



Department initiated Amendment

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

Licence Number	L9169/2018/2
Licence Holder	Cleanaway Co Pty Ltd
ACN	127 853 561
File Number	APP-0030994
Premises	Cleanaway Henderson 24 Stuart Drive HENDERSON WA 6166 Legal description – Lot 300 on Plan 23084 Certificate of Title Volume 2202 Folio 933 As defined by the Premises map in Schedule 1 of the Revised Licence
Date of Report	06/10/2025
Decision	Revised licence granted

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1. Amendment description

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

This amendment has been initiated by the Chief Executive Officer of the Department of Water and Environmental Regulation (DWER) to give effect to the Minister for Environment's (Minister) appeal determination of 28 August 2025.

There is no right of appeal to this amendment under section 105 of the EP Act due to the Minister's determination.

1.1 Background

Licence L9169/2018/2 (licence) was amended for Cleanaway Co Pty Ltd (licence holder) on 9 September 2024 to allow for the alignment with Trade Waste Permit 21873 and add waste types of acceptance to the liquid waste facility for Cleanaway Henderson (the premises) located at 24 Stuart Drive, Henderson.

Following the granting of the licence amendment, a stakeholder subsequently lodged an appeal against several conditions, with multiple grounds of appeal. In August 2025, the Minister allowed in part the appeal to the extent that the licence conditions are amended to address several matters (Appeal 049 of 2024):

Amendments to conditions

The Minister determined that while the DWER's assessment and decision to grant the amendment were justified, consistent with the advice of DWER and the Appeals Committee the following changes are required:

- A new outcome-based condition requiring emissions to land and water be prevented for the purpose of protecting groundwater quality and values
- All references for infrastructure where permeability is required to be at least 1×10^{-9} m/s have 'or equivalent' added
- A new condition requiring odour emitted from the premises not to unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the premises
- An appropriate definition for 'chemist or suitably qualified person' added.
- In amending the licence, the delegated officer has also updated the licence history table, revised and realigned condition numbers for numerical consistency.

2. Decision

The delegated officer has amended the licence to give effect to the Minister's determination dated 28 August 2025, as required under section 110 of the EP Act.

The decision report for the existing licence will remain on the department's website for future reference and will act as a record of DWER's decision making.

3. Consultation

The licence holder was provided written notice of the CEO's intention to amend the licence, including a copy of the proposed changes to the licence, on 8 September 2025. No comment was provided.

Summary of amendments

The below table provides a summary of the amendments and will act as a record of implemented changes. All changes have been incorporated into the revised licence as part of the amendment process.

Condition no.	Amendments
Condition 5 – Infrastructure and equipment Schedule 2: General description	Updated text for all references for infrastructure where permeability is required to be no greater than 1×10^{-9} m/s or equivalent
Condition 6 – Monitoring requirements	Added a condition requiring emissions to land and water be prevented for the purpose of protecting groundwater quality and values
Condition 11	Added a condition requiring odour emitted from the premises not to unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the premises
Definitions	Definitions added: 'chemist or suitably qualified person'

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
 2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
 3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
 4. Department of Water and Environmental Regulation (DWER) 2019, *Guideline: Decision Making*, Perth, Western Australia.
 5. DWER 2019, *Guideline: Industry Regulation Guide to Licensing*, Perth, Western Australia.
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