



Amendment Notice 1

Licence Number L8966/2016/1

Licence Holder Appala Holdings Pty Ltd

ACN 009 360 730

File Number: DER2016/000629-1

Premises Postans Glass Processing and Waste Sorting Facility
Part of Lot 2129 McLaughlan Road
Postans WA 6167
bound by the coordinates (GDA 1994; MGA Zone 50)

Point	Easting	Northing
1	64347.62	389107
2	64347.47	389175
3	64347.16	389169
4	64347.01	389219
5	64346.19	389204
6	64346.43	389079

Date of Amendment 25 February 2019

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.

A/MANAGER WASTE INDUSTRIES REGULATORY SERVICES

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	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 info@dwer.wa.gov.au
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	Appala Holdings Pty Ltd
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.

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.

This amendment is administrative only to extend the duration of the licence.

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

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Licence Duration* (August 2016)
- *Guidance Statement: Decision Making* (February 2017)

Amendment description

On 16 January 2019 the Licence Holder submitted an amendment application for L8966/2016/1 to extend the licence duration and to modify the premises boundary.

The current licence has an expiry of 18 April 2019. The Licence Holder requested an extension to the expiry date of 5 years, to 18 April 2024, as this extension has been requested for the planning approval renewal.

An extension to the premises boundary was also requested, to include an area of the premises where a three-sided shed would be used by Appala Holdings Pty Ltd for their waste and glass processing. DWER notes that while an extension to the existing planning approval has been submitted, this approval has not yet been issued. Furthermore, in order to amend the leased area the Licence Holder must seek an amendment to the sub-lease arrangements currently held with Department of Planning, Lands and Heritage.

DWER also notes that the current paid annual fee period for the licence is in effect until 10 December 2019.

On advising the Licence Holder of the above information, it was requested via an email from the Licence Holder's consultant on 15 February 2019 that DWER progress with an amendment to the extension of the licence to 10 December 2019, to allow for the time required to obtain an amended sub-lease agreement and the relevant planning approval extension. Therefore, this amendment application and assessment considers an extension to the licence duration only. No other changes to the Licence have been made.

A new licence application will be required to renew the licence past the amended expiry date. At this time evidence of planning approval and an amended sub-lease will be required.

Amendment history

Table 2 provides the amendment history for L8966/2016/1.

Table 2: Licence amendments

Instrument	Issued	Amendment
W5970/2016/1	4/08/2017	Issued Works Approval
L8966/2016/1	11/12/2017	Issued Licence
L8966/2016/1	25/02/2019	Amendment Notice 1 – amendment to extend the duration of the licence.

Decision

The amendment to the Licence is administrative only to extend the expiry date of the licence. The Delegated Officer has considered the amendment and grants an extension to the licence duration to 10 December 2019.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 22 February 2019. The Licence Holder responded on 25 February 2019 advising that they had reviewed the draft document, and requesting that the 21 day comment period be waived.

Amendment

The Licence Expiry Date, as specified on Page 1 of the Licence, has been amended by the deletion of the words shown below in strikethrough, and the insertion of the red text shown in underline below:

Expiry Date: ~~Thursday, 18 April 2019~~ Tuesday, 10 December 2019

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8966/2016/1 – Appala Holdings Pty Ltd	L8966/2016/1	accessed at www.dwer.wa.gov.au
2	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
3	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.	DER 2016a	
4	DER, February 2017. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2017	