



# Amendment Report

<b>Licence Number</b>	L9162/2018/1
<b>Licence Holder</b>	The Valleys Bullsbrook Pty Ltd
<b>ACN</b>	36 954 357
<b>File Number:</b>	DER2018/001457-1
<b>Premises</b>	<p>The Valleys Bullsbrook Pty Ltd</p> <p>Part of Lot 834 on Plan 246328 and Part of Lot 1288 on Plan 247994 Hurd Rd, and Part of Lot 2792 on Plan 253699 Great Northern Highway, BULLSBROOK WA 6084</p>
<b>Date of Report</b>	24/01/2020

# 1. Definitions and interpretation

## Definitions

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

**Table 1: Definitions**

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
Amendment Report	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer of the Department. “submit to / notify the CEO” (or similar), means either: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 or: <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	The Valleys Bullsbrook Pty Ltd
m <sup>3</sup>	cubic metres

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Term	Definition
Minister	the Minister responsible for the EP Act and associated regulations
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Amendment Report applies, as specified at the front of this Amendment Report.
Revised Licence	the amended Licence issued under Part V, Division 3 of the EP Act, with changes that correspond to the assessment outlined in this Amendment Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>

## 2. Amendment Description

The amendment is limited to a transfer of Licence L9162/2018/1 from RSV Group Pty Ltd to The Valleys Bullsbrook Pty Ltd. This transfer has been made at the request of The Valleys Bullsbrook Pty Ltd.'s company director.

The following guidance statements have informed the assessment and decision outlined in this Amendment Report.

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*

### 2.1. Purpose and scope of assessment

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

### 2.2. Revision of Licence

As part of this Licence transfer package DWER has updated the licence by reviewing and reformatting the Licence conditions, and removing those which are no longer valid.

The obligations of the Licence Holder have not changed in the revision of the Licence. DWER has not undertaken any additional risk assessment of the Premises related to previous Amendment Notices.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency;
- reformatted remaining conditions; and
- corrected clerical mistakes and unintentional errors.

## 3. Licence history

Table 4 provides the amendment history for Licence L9162/2018/1.

**Table 2: Licence amendments**

Instrument	Issued	Description
L8153/2004/1	04/06/2007	Licence issued
L8153/2004/2	03/06/2011	Amended Premises boundary
L9162/2018/1	23/10/2018	New Licence issued
L9162/2018/1	24/01/2020	Licence transfer

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## 4. Risk assessment

The Delegated Officer has determined that the transfer of the Licence is an administrative amendment which does not alter the risk profile of the premises. The Premises shall continue to operate in accordance with the original licence conditions and regulatory requirements, and there is to be no change in the potential emissions associated with the development of the facility.

## 5. Consultation

The Licence Holder was provided with a draft version of the Amended Licence and accompanying Decision Report on 20 December 2019, and invited to provide comment on the documents prior to issue. The Delegated Officer, given the minor nature of the amendment, deemed that no further public or stakeholder consultation was required.

The Licence Holder's representative responded on 10/01/2020 advising the Licence Holder had no comment, and waiving the remaining comment period. The feedback provided is set out in Table 3 below.

**Table 3: Summary of consultation**

Method	Comments received	DWER response
Direct referral via email	<i>"The Valleys Bullsbrook Pty Ltd has no issues with the proposed terms of the approval and would like to proceed with the transfer without waiting for the expiry of the 21 day comment period."</i>	Acknowledged

## 6. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that the Licence transfer will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### 6.1. Summary of amendments

Table 10 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

**Table 4: Licence amendments**

Condition No.	Proposed amendments
1 & 2	<i>Original waste acceptance condition split into two conditions to capture extent of waste acceptance</i>
3	<i>Original reporting condition changed to new format. No additional reporting requirements.</i>

A conversion map table can also be used in the case where the licence is reformatted into the

current licence template – example below. Remove otherwise.

**Table 5: Licence conversion map for new licence format**

Existing licence condition	Condition Summary	Revised licence condition	Conversion notes
1	The licensee shall bury only the following types of waste at the premises: (a) Clean Fill; and (b) Inert Waste Type 1.	1 & 2	Condition expanded to describe Premises operations
2	Within two months from the date of the issue of this Licence, the Licensee shall install and maintain permanent markers along the boundary of the Premises so it can be identified on the ground.	n/a	Condition removed
3	Improvement program	n/a	Condition removed as compliance with requirements was previously confirmed in April 2014 (A748028)
4	Annual audit compliance reporting	3	Condition reformatted

**Stephen Checker**

**MANAGER WASTE INDUSTRIES**

**REGULATORY SERVICES**

*An officer delegated by the CEO under section 20 of the EP Act*

## Appendix 1: Key documents

Document title	Availability
L9162/2018/1 - The Valleys Bullsbrook Pty Ltd	Available at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	
DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	
DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	
DER, February 2017. <i>Guidance Statement: Land Use Planning</i> . Department of Environment Regulation, Perth.	
DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	
DWER, June 2019. <i>Guideline: Decision Making</i> . Department of Water and Environmental Regulation, Perth.	
DWER, June 2019. <i>Guideline: Industry Regulation Guide to Licensing</i> . Department of Water and Environmental Regulation, Perth.	
DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	

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