



Application for Works Approval

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

Works Approval Number	W6090/2017/1
Applicant	Ecocycle Pty Ltd
ACN	146 190 516
File number	DWER2017/001541
Premises	<p>Kwinana Mercury Treatment Plant Lot 101 Donaldson Rd, KWINANA BEACH WA 6167</p> <p>Legal description Part of Lot 101 on Plan 73740 As defined by the premises maps attached to the issued works approval</p>
Date of report	24 August 2023
Decision	Works approval granted

1. Decision summary

The Delegated Officer has determined to transfer Works Approval W6090/2017/1 from the existing Works Approval Holder BMT Australia Pt Ltd to Ecocycle Pty Ltd (the Applicant). The transfer is administrative in nature therefore does not alter the risk profile of the premises. No changes to the activities, emissions or discharges are proposed or permitted to be undertaken by the new occupier without further application to amend Works Approval W6090/2017/1.

Scope of assessment

1.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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>.

1.2 Transfer summary

Works Approval W6090/2017/1 was held by BMT Australia Pty Ltd for the Kwinana Mercury Treatment Plant since it was first granted in 8 May 2018. The construction activities were subject some delays including technical and financial issues resulting in the premises being placed into voluntary administration prior to construction of the site reaching completion. The Department became aware of the voluntary administration on 8 November 2011 and through the engagement of an independent third party administrator, the Kwinana Mercury Treatment Plant is now seeking to be transferred to the ownership of Ecocycle Pty Ltd, the parent company which now owns BMT Australia Pty which now operates under new corporate governance personnel.

The construction works for the site remain incomplete. The site has been subject to a number of amendments since voluntary administration was declared in attempt to address issues with the site. These include allowing for the storage of excess mercury containing materials over an expanded premises boundary (amendment 7 January 2022) and the eventual removal of this material and corresponding subsequent reduction of premises boundary (amendment 4 August 2022). Removal of the originally proposed bespoke mercury stabilisation infrastructure for which construction had not yet commenced and to allow for the installation of an established mercury stabilisation technology through a containerised mobile mercury stabilisation unit was approved in amendment dated 31 July 2023. These changes are detailed in the Works Approval History in the Works Approval.

The change to the licence is limited only to updating the Works Approval Holder details as follows:

Ecocycle Pty Ltd , ACN: 146 190 516, Registered address: Unit 3, 81-85 Heatherdale Road, Ringwood Victoria 3134

2. Conclusion

The Delegated Officer determined that transfer of the Works Approval is an administrative amendment which does not alter the risk profile of the premises. Following review of the ASIC company details and documentation regarding authority to access the premises, the Delegated Officer transferred Works Approval. The Premises shall continue to be constructed and in accordance with the original Works Approval conditions and regulatory requirements.

At such a time that further application is made to either amend the Works Approval, or application for an operating Licence is made, a review of sensitive receptors, emission and discharges and regulatory controls may be performed.