



# Amendment Notice 1

<b>Licence Number</b>	L5417/1990/11
<b>Licence Holder</b>	Geographe Enterprises Pty Ltd
<b>ACN</b>	008 754 596
<b>File Number:</b>	2011/008634
<b>Premises</b>	Geographe Enterprises 57 Craigie Street (Lot 64 on Plan 58716) DAVENPORT WA 6230
<b>Date of Amendment</b>	10 September 2018

## Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

**Caron Goodbourn**

**A/Manager, Process Industries**

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

# Definitions and interpretation

## Definitions

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

**Table 1: Definitions**

Term	Definition
ACN	Australian Company Number
Amendment Notice	refers to this document
Category / Categories / Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	Chief Executive Officer of the Department of Water and Environmental Regulation
CEO	for the purpose 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>
Delegated Officer	an officer under section 20 of the EP Act
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.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review.
Licence Holder	Geographe Enterprises Pty Ltd
Premises	refers to the premises to which this Amendment Notice applies, as specified at the front of this Amendment Notice.
Prescribed Premises	has the same meaning given to that term under the EP Act.

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015);
- *Guidance Statement: Setting Conditions* (October 2015);
- *Guidance Statement: Licence Duration* (August 2016); and
- *Guidance Statement: Decision Making* (February 2017).

## Amendment description

Geographe Enterprises Pty Ltd (the Licence Holder) currently operate a foundry and electroplating facilities at Lot 64 Craigie Street, Davenport under Licence L5417/1990/11. Abrasive blasting and metal coating activities also occur onsite.

The Existing Licence, L5417/1990/11, expires on 30 September 2018 and the Licence Holder is yet to make an application to renew this licence. Given the short timeframes to complete a licence review, DWER has decided to initiate this amendment to extend the duration of the Existing Licence to provide sufficient time for a licence review to be completed.

Additionally, administrative amendments have been made to the definitions, condition 10 and Attachment 2 of the Existing Licence to ensure that the Licence Holder uses the approved Annual Audit Compliance Report form.

## Amendment history

Table 2 provides the amendment history for L5417/1990/11.

**Table 2: Licence amendments**

Instrument	Issued	Amendment
L5417/1990/11	26/09/2013	Reissue of Licence. No Licence review was completed and the Licence was reissued with no changes to the conditions.
L5417/1990/11	10/09/2018	Amendment Notice 1 Amendment to extend the expiry date of the Licence and administrative amendments to ensure the Licence holder uses the approved AACR form.

## Decision

The extension of the Licence expiry date and administrative amendments do not require a risk assessment. This amendment does not propose any alteration to the production, design capacity or prescribed activity under the Existing Licence.

As per the *Guidance Statement: Licence Duration*, in determining the duration of a licence the Delegated Officer will take into account the duration of other statutory approvals, such as planning approvals. Under the City of Bunbury's Local Planning Scheme No. 8 the premises is located within the light industry zone. The City of Bunbury have advised that the Licence Holder has all the necessary approvals from the City of Bunbury for the operation of the activities at the premises.

DWER has not received any complaints in relation to operations at the Premises for at least the last 3 years.

Given the above, the Delegated Officer has determined that the current licence should be extended by 24 months to allow for continuation of the licence (as it is about to expire) and to allow time for a licence review to be completed.

## Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 14 August 2018. No comments were received from the Licence Holder.

The draft Amendment Notice that was provided to the Licence Holder stated that the Licence Holder had not provided planning approval for the operation of the activities at the premises and it is unknown whether planning approval has been granted. DWER received information from the City of Bunbury on 15 August 2018 regarding planning approval and therefore the Decision section of this document has been updated.

## Amendment

1. Definitions of the Licence are amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

“annual period” means a 12 month period commencing from 1 January until 31 December in the same year;

“approved form” means the AACR Form template approved by the CEO for use and available via DWER’s external website;

“CEO” means Chief Executive Officer of the Department of Water and Environmental Regulation;

“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;

“condition” means a condition to which this Licence is subject under s.62 of the EP Act;

~~“Director” means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*; and~~

~~“Director” for the purpose of correspondence means —  
Regional Manager, South West Region  
Department of Environment Regulation  
PO Box 1693  
Bunbury WA 6231  
Telephone: (08) 9725 4300 — Facsimile: (08) 9725 4351~~

“Licensee” refers to the occupier of the premises, being the person to whom this Licence has been granted, as identified on the front of this Licence.

2. The Licence duration has been extended from Sunday, 30 September 2018 to Wednesday, 30 September 2020.

3. Condition 10 of the Licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

10 ~~The licensee shall by 1 March in each year, provide to the Director an Annual Audit Compliance Report in the form in Attachment 2 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the premises, during the period beginning 1 January and ending on 31 December in that year.~~

The Licensee must:

- (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
- (b) prepare and submit to the CEO by no later than 1 March after the end of that annual period an Annual Audit Compliance Report in the approved form.

4. The Licence is amended by the deletion of Attachment 2 in the Existing Licence (Annual Audit Compliance Report).

## Appendix 1: Key documents

	Document title	In text ref	Availability
1	Existing Licence L5417/1990/11 – Geographe Enterprises	L5417/1990/11	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2	Email from the City of Bunbury, <i>RE: 57 Craigie Street approval</i> , dated 15 August 2018		DWER records (DWERDT85800)
3	DWER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Water and Environmental Regulation, Perth.		accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
4	DWER, October 2015. <i>Guidance Statement: Setting Conditions</i> . Department of Water and Environment Regulation, Perth.		
5	DWER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Water and Environmental Regulation, Perth.		
6	DWER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Water and Environmental Regulation, Perth.		