



Application for a Licence

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

Licence Number	L9019/2016/2
Licence Holder	Swan Gravel Pty Ltd
ACN	149 921 586
File number	DER2016/002300-1
Premises	Swan Gravel Pty Ltd Pit Street address – 3650 Toodyay Road BALIUP WA 6082 Legal description – Lot 556 on Plan 77558 As defined by the Premises boundary map attached to the Revised Licence
Date of report	14 August 2023
Decision	Licence granted

Carmen Standring
**A/MANAGER, RESOURCE INDUSTRIES
REGULATORY SERVICES**

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

1. Decision summary

On 22 July 2023, Swan Gravel Pty Ltd (licence holder) applied for a new licence. Due to an administrative error by the department, the reminder letter for the payment was not sent to the licence holder. The previous version of the Licence (L9019/2016/1) 'ceased to have effect' due to non-payment of annual fees within specified timeframes.

The licence holder advised the department that the previous ceased licence number was required to be retained for the new licence, as that licence number was included in an upcoming sale of contract. Previous advice has been sought internally within DWER on using ceased licence numbers. The advice indicated that provided the new licence is issued with a new version number, there are no constraints in using the previous licence number. The Delegated Officer has determined to grant a new licence using the previous licence number and updating the licence version number.

The granting of this licence is administrative in nature and at this time, no additional risk assessment has been undertaken.

In granting the licence, the changes made from the previous version will be limited to:

- updating to new version number L9019/2016/2;
- new grant date and expiry date for a 20-year duration;
- updated condition 11 to biennial Environmental Report submission based on Notice of amendment and schedule of licences with amended reporting conditions (2022); and
- updated condition 20 (AACR submission) to current standard licensing format.

2. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises as this was completed for the previous licence version (L9019/2016/1). The most recent risk assessment for the premises was carried out during the initial licence application dated 4 April 2017.

In seeking to renew the licence, the Delegated Officer reduced the standard public consultation period to 7 days. The rationale behind the 7 days is:

- Had the annual licence fee reminder been sent and paid by the due date, the licence would have continued to be valid; and
- A valid licence provides the Department with regulatory controls to ensure the site operates in accordance with the provisions of the *Environmental Protection Act 1986* (EP Act).

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

3. Consultation

Table 1 provides a summary of the consultation undertaken by the department.

Table 1: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 4 August 2023.	None received.	N/A.
Applicant was provided with draft documents on 1 August 2023.	Comments received 7 August 2023 to waive consultation period.	N/A.

4. Conclusion

Based on the assessment in this decision report, the Delegated Officer has determined that the application to renew licence L9019/2016/2 will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.