



## Application for Licence Amendment

### Part V Division 3 of the *Environmental Protection Act 1986*

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|-----------------------|---|
| <b>Licence Number</b> | L8640/2012/2  |
| <b>Licence Holder</b> | Mobile Concreting Solutions Pty Ltd   |
| <b>ACN</b>            | 130 398 266   |
| <b>File Number</b>    | 2012/002036   |
| <b>Premises</b>       | Range Quarry Project<br>M08/272<br><br>CANE WA 6710<br><br>As defined by the coordinates in Schedule 1 of the Revised Licence |
| <b>Date of Report</b> | 10/06/2020  |
| <b>Decision</b>       | Revised licence granted   |

## 1. Definitions of terms and acronyms

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

**Table 1: Definitions**

| Term                          | Definition   |
|-------------------------------|--|
| ACN                           | means Australian Company Number  |
| Amendment Report              | refers to this document  |
| ASIC                          | Australian Securities and Investments Commission   |
| Category/<br>Categories/ Cat. | Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations   |
| 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                          | abbreviation for Department of Water and Environmental Regulation<br>As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the <i>Public Sector Management Act 1994</i> and is responsible for the administration of the <i>Environmental Protection Act 1986</i> along with other legislation. |
| EP Act                        | the abbreviation for <i>Environmental Protection Act 1986 (WA)</i> .   |
| EP Regulations                | the abbreviation for <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                | means Mobile Concreting 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 Decision Report applies, as specified at the front of this Decision Report.   |
| Revised Licence               | the amended (amalgamated) Licence issued under Part V, Division 3 of the EP Act, with changes that correspond to the assessment outlined in this.  |

| Term       | Definition  |
|------------|---|
| Schedule 1 | means Schedule 1 of this Licence unless otherwise stated. |
| Schedule 2 | means Schedule 2 of this Licence unless otherwise stated. |

## 2. Amendment description

This amendment is limited to a transfer of Licence L8640/2012/2 Range Quarry Project from Onslow Metals Pty Ltd (Onslow Metals) to Mobile Concreting Solutions Pty Ltd (Mobile Concreting Solutions). This transfer has been made at the request of Mobile Concreting Solutions Pty Ltd following its acquisition of the Premises on 16 April 2020.

Onslow Metals was placed into liquidation in 2019, with Mobile Concreting Solutions liaising with the liquidators of Onslow Metals, of which did not have any objection of the transfer of Licence L8640/2012/2 to Mobile Concreting Solutions. On 12 May 2020, Mobile Concreting Solutions applied to DWER for a transfer of the licence.

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

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guideline: Decision Making (June 2019)*
- *Guidance Statement: Risk Assessment (February 2017)*

### 2.1 Purpose and scope of assessment

The assessment of the transfer application is limited to a review of ownership details and fitness and competency of operator to determine if a licence transfer may occur.

There are no proposed changes to the current approved Premises categories or design capacity.

Table 2 lists the documents submitted during the assessment process.

**Table 2: Documents and information submitted during the assessment process**

| Document/information description   | Date received |
|--|---------------|
| Licence transfer application form (DWER Document reference: DWERDT282027)                              | 12 May 2020   |
| ASIC current company extract – Mobile Concreting Solutions Pty Ltd (DWER Document reference: A1901322) | 12 May 2020   |
| Proof of occupier status (DWER Document reference A1901317)  | 12 May 2020   |
| Verification of agreement (DWER Document reference: A1901324)  | 12 May 2020   |

### 2.2 Assessment of fitness and competency of the Licence Holder

Mobile Concreting Solutions Pty Ltd has been deemed to be a fit and competent operator. No records of the following have been found by DWER:

- Infringement notices or environmental field notices;
- Closure notices, stop work orders or environmental protection notices;

- Investigation reports or prosecution outcomes;
- Non-compliance history with controlled waste obligations and payment of fees;
- History or complaints received about the applicant or any other activities they have been involved with; and
- Past history of being unable to meet their financial obligations, for example unpaid licensing fees, current or past insolvency and bankruptcy proceedings.

## 2.3 Licensing History

Table 3 provides the licensing and works approval history for L8640/2012/2.

**Table 3: Licensing History**

| Instrument   | Issued           | Amendment  |
|--------------|------------------|--|
| L8640/2012/2 | 14 November 2017 | Licence renewal. Updated to the current licence format and conditions changed to reflect an updated risk assessment of the Premises. |
| L8640/2012/2 | 10 June 2020     | Licence amendment to update (and transfer) new Licence Holder details - Mobile Concreting Solutions Pty Ltd.                         |

## 3. Risk assessment

The Delegated Officer has determined that the transfer of the Licence is an administrative amendment which does not alter the risk profile of the Premises. Therefore, following the review of proof of ownership and ASIC business registration details, the Delegated Officer has transferred the Licence to Mobile Concrete Solutions.

The decision report for the Existing licence will remain on the department's website for future reference and will act as a record of the department's decision making.

The Premises and new Licence Holder must continue to operate in accordance with the original Licence conditions.

## 4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that the Licence transfer will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

**Lauren Fox**  
**A/MANAGER, RESOURCE INDUSTRIES**  
**INDUSTRY REGULATION**

Delegated Officer under section 20 of the *Environmental Protection Act 1986*