



Application to transfer a licence

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

Licence Number	L8969/2016/2
Licence Holder	Product Recovery Industries Pty Ltd
ACN	637 912 040
File Number	DER2016/000422-1~7
Premises	Lease Area 3 190 Fynn Drive NEERABUP WA 6031 Legal description – Part of Lot 5 on Deposited Plan 91435 Certificate of Title Volume 2083 Folio 241 As depicted in Schedule 1 of the Licence
Date of Report	22 September 2023
Proposed Decision	Transfer Licence

Marko Pasalich

A/MANAGER, WASTE INDUSTRIES

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

The Delegated Officer has determined to transfer Licence L8969/2016/2 to Product Recovery Industries Pty Ltd.

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.

2. Scope of assessment

2.1 Regulatory framework

In transferring the licence, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Transfer summary

Licence L8969/2016/2 is currently held by Allday Construction Pty Ltd (Licence holder) for the Allday Recycling Shed and Allday Construction crushing and screening plant (the Premises), located at Lease Area 3 190 Flynn Drive Neerabup WA 6031, as depicted in Schedule 1.

The Premises relates to category 12 and 61A. The assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L8634/2016/2.

This amendment is limited to a transfer of Licence L8969/2016/2 from Allday Construction Pty Ltd to Product Recovery Industries Pty Ltd.

3. Assessment

As part of this assessment a review of the legal occupancy of the applicant was carried out to determine if a transfer of licence may occur. A review of the compliance history of any current licenses held by the company was also undertaken.

It has been determined that:

- Product Recovery Industries Pty Ltd is a registered and valid company and is therefore a legal entity that can hold a licence under Part V of the EP Act.
- Product Recovery Industries Pty Ltd has provided evidence that they are the current landholder of the premises (Lot 5 on Plan 91435). Evidence was provided in the form of an extraction agreement between Product Recovery Industries Pty Ltd (landholder) and Altivo Pty Ltd (landowner). The agreement is for Product Recovery Industries to operate the site to operate the solid waste depot, and crush and clean building materials.
- There are no significant compliance matters relating to Product Recovery Industries Pty Ltd or its directors, that would prevent the issue of this transfer.

4. Conclusion

Based on the assessment in this transfer report, the Delegated Officer has determined that Product Recovery Industries Pty Ltd is a legal entity and a fit competent operator. The Delegated Officer will therefore transfer licence L8969/2016/2 to Product Recovery Industries Pty Ltd.

4.1 Summary of changes

Table 1 below provides a summary of the proposed changes and will act as a record of these. All proposed changes have been incorporated into the Revised licence as part of the transfer process.

Table 1: Summary of changes

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	ACN and Licence Holder Name and registered ASIC address	N/A	Changed to new occupier details.
N/A	Prescribed Premises Category table	N/A	Revised to current licensing format.
27	Records and Reporting	Condition 27	Update to current wording format to include inspectors and CEO as persons that can request information and records as required.
28	Annual Audit Compliance Report	Condition 28	Update to current wording format.
29	Complaints	Condition 29	Update to current wording format.
30	Annual Environmental Report	Condition 30	Update to current wording format.

5. Appendix 1:

The boundary of the prescribed premises is shown by the red line in the map below (Figure 1).



Figure 1: Map of the boundary of the prescribed premises