



Licence Number	L8397/2009/3
Licence Holder	Resource Recovery Solutions Pty Ltd
File Number:	DER2017/001695-1
Premises	Waste Care 34 Jackson Street BAYSWATER WA 6053 Being Part of Lot 9 on Plan 33567 Certificate of Title Volume 2222 Folio 33567 As defined by the coordinates in Schedule 1 of the Licence
Date of Amendment	23 December 2019

1. Definitions

Definitions

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

Table 1: Definitions

Term	Definition
Amendment Report	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.
DER	Department of Environment Regulation
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (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	Resource Recovery Solutions 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 Amendment Report applies, as specified at the front of this Amendment Report.

2. Amendment Report

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 scope of this amendment is limited only to the amendment of condition 27 of L8397/2009/3 as discussed further in Section 3 of this report.

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* (June 2019)

3. Amendment description

A Licence Renewal was granted to the Licence Holder on 22 November 2019 for the Premises to continue to operate as a solid waste depot (Category 62) including crushing and screening of building material (Category 13) with a combined throughput of 500,000 tonnes per annum. It was noted following the granting of L8397/2009/3 that there was an administrative error to condition 27 of the licence which relates to the product sampling rate for asbestos monitoring. As discussed further below, the Licence Holder had been approved a reduced product sampling rate at the Premises, which was not reflected in the renewed licence. DWER has initiated this amendment to correct this administrative error on the Licence Renewal.

A review of previous DWER records determined that the former DER conducted an assessment of the site in 2015 to determine whether the Premises met the reduced sampling criteria contained within the Asbestos Guidelines. DER advised the previous occupier (Capital Recycling) on 3 February 2015 that they are satisfied the Premises met the criteria and a reduced sampling rate was approved. The reduced sampling rate was reduced to 5 locations per 4,000 tonnes (1 sample per 600 m³) of product. A product testing and supply condition has been imposed on the amended licence to reflect this approval for a reduced sampling rate at the Premises.

4. Amendment history

Table 2 provides the amendment history for L8397/2009/3.

Table 2: Licence Amendments

Instrument	Issued	Nature and extent of works approval, licence or amendment
L8397/2009/1	3/6/2010	New licence following ceased licence L8045/2005/1
L8397/2009/2	2/12/2011	Re-issued licence
L8397/2009/2	25/1/2013	DER initiated licence amendment, nil-condition licence
L8397/2009/2	14/01/2016	Proponent initiated licence amendment – transfer of ownership
L8397/2009/3	22/11/2019	Licence Renewal
L8397/2009/3	23/12/2019	Licence Amendment

5. Licence Holder's comments

The Licence Holder was provided with the draft amended licence and Amendment Report on 20 December 2019. The Licence Holder responded on 23 December 2019 with no comments and waiving the remaining comment period.

6. Decision

The Delegated Officer considers the amendment to condition 27 of L8397/2009/3 to reflect the Licence Holder's approval from the former DER to have a reduced product sampling rate at the Premises to be acceptable. Further, the amendment to this condition on the licence is not considered to alter the existing risk profile of the premises. A reduced sampling rate condition has therefore been imposed on the amended Licence to reflect this change.

**A/MANAGER WASTE INDUSTRIES
INDUSTRY REGULATION**

An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8397/2009/3 – Resource Recovery Solutions Pty Ltd	L8397/2009/3	accessed at www.dwer.wa.gov.au
2	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	DER 2015a	
3	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.	DER 2016	
4	DWER, June 2019. <i>Guidance Statement: Decision Making</i> . Department of Water and Environmental Regulation, Perth.	DWER 2019	