



<b>Licence Number</b>	L9191/2019/1	
<b>Licence Holder</b>	Cleanaway Pty Ltd	
<b>ACN</b>	000 164 938	
<b>Registered business address</b>	Level 4 441 St Kilda Road MELBOURNE VIC 3004	
<b>File Number</b>	DER2018/001661	
<b>Duration</b>	22 November 2019 to	21 November 2029
<b>Date of issue</b>	22 November 2019	
<b>Date of amendment</b>	24 March 2020	
<b>Prescribed Premises</b>	Category 62 – Solid Waste Depot	
<b>Premises</b>	Albany Transfer Station Lot 167 Cuming Rd Mount Melville WA 6330	
	Legal description – Part of Lot 167 on Deposited Plan 248882	
	As defined by the coordinates in Schedule 1 of the Licence	

This Licence is granted to the Licence Holder, subject to the following conditions, on 24 March 2020, by:

**TRACEY HASSELL  
A/MANAGER WASTE INDUSTRIES  
REGULATORY SERVICES**

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

## Explanatory notes

These explanatory notes do not form part of this Licence.

### Defined terms

---

Definition of terms used in this Licence can be found at the start of this Licence. Terms which are defined have the first letter of each word capitalised throughout this Licence.

### Department of Water and Environmental Regulation

---

The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986 (WA)* (EP Act). The Department also monitors and audits compliance with licences, takes enforcement action and develops and implements licensing and industry regulation policy.

### Licence

---

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased, or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered, or permitted to be altered, from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987 (WA)* (EP Regulations).

This Licence does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Licence Holder to ensure that any action or activity referred to in this Licence is permitted by, and is carried out in compliance with, other statutory requirements.

The Licence Holder must comply with the Licence. Contravening a Licence Condition is an offence under s.58 of the EP Act.

### Responsibilities of a Licence Holder

---

Separate to the requirements of this Licence, general obligations of Licence Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Licence Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under section 61; and
- restrictions on making certain changes to Prescribed Premises unless the changes are in accordance with a works approval, Licence, closure notice or environmental protection notice (s.53).

Strict penalties apply for offences under the EP Act.

## Reporting of incidents

---

The Licence Holder has a duty to report to DWER all discharges of waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

## Offences and defences

---

The EP Act and its regulations set out a number of offences, including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Licence Holder commits an offence if Emissions are caused, or altered from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a Closure Notice or an Environmental Protection Notice.

Defences to certain offences may be available to a Licence Holder and these are set out in the EP Act. Section 74A(b)(iv) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Licence Holder can prove that an Emission or Discharge occurred in accordance with a Licence.

This Licence specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of Specified Emissions and Discharges, in order for the defence to offence provision to be available.

## Authorised Emissions and Discharges

---

The Specified and General Emissions and Discharges from Primary Activities conducted on the Prescribed Premises are authorised to be conducted in accordance with the Conditions of this Licence.

Emissions and Discharges caused from other activities not related to the Primary Activities at the Premises have not been Conditioned in this Licence. Emissions and Discharges from other activities at the Premises are subject to the general provisions of the EP Act.

## Amendment of licence

---

The Licence Holder can apply to amend the Conditions of this Licence under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Licence at any time on the initiative of the CEO without an application being made.

Amendment Notices constitute written notice of the amendment in accordance with s.59B(9) of the EP Act.

### Duration of Licence

---

The Licence will remain in force for the duration set out on the first page of this Licence or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

### Suspension or revocation

---

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

### Fees

---

The Licence Holder must pay an annual licence fee. Late payment of annual licence fees may result in the licence ceasing to have effect. A licence that has ceased to have effect due to non-payment of annual licence fees continues to exist; however, it ceases to provide a defence to an offence under s.74A of the EP Act.

Late fees are a component of annual licence fees and should a Licence Holder fail to pay late fees within the time specified the licence will similarly cease to have effect.

# Definitions and interpretation

## Definitions

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

**Table 1: Definitions**

Term	Definition
ACN	Australian Company Number
Annual Period	means a 12 month period commencing from 1 January until 31 December.
Applicant	means Cleanaway Pty Ltd
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Compliance Report	means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
Department Request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to: <ul style="list-style-type: none"><li>(a) compliance with the EP Act or this Licence;</li><li>(b) the Books or other sources of information maintained in accordance with this Licence; or</li><li>(c) the Books or other sources of information relating to Emissions from the Premises.</li></ul>
Discharge	has the same meaning given to that term under the EP Act.
DWER	Department of Water and Environmental Regulation.
Emission	has the same meaning given to that term under the EP Act.
Environmental Harm	has the same meaning given to that term under the EP Act.
EP Act	means the <i>Environmental Protection Act 1986 (WA)</i> .

<b>Term</b>	<b>Definition</b>
EP Regulations	means the <i>Environmental Protection Regulations 1987 (WA)</i> .
Inert Waste Type 1	has the same meaning given to that term under the Landfill Definitions.
Inert Waste Type 2	has the same meaning given to that term under the Landfill Definitions.
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
Licence	refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.
Licence Holder	means Cleanaway Pty Ltd
Material Environmental Harm	has the same meaning given to that term under the EP Act.
Pollution	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Licence applies, as specified at the front of this Licence and as shown on the map in Schedule 1 to this Licence.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Primary Activities	refers to the Prescribed Premises activities listed on the front of this Licence as described in Schedule 2, at the locations shown in Schedule 1.
Putrescible Waste	has the same meaning given to that term under the Landfill Definitions
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
Waste	has the same meaning given to that term under the EP Act.

## Interpretation

In this Licence:

- (a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a Condition, each row in a table constitutes a separate Condition;
- (d) any reference to an Australian or other standard, guideline or code of practice in this Licence means the version of the standard, guideline or code of practice in force at the time of granting of this Licence and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Licence; and
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

## Conditions

### Emissions

1. The Licence Holder must not cause any Emissions from the Primary Activities on the Premises except for specified Emissions and general Emissions described in Column 1 of Table 2 subject to the exclusions, limitations or requirements specified in Column 2 of Table 2.

**Table 2: Authorised Emissions table**

Column 1	Column 2
<b>Emission type</b>	<b>Exclusions/Limitations/Requirements</b>
<b>Specified Emissions</b>	
Noise	Subject to compliance with Conditions 13 to 16.
<b>General Emissions (excluding Specified Emissions)</b>	

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
Emissions which arise from the Primary Activities set out in Schedule 2.	<p>Emissions excluded from General Emissions are:</p> <ul style="list-style-type: none"> <li>• Unreasonable Emissions; or</li> <li>• Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or</li> <li>• Discharges of Waste in circumstances likely to cause Pollution; or</li> <li>• Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or</li> <li>• Emissions or Discharges which do not comply with an Approved Policy; or</li> <li>• Emissions or Discharges which do not comply with a prescribed standard; or</li> <li>• Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or</li> <li>• Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</li> </ul>

## Infrastructure and equipment

2. The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 3 is maintained in good working order and operated in accordance with the requirements specified in Column 2 of Table 3.



**Table 3: Infrastructure and equipment controls table**

Column 1	Column 2
Site infrastructure and equipment	Operational requirements
Transfer Station Shed (Site layout Map 1 and 2)	An enclosed steel-fabricated shed approximately 1270 m <sup>2</sup> .  Shall contain a mixture of either bitumen or concrete hardstand area across the base/floor of the shed.
Receival belt lines, Edi-current system, glass collection, magnet system, baler and plastic collection system. (Site layout Map 2)	Must be in an enclosed steel-fabricated shed approximately 1270 m <sup>2</sup> with a concrete/bitumen hardstand base/floor.  The truck loading hopper located outside the shed must ensure the conveyor is enclosed at all times.
Lined concrete leachate collection tanks x 2.	Must be pumped out prior to the collection tanks becoming full.
Truck loading hopper and conveyor	Must be operated with the conveyor enclosed at all times.
Stormwater collection sumps x 4 (Site layout Map 2)	Must collect and direct uncontaminated stormwater away from the operating area and diverted offsite to the natural drain adjacent to the premises.

## Waste acceptance and processing specifications

- The Licence Holder must only accept onto the premises waste of a waste type specified in Column 1, which does not exceed the corresponding rate at which waste is received as specified in Column 2, and which meets the corresponding acceptance specification specified in Column 3 of Table 4.

**Table 4: Types of waste authorised to be accepted onto the premises**

Column 1	Column 2	Column 3
Waste type	Rate at which waste is received	Acceptance specification
Inert Waste Type 1	10,000 tonnes per annual period (combined total)	Limited to clean glass and metal (aluminum and steel cans)
Inert Waste Type 2		Limited to plastics
Putrescible Waste		Limited to paper and cardboard

- The Licence Holder shall ensure that where waste does not meet the waste acceptance criteria set out in Condition 3 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a rejected waste storage area or container and removed to an appropriately authorised facility within 72 hours.
- The Licence Holder shall ensure that wastes accepted onto the Premises are only subjected to the processes set out in Column 2 and in accordance with any process limits described in Column 3 of Table 5.

**Table 5: Waste Processing**

Column 1	Column 2	Column 3
Waste type (as specified in Condition 3)	Process	Process Limits
Inert Waste Type 1	Receipt, handling, hand sorting, compaction and storage prior to removal off-site.	<p>All waste accepted onto site shall be directed to the receival belt area within the transfer station shed for processing and storage.</p> <p>Cardboard and paper waste shall be sorted and loaded into a baler. Baled product may be temporarily stored before being transferred off site. All non-conforming waste types are removed by hand for disposal off-site.</p> <p>Co-mingled recyclables shall be tipped into a hopper then transferred along a conveyor belt at which stage all non-conforming waste types are removed by hand for disposal off-site. Co-mingled waste shall be sorted into plastics, glass, aluminium and steel.</p> <p>All conforming wastes shall be transferred by the hopper conveyor to a compactor unit for consolidation.</p> <p>No more than 150m<sup>3</sup> of finished product shall be stored on site at any given time, all stored inside the enclosed shed.</p>
Inert Waste Type 2		
Putrescible Waste		

6. The Licence Holder shall take all reasonable and practical measures to prevent windblown waste from escaping from the Premises and that any windblown waste that does escape is collected, on at least a weekly basis, and is appropriately contained.

## Monitoring of inputs and outputs

7. The Licence Holder must monitor and record the volumes of incoming and outgoing waste types at the Premises for the inputs and outputs specified in Column 1, for the waste types specified in Column 2, and for the units, averaging period and frequency stated in columns 3 to 5 of Table 6.

**Table 6: Monitoring of inputs and outputs**

Column 1	Column 2	Column 3	Column 4	Column 4
Inputs / Outputs	Waste types	Units	Averaging Period	Frequency
Waste inputs	Inert Waste Type 1 Inert Waste Type 2 Putrescible Wastes (as specified in Condition 3)	m <sup>3</sup>	N/A	Each load arriving at the Premises
Waste outputs	Solid wastes: waste type as defined in the Landfill Definitions			Each load leaving or rejected from the Premises.

## Record-keeping

8. The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
- the calculation of fees payable in respect of this Licence;
  - the maintenance of infrastructure required to ensure that it is kept in good working order in accordance with Condition 2 of this Licence;
  - monitoring undertaken in accordance with Condition 7 of this Licence; and
  - complaints received under Condition 9 of this Licence

In addition, the Books must:

- be legible;
  - if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
  - be retained for at least 5 years from the date the Books were made; and
  - be available to be produced to an Inspector or the CEO.
9. The Licence Holder must record the number and details of any complaints received by the Licence Holder relating to its obligations under this Licence and its compliance with Part V of the EP Act at the Premises, and any action taken by the Licence Holder in response to the complaint. Details of complaints must include:
- an accurate record of the concerns or issues raised, for example a copy of any written complaint or a written note of any verbal complaints made;

- (b) the name and contact details of the complainant, if provided by the complainant;
  - (c) the date of the complaint; and
  - (d) the details and dates of the actions taken by the Licence Holder in response to the complaints.
10. The Licence Holder must submit to the CEO, no later than 31 January in each year, a Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period.
11. The Compliance Report must contain:
- (a) a summary table of any relevant process, production or operational data recorded including all monitoring data; and
  - (b) a summary of complaints received as required by Condition 9.
12. The Licence Holder must comply with a Department Request, within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

## Noise Validation

13. Within 180 days of the commencement date of this licence, the licence holder must retain the services of a person qualified and experienced in the area of environmental noise assessment and who, by their qualifications and experience, is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:
- (a) investigate the nature and extent of noise emissions from the premises;
  - (b) assess in accordance with the methodology required in the *Environmental Protection (Noise) Regulations 1997*, the compliance of the noise emissions from the primary activities, against the relevant assigned levels specified in those Regulations; and
  - (c) compile and submit to the licence holder within nine (9) months of the commencement date of this licence a report in accordance with Condition 14.
14. A report prepared pursuant to Condition 13(c) is to include:
- (a) a description of the methods used for monitoring and/or modelling of noise emissions from the premises;
  - (b) details and the results of the investigation undertaken pursuant to Condition 13(a);
  - (c) details and results of the assessment of the noise emissions from the premises, against the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997* undertaken pursuant to Condition 13(b); and
  - (d) an assessment of noise levels against the most recent previous noise assessment.
15. The licence holder must submit to the CEO the report prepared pursuant to Condition 13(c) within 14 days of receiving it.
16. Where an assessment pursuant to Condition 13(b) indicates that noise emissions do not comply with the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997*, the license holder must:

- (a) within 60 days of receiving an assessment report pursuant to Condition 13(c) prepare a plan to ensure the undertaking of the licensed activity will no longer lead to any contravention of the Environmental Protection (Noise) Regulations 1997; and
- (b) provide to the CEO a copy of the plan prepared pursuant to Condition 16(a) within 30 days of its preparation.

# Schedule 1: Maps

## Premises map

The Premises are shown in the map below. The premises boundary is defined by the yellow line.



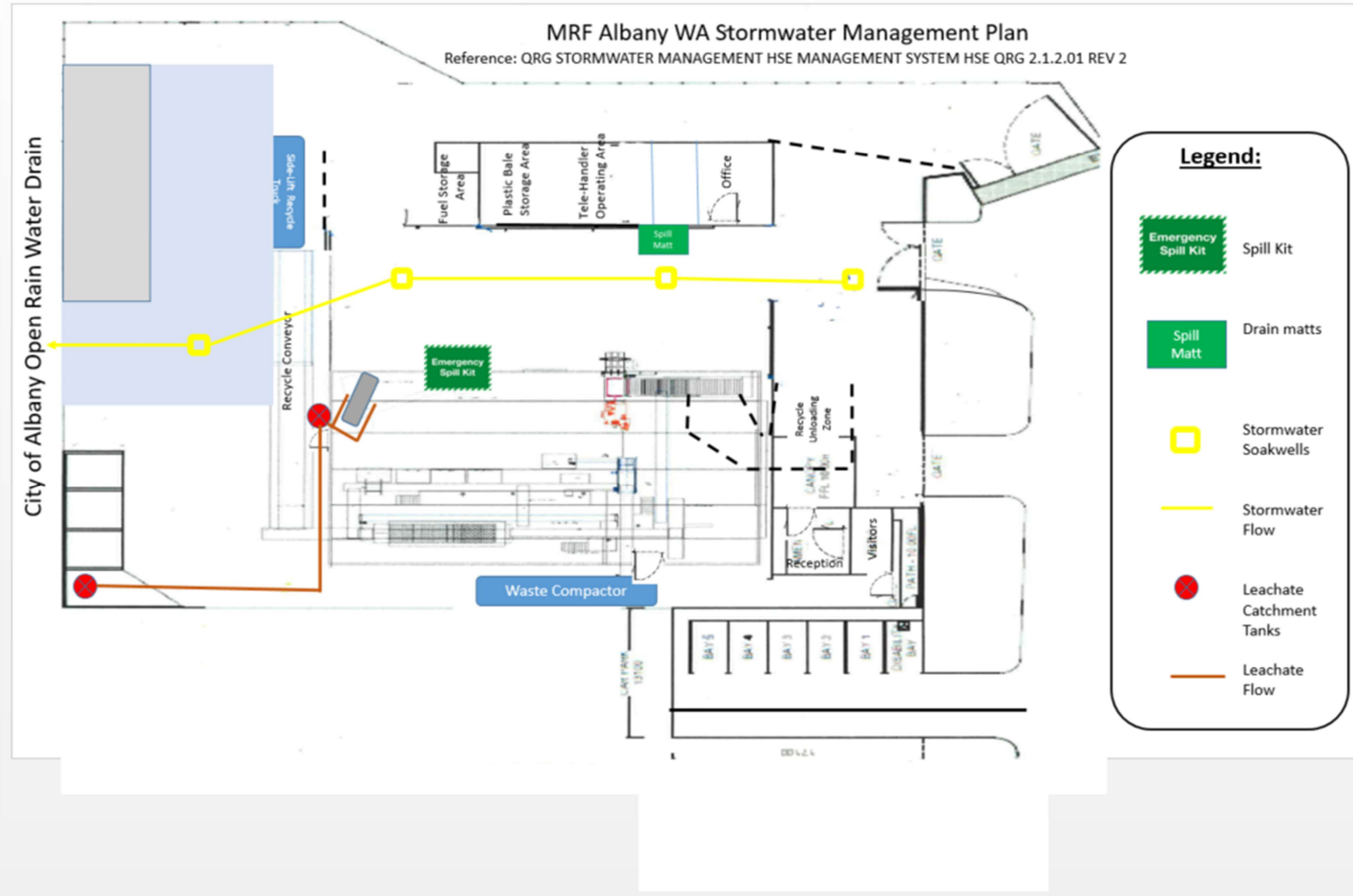
## Site layout maps

The site layout is shown in the maps below.

### Site layout Map 1



Site layout Map 2





## Premises boundary

The Premises boundary is defined by the coordinates in Table 7.

**Table 7: Premises boundary coordinates**

<b>Easting</b>	<b>Northing</b>
-35.0110	117.8629
-35.0104	117.8629
-35.0110	117.8637
-35.0104	117.8638

## Schedule 2: Primary Activities

At the time of assessment, Emissions and Discharges from the following Primary Activities were considered in the determination of the risk and related Conditions for the Premises.

The Primary Activities are listed in Table 8:

**Table 8: Primary Activities**

Primary Activity	Premises production or design capacity
Category 62: Solid waste depot: premises on which waste is stored or sorted, pending final disposal or re-use.	10,000 tonnes per annual period

## Infrastructure and equipment

The Primary Activity infrastructure and equipment situated on the Premises is listed in Table 9.

**Table 9: Infrastructure and equipment**

Infrastructure and equipment	Plan reference
Transfer Station Shed	Site layout map in Schedule 1. (existing shed 1 and 2 and constructed shed infrastructure)
Receival belt lines, Edi-current system, glass collection, magnet system, baler and plastic collection system.	Within the Transfer Station Shed as depicted on the Site layout map 1 and 2 in Schedule 1. (existing shed 1 and 2 and constructed shed infrastructure)
Truck loading hopper and conveyor	Within the Transfer Station Shed as depicted on the Site layout map in Schedule 1. (existing shed 1 and 2 and constructed shed infrastructure)

## Site layout

The Primary Activity infrastructure and equipment is set out on the Premises in accordance with the site layout specified on the Premises map in Schedule 1.