



Licence Number L8595/2011/1

Licence Holder Jack Colin Kailis

File Number: 2011/007708

Premises
Perth Bin Hire
11 Duffy Street
BAYSWATER WA 6053

Legal description –
Lot 88 on Deposited Plan 44109
Certificate of Title Volume 2607 Folio 71

Date of Amendment 06/11/2017

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 6 November 2017

Alan Kietzmann

Manager Licensing (Waste Industries)

Regulatory Services (Environment)

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

Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition
CEO	<p>means Chief Executive Officer of the Department of Water and Environmental Regulation.</p> <p>CEO for the purposes of notification means:</p> <p>Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info-der@dwer.wa.gov.au</p>
DWER	<p>Department of Water and Environmental Regulation</p> <p>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.</p>
EP Act	<p>means the Environmental Protection Act 1986 (WA).</p>

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

This notice is limited only to an amendment for Category 62.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Setting Conditions* (October 2015)
- *Guidance Statement: Land Use Planning* (February 2017)
- *Guidance Statement: Decision Making* (February 2017)
- *Guidance Statement: Risk Assessment* (February 2017)

Amendment description

An application to amend Licence L8595/2011/1 was submitted to DWER on 11 July 2017 (the Application), however due to an error in the email address used by the Applicant, the Application was only received by DWER on 26 October 2017.

The Application relates to correcting the annual waste acceptance limits to be consistent with the planning approval for the Premises. The Application was made following a compliance audit of the Premises where it was noted that Table 1.3.1 Waste Acceptance limits the Premises to 15,000 tonnes of putrescible waste and 35,000 tonnes of non-putrescible waste.

The original licence issued on 13 October 2011 allowed for the acceptance of up to 50,000 tonnes of non-putrescible waste per annum. An amendment in 2014 was made to allow the acceptance of 15,000 tonnes per year of putrescible waste as approved under planning. The planning approval allows for a maximum of 15,000 tonnes of putrescible waste to be accepted as a component of the 50,000 tonnes total; however the amended licence by administrative error restricted the inert component to only 35,000 tonnes.

Amendment history

Table 2 provides the amendment history for L8595/2011/1.

Table 2: Licence amendments

Instrument	Issued	Amendment
L8595/2011/1	13/10/2011	New licence
L8595/2011/1	5/09/2014	Amendment to convert the existing Licence to REFIRE format and to include the acceptance of putrescible waste at the Premises.
L8595/2011/1	29/04/2016	Amendment Notice – Extension of expiry date to 12 October 2035
L8595/2011/1	06/11/2017	Amendment Notice 1 – Amendment to correct the cumulative quantity of waste authorised to be accepted at the Premises, consistent with planning approval.

Decision

The Delegated Officer considers the correction of throughput on the Licence does not require a risk assessment. The Premises has previously been assessed and controlled for a throughput of 50,000 tonnes per annum.

The Delegated Officer has determined to amend the Licence to clarify the throughput of inert waste is authorised to a maximum quantity of 50,000 tonnes, with up to 15,000 tonnes of putrescible waste authorised as a component of the 50,000 tonnes.

This will not alter the existing licence operations, nor increase or alter existing authorised emissions.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 1 November 2017. The 21-day consultation period was waived on 3 November 2017 with no additional comment provided.

Amendment

1. Condition 1.1.1 of the Licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

1.1.1 The Licensee shall only accept waste on to the Premises if:

- (a) it is of a type listed in Table 1.3.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.3.1;
- (c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance

Waste type	Quantity Limit	Specification ¹
Clean Fill	Combined limit of these waste types shall not exceed 35,000 <u>50,000</u> tonnes per annual period <u>of which a maximum of 15,000 tonnes may be putrescible waste</u>	None Specified
Inert Waste Type 1		Waste containing visible asbestos or ACM shall not be accepted.
Inert Waste Type 2		Tyres and plastic only
Scrap Metal		None Specified
Cardboard and paper		None Specified
Green waste		As defined in Section 1.1.2
<u>Putrescible waste</u>		<u>None Specified</u>
Putrescible waste	15,000 tonnes per annual period	None Specified

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8595/2011/1 – Perth Bin Hire	L8595/2011/1	accessed at www.dwer.wa.gov.au
2	City of Bayswater Planning Approval	Planning Approval	DWER records (A786911)
3	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
4	DER, October 2015. <i>Guidance Statement: Setting Conditions</i> . Department of Environment Regulation, Perth.	DER 2015b	
5	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2016b	
6	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2016c	