
- (c) warning indicating penalties for people lighting fires; and
- (d) list of materials accepted for recycling and the location of where they can be deposited on the premises.

1.3.6 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.

1.3.7 The Licensee shall take all reasonable and practical measures to ensure that no windblown waste escapes from the Premises and that windblown waste is collected on at least a weekly basis and appropriately contained.

1.3.8 The Licensee shall ensure that no waste is burnt on the premises.



1.3.9 The Licensee shall undertake activities on the Premises and manage asbestos and ACM in accordance with the Onslow Waste Transfer Station Asbestos Management Plan, November 2014.

1.3.10 The Licensee shall ensure that waste material is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.3.3.

<b>Table 1.3.3 - Containment infrastructure</b>		
<b>Vessel or compound</b>	<b>Material</b>	<b>Requirements</b>
Stormwater Evaporation Pond	Stormwater	HDPE lined to achieve a permeability of less than $10^{-9}$ m/s or equivalent

1.3.11 The Licensee shall manage the stormwater evaporation pond such that:

- (a) overtopping of the pond does not occur;
- (b) a freeboard equal to, or greater than, 300mm is maintained;
- (c) the integrity of the containment infrastructure is maintained;
- (d) trapped overflows are maintained on the outlet of ponds to prevent carry-over of surface floating matter; and
- (e) vegetation and floating debris (emergent or otherwise) is prevented from encroaching onto pond surfaces or inner pond embankments.

## **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.

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

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

### **2.5 Emissions to land**

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

### **2.6 Fugitive emissions**

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

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

### **2.7 Odour**

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

## 2.8 Noise

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

## 3 Monitoring

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

### 3.1 General monitoring

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

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

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

### 3.5 Monitoring of emissions to land

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

### 3.6 Monitoring of inputs and outputs

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

Table 3.6.1 - Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Clean Fill, Hazardous Waste, Inert Waste Type 1, Inert Waste Type 2, Special Waste Type 1 and, Putrescibles waste controlled	tonnes	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

### 3.7 Process monitoring

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

### 3.8-3.9 Ambient environmental quality monitoring and meteorological monitoring

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

## 4 Improvements

There are no specified improvement conditions in this section.

## 5 Information

### 5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for the below-listed records, be retained until the expiry of the Licence and any subsequent licence:
  - (i) off-site environmental effects; or
  - (ii) matters which affect the condition of the land or waters.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

5.1.4 The Licensee shall implement a complaints management system that, as a minimum, records the number and details of complaints received concerning the environmental impact/s of the activities undertaken at the Premises and any action/s taken in response to the complaint.

### 5.2 Reporting

5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 90 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1 - Annual Environmental Report		
Condition or Table (if relevant)	Parameter	Format or Form <sup>1</sup>

-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any subsequent action/s taken	None specified
3.6.1	Summary of inputs and outputs	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR) (form available on the Department's Website)
5.1.4	Complaints summary	None specified

Note 1: Forms are provided in Schedule 2

### 5.3 Notification

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

Table 5.3.1 - Notification Requirements			
Condition or Table (if relevant)	Parameter	Notification Requirement <sup>1</sup>	Format or Form <sup>2</sup>
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable as but no later than 5pm of the next usual working day.	N1
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part B: As soon as practicable	

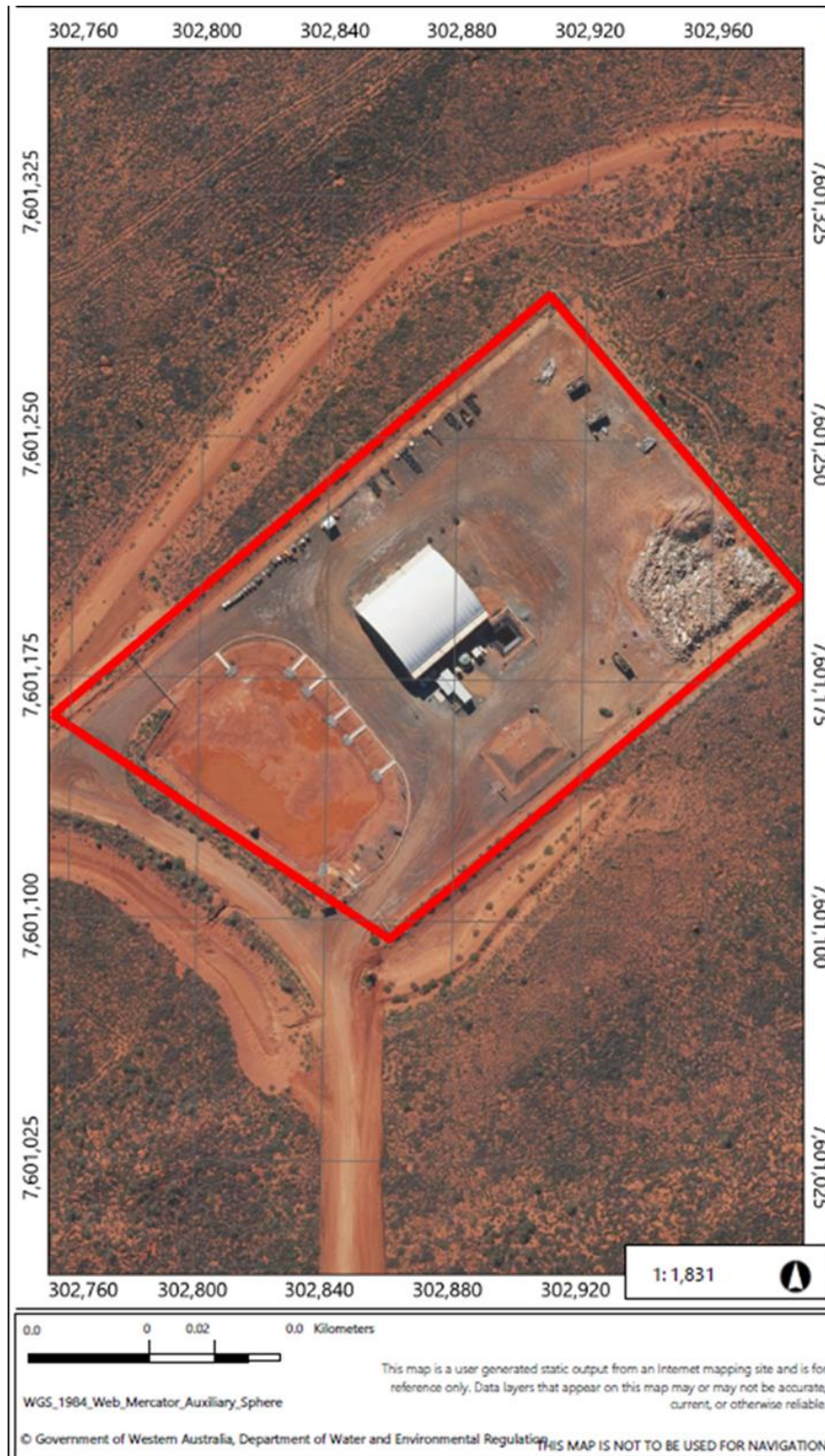
Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2

## Schedule 1: Maps

### Premises map

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



## Premises boundary

The Premises boundary is defined by the coordinates in Table 6.

Table 6 - Premises boundary coordinates	
Easting	Northing
E 302754.8169	N 7601162.218
E 302906.2324	N 7601294.793
E 302987.8051	N 7601204.227
E 302859.7177	N 7601095.768

## Schedule 2: Reporting & notification forms

Licence: L8872/2014/1  
Form: N1

Licensee: Shire of Ashburton  
Date of breach:

### **Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.**

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	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	

## 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 Ashburton	
Date	