



Application to transfer a licence

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

Licence Number	L9110/2018/1
Applicant	Roads 2000 Pty Ltd
ACN	081 677 778
File Number	DER2017/002103-1
Premises	BGC Asphalt Neerabup 31 Turnbull Road NEERABUP WA 6031 Legal description Lot 23 on Diagram 63843 Certificate of Title Volume 1630 Folio 956
Date of Report	11 October 2021
Decision	Revised Licence granted

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Manager, Process 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 L9110/2018/1 from the existing licence holder BGC (Australia) Pty Ltd to the Applicant Roads 2000 Pty Ltd. This amendment is administrative in nature and therefore does not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Transfer Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

2. Scope of assessment

2.1 Regulatory framework

In transferring the licence, the Department of Water and Environmental Regulation (DWER, 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 Application summary

Licence L9110/2018/1 is held by BGC (Australia) Pty Ltd for the BGC Asphalt Neerabup premises (the premises), located in Neerabup at Lot 23 on Diagram 63843. The premises has operated since 2019 and includes a concrete batching plant and an asphalt manufacturing plant.

The premises relates to the categories under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L9110/2018/1.

On 2 February 2021, Roads 2000 Pty Ltd (the applicant) submitted an application to the department to transfer Licence L9110/2018/1 under section 59B of the EP Act to the applicant. The application is limited only to amending the licence holder details as follows:

Licence holder: Roads 2000 Pty Ltd

ACN: 081 677 778

Registered Address: Level 15, 125 Saint Georges Terrace, Perth WA 6000.

3. Assessment

The assessment of the transfer application is limited to a review of ownership details to determine if a transfer may occur. There are no proposed changes to the current approved premises categories or design capacity.

Legal entity status

Roads 2000 Pty Ltd is a registered company with a valid and current entry on the Australian Securities & Investments Commission register (ACN 081 677 778), and is therefore a legal entity.

Roads 2000 Pty Ltd is the current leaseholder of the premises.

The current licence holder BGC (Australia) Pty Ltd advised they do not object to the licence being transferred to the applicant.

Fitness and competency

Roads 2000 Pty Ltd is currently the licence holder for two other asphalt manufacturing plants in WA, including one in Wangara L7793/2002/7 and one in Hope Valley (L9078/2017/1). The department has received several complaints relating to odour and dust emissions from the Wangara Asphalt Plant (L7793/2002/7) in the past two years.

The applicant advised it has not been convicted or paid a penalty for an offence under a provision of the EP Act or its subsidiary legislation or similar environmental protection legislation in Australia.

4. Conclusion

The Delegated Officer determined that the transfer of the licence is an administrative amendment which does not alter the risk profile of the premises. Following review of the legal entity status and fitness and competency of the applicant, the Delegated Officer determined to transfer the licence to Roads 2000 Pty Ltd on the grounds it is a current legal entity with legal access to the premises, and is a fit and competent operator that holds several other licenses under the EP Act and has no known convictions.

In transferring the licence the Delegated Officer also determined to update the format and appearance of the licence to remove redundant information consistent with the current department licence template. In addition, the Delegated Officer determined to amend the duration of the licence to 1 December 2025, to reflect the applicant's lease arrangements with the landowner of the premises (Lot 23 on Diagram 63843).

The premises shall continue to operate in accordance with the original licence conditions and regulatory requirements. The decision document for the previous licence will remain on the department's website for future reference and will act as a record of the department's decision making.

4.1 Summary of amendments

Table 1 below provides a summary of the changes made to the licence as part of the transfer and will act as a record of implemented changes. All changes have been incorporated into the revised licence as part of the transfer process.

Table 1: Summary of licence amendments

Item	Proposed amendments
Cover page	Change of 'Licence Holder', 'ACN and 'Registered business address'. The duration of the licence has also been amended to 1 December 2025.
Licence history	Inserted, consistent with current department licence template.
Definitions and interpretation	<p>Removed the explanatory notes as these are redundant.</p> <p>Updated the interpretation consistent with the current department licence template.</p> <p>Updated the definition of 'CEO' to the contemporary definition of this term consistent with the current department licence template.</p> <p>Inserted definition for 'books' consistent with the current department licence template.</p>

References

1. Department of Water and Environmental Regulation (DWER) 2019, *Guideline: Decision Making*, PERTH, Western Australia.
2. Politis 2021, *Application to transfer licence L9110/2018/1 (DWERDT408148)*, Osbourne Park, Western Australia.
3. Politis 2021, *Letter of authority to transfer licence (A1990435)*, Osbourne Park, Western Australia.
4. Politis 2021, *Final response to request for further information (A1994521)*, Osbourne Park, Western Australia.