



Licence Number	L8968/2016/1
Licence Holder	Cleartech Waste Management Pty Ltd
ACN	143 715 459
File Number:	DER2016/000647
Premises	Cleartech Waste Management Units 3 and 4, 390 Victoria Road MALAGA WA 6090 Being Part of Lot 72 on Diagram 97213
Date of Amendment	5 April 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.

Date signed: 5 April 2018

Rebecca Kelly

MANAGER LICENSING (WASTE INDUSTRIES)

REGULATORY SERVICES (ENVIRONMENT)

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 Public Sector Management Act 1994 and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EPA	Environmental Protection Authority
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	Cleartech Waste Management 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,

Term	Definition
	as specified at the front of this Decision Report.
tpa	tonnes per annum
WTF	waste transfer facility

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: Licence Duration* (August 2016)
- *Guidance Statement: Decision Making* (February 2017)

Background

Clartech Waste Management Pty Ltd (the Licence Holder) is a private waste management business established in 2014. The Licence Holder operates a waste transfer facility (WTF) on Lots 3 and 4 on Diagram 97213, 390 Victoria Road, Malaga, in the City of Swan.

The WTF has approved throughputs of 2,000 tonnes per annum (tpa) for the category 61 operations and 1,000 tpa for the category 62 operations. The occupier has committed to storing no more than 300 tonnes of waste materials at any one time.

The WTF receives bulk and packaged controlled wastes from industries within Perth and Western Australia including manufacturing, oil and gas, mining, government, healthcare and automotive sectors. Waste materials received at the facility include paints, resins, hydrocarbons, solvents, batteries, oils and greases, other controlled wastes and minor quantities of putrescible wastes.

Amendment description

This Amendment Notice is the result of an application for amendment submitted by the Licence Holder to DWER on 14 March 2018. It relates to the extension of the licence expiry date for Licence L8968/2016/1 from 5 April 2018 to 5 April 2038.

The premises' operations are subject to Development Approval DA-933/2015. The approval is valid for 'Industry-General' as defined in the City of Swan's Local Planning Scheme No. 17. It was granted with a requirement that the development of the premises had to be 'substantially commenced within a period of 2 years'. Based on the development requirement, DWER granted Licence L8968/2016/1 on 3 October 2016 with an expiry date of 5 April 2018. In an email to the Applicant dated 30 January 2018, the City of Swan confirmed that the development is considered to have substantially commenced and the Development Approval remains valid.

Amendment history

Table 2 provides the licence issue and amendment history for L8968/2016/1.

Table 2: Licence amendments

Instrument	Issued	Amendment
L8968/2016/1	3 October 2016	Issued
L8968/2016/1	5 October 2016	Amendment Notice 1 – Extension of Licence Duration

Decision

Section 63 of the EP Act prescribes that a licence shall continue in force for such period as is specified in the licence. In making the decision to amend the licence, the Delegated Officer had regard to DWER's *Guidance Statement: Licence Duration* that provides for the granting of a licence for up to 20 years duration.

The Delegated Officer has determined that the licence duration will be extended to 5 April 2038.

In determining to amend the duration of the licence, the following matters were considered by the Delegated Officer:

- The premises will be subject to ongoing compliance inspections and investigations following incidents and complaints, in accordance with the EP Act;
- In the event that risk issues arise in relation to the premises, the CEO may, depending on the circumstances:
 - Amend the conditions of the licence at any time;
 - In the event of an alleged offence, exercise enforcement powers under the EP Act, including an environmental protection notice; and
 - In the event of a breach of licence conditions, revoke the licence.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 26 March 2018. The Licence Holder responded on the 4 April 2018 waiving the comment period.

Amendment

1. The licence duration has been extended from *5 April 2018* to *5 April 2038*.

Appendix 1: Key documents

	Document title	Availability
1	Licence L8968/2016/1 – Cleartech Waste Management	accessed at www.dwer.wa.gov.au
2	Works Approval W5971/2016/1 – Cleartech Waste Management	accessed at www.dwer.wa.gov.au
3	City of Swan, April 2016. Development Approval DA-933/2015	DWER records (A1119054)
4	City of Swan, January 2018. Email regarding status of DA-933/2015	DWER records (A1634988)
5	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	accessed at www.dwer.wa.gov.au
6	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.	
7	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	
8	DWER, March 2018. Search results from DWER Incidents and Complaints Management System	DWER records (A1635837)