



# Amendment Report

|                       |   |
|-----------------------|---|
| <b>Licence Number</b> | L8410/2009/2  |
| <b>Licence Holder</b> | WA Composts Pty Ltd   |
| <b>ACN</b>            | 078 383 856   |
| <b>File Number:</b>   | DER2015/001436  |
| <b>Premises</b>       | C-Wise<br>230 Gull Road<br>NAMBEELUP WA 6207<br>Legal description –<br>Part Lot 89 on Plan 741<br>Certificate of Title Volume 1112 Folio 243<br>As defined by the coordinates on Page 1 of the<br>Revised Licence |
| <b>Date of Report</b> | 27 September 2019   |

# 1. Definitions and interpretation

## Definitions

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

**Table 1: Definitions**

| Term                          | Definition  |
|-------------------------------|---|
| ACN                           | Australian Company Number   |
| Amendment Report              | refers to this document   |
| Category/ Categories/<br>Cat. | categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations  |
| CEO                           | means Chief Executive Officer.<br>CEO for the purposes of notification means:<br>Director General<br>Department Administering the <i>Environmental Protection Act 1986</i><br>Locked Bag 33 Cloisters Square<br>PERTH WA 6850<br><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 issue of the Revised Licence.   |
| Licence Holder                | Composts 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.  |
| Revised Licence               | the amended Licence issued under Part V, Division 3 of the EP Act, with changes that correspond to the assessment outlined in 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 amendment is limited to a change of the licence duration and the correction of administrative errors.

The following guidance statements have informed the assessment and decision outlined in this Amendment Report.

- *Guidance Statement: Licence Duration (August 2016)*

## 3. Amendment description

This amendment was initiated by DWER due to the approaching expiry date of the Licence. An extension of the Licence duration without a risk assessment is considered appropriate given that a full review of the Licence was finalised in August 2018.

The Licence duration has been extended for five years, from 28 October 2019 to 28 October 2024. The Delegated Officer has given regard to the duration of the current lease agreement in place for the Premises, however has determined that an extension of 5 years is appropriate and does not alter the existing risk profile of the Premises.

## 4. Lease agreement

The Licence Holder has an agreement in place to sublease from Derby Industries Pty Ltd who lease the Premises from George Weston Foods Limited. The agreement expires on 5 November 2022.

## 5. Licensing history

Table 4 provides the amendment history for L8410/2009/2 since 2013.

**Table 2:** Licence amendments

| Instrument             | Issued     | Amendment   |
|------------------------|------------|---|
| L8410/2009/1 amendment | May 2013   | <p>Increase the design capacity on the Licence as follows:</p> <ul style="list-style-type: none"><li>• Category 61 – increased from 40,000 to 60,000 tonnes per annum.</li><li>• Category 67A – increased from 48,000 tonnes to 125,000 tonnes per annum.</li></ul> <p>The amendment was requested by the Licence Holder based on projected production following the introduction of the MAF system within the process.</p> |
| L8410/2009/2 renewal   | April 2015 | <p>Reduction in the design capacity on the Licence as follows:</p> <ul style="list-style-type: none"><li>• Category 67A – reduced from 125,000 tonnes to 90,000 tonnes per annum.</li></ul> <p>The amendment was requested by the Licence Holder to reduce the annual licence fees, based on the production at that time being approximately 50 000 tonnes and not expected to reach 90 000</p>                             |

|                        |                  |  |
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|                        |                  | tonnes for several years. The amendment included some administrative updates.  |
| L8410/2009/2 amendment | October 2015     | Licence expiry date extended from 28 October 2015 to 28 January 2016 and administrative updates made. Generic odour conditions were removed to avoid duplication with section 49 of the EP Act.  |
| L8410/2009/2 amendment | January 2016     | Licence expiry date extended from 28 January 2016 to 31 March 2016.  |
| L8410/2009/2 amendment | March 2016       | Licence expiry date extended from 31 March 2016 to 28 October 2017.  |
| L8410/2009/2 amendment | 16 August 2018   | Full licence review completed.   |
| L8410/2009/2 amendment | 27 November 2018 | DWER initiated amendment following comments received from the Licence Holder in response to the amendment granted on 16 August 2018. The amendment addressed some errors in condition wording in the licence which resulted in unintended operational impacts and made some additional changes requested by the Licence Holder in regards to the storage of some solid feedstocks, receipt of liquid waste into Pond 21 and the management of feedstock pre-wetting. |

## 6. Consultation

The Licence Holder was provided with the draft Decision Report and Revised Licence on 27 September 2019. On that same day the Licence Holder waived the comment period.

## 7. Decision

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a licence amendment will be granted, with the changes set out in Section 7.1.

### 7.1. Summary of amendments

Table 10 provides a summary of the amendments and will act as record of implemented changes. All changes have been incorporated into the Revised Licence as part of the amendment process.

**Table 10: Licence amendments**

| Condition No.                       | Amendments                              |
|-------------------------------------|---|
| N/A – front page of Revised Licence | Expiry date changed to 28 October 2024. |

A/SENIOR MANAGER WASTE INDUSTRIES  
REGULATORY SERVICES  
*An officer delegated by the CEO under section 20 of the EP Act*

## Appendix 1: Key documents

| Document title   | Availability   |
|--|--|
| DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth. | accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a> |