



# Amendment Report

<b>Licence Number</b>	L8966/2016/1
<b>Licence Holder</b>	Appala Holdings Pty Ltd
<b>ACN</b>	009 360 730
<b>File Number:</b>	DER2016/000629
<b>Premises</b>	Postans Glass Processing and Waste Sorting Facility 119 McLaughlan Road POSTANS WA 6167  Legal description – Part of Lot 2129 on Plan 173137 Certificate of Title Volume LR3121 Folio 701
<b>Date of Report</b>	9 December 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
Applicant	Appala Holdings Pty Ltd
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 <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 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 Amendment Report applies, as specified at the front of this Amendment Report.

Term	Definition
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 Description

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

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guideline: Decision Making (June 2019)*
- *Guidance Statement: Risk Assessment (February 2017)*

### 2.1. Purpose and scope of assessment

Appala Holdings Pty Ltd (the Licence Holder) submitted a licence amendment application to the Department of Water and Environmental Regulation (DWER) on 28 October 2019. The application is to extend the duration of their Existing Licence (L8966/2016/1) and increase the prescribed premises boundary over an adjacent area formerly used by a neighbouring prescribed premises.

The scope of this assessment will be limited to the increased licence duration only. The area proposed for inclusion in the prescribed premises boundary currently falls within the boundary of an existing licenced premises (Licence L8962/2016/1 held by Farfield Holdings Pty Ltd). Licence L8962/2016/1 must first be amended to remove the area before it can be included in the Applicant's Licence.

On the 11 November 2019 DWER received an application from Farfield Holdings Pty Ltd to renew Licence L8962/2016/1 which includes proposed changes to the premises boundary of this site. The renewal application for the Capital site cannot be processed in time, given the short period until expiry of your current licence. Instead DWER will undertake a Department initiated amendment to your prescribed boundary once the renewal application for L8962/2016/1 has been processed.

## 3. Other approvals

The Licence Holder has provided the following information relating to other approvals as outlined in Table 3.

**Table 2: Relevant approvals**

Legislation	Number	Approval
<i>Planning and Development Act 2005</i>	26-50104-10	Development Approval

## 4. Licensing history

Table 4 provides the amendment history for L8966/2016/1.

**Table 3:** Licence history

Instrument	Issued	Amendment
W5970/2016/1	04/08/2017	Issued Works Approval
L8966/2016/1	11/12/2017	Issued Licence
L8966/2016/1	25/02/2019	Amendment Notice 1 – amendment to extend the Licence duration
L8966/2016/1	09/12/2019	Extension to Licence duration

## 5. Decision

The amendment to the Licence is considered administrative as it relates only to the extension of the licence expiry date.

The previous licence duration was determined from the expiry date of the Licence Holder's planning approval and had no relation to the environmental risk posed by on-site operations.

The Licence Holder's current planning approval and lease contract were provided to DWER with the Application. The planning approval was granted on 12 March 2019 and is valid for a period of 5 years.

The revised expiry date will be 10 December 2024 to afford an additional 5 year period. DWER notes that this goes beyond the expiry of the existing planning consent (being 12 March 2019). It is the responsibility of the Licence Holder to ensure that any action or activity referred to in the Licence is permitted by, and is carried out in compliance with, other statutory requirements.

## 6. Consultation

**Table 9: Summary of consultation**

Method	Comments received	DWER response
Applicant referred draft documents (14 November 2019)	Licence Holder waived the comment period via email (6 December 2019)	N/A

### **MANAGER WASTE INDUSTRIES REGULATORY SERVICES**

*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 L8966/2016/1 – Postans Glass Processing and Waste Sorting Facility	L8966/2016/1	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
3	DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	DER 2016a	
4	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2016b	
5	DWER, June 2019. <i>Guideline: Decision Making</i> . Department of Water and Environmental Regulation, Perth.	DWER 2019	