

Capability Statement Waste



PLANNING APPROVALS AND ENVIRONMENTAL APPROVALS

SUBMISSIONS AND ADVICE

PROSECUTIONS AND ENFORCEMENT DISPUTES



GLEN McLEOD LEGAL

PLANNING APPROVALS AND ENVIRONMENTAL APPROVALS

We have advised and acted for clients in relation to the characterisation of operations and whether works approvals and licences are required under the Environmental Protection Act 1986 (EP Act). We have also acted for clients seeking to obtain planning approvals required under the Planning and Development Act 2005 and environmental approvals under the EP Act.

- Represented a waste management operator in relation to a request from a regulatory authority to amend a prescribed premises licence and a new application for a works approval.
- Represented a waste management operator in Tribunal proceedings against a local government authority following its refusal to grant approval for the development of a screening and crushing facility.
- Acted for a waste management operator in respect of investigations by a government authority into the characterisation of the operator's activities and whether a licence was necessary.
- Acted on behalf of a landowner to secure development approval and liaised with a government authority in relation to environmental approvals under the EP Act.
- Acted for liquid waste facility in obtaining development approval from a local government for a new premises which included discussing appropriate conditions of approval with the local government authority to ensure odour and noise would be properly managed.
- Acted for the operator of a greenwaste processing facility in relation to obtaining environmental approvals and acting in subsequent enforcement proceedings for a breach of licence conditions



We have helped both new and established waste operators in navigating the regulatory landscape to get projects underway.

SUBMISSIONS AND ADVICE

We have advised a variety of clients including waste management operators, local government authorities and commercial developers in relation to the application of the waste levy and the risks of leasing a former landfill site for a waste depot facility. We have also prepared submissions on behalf of government authorities for waste papers issued for public consultation by state government agencies.

- Advised a commercial developer in relation to a complex site and the characterisation of the onsite processing of quarried rock for the purposes of the waste levy.
- Advised a local government authority in relation to the risk associated with entering into a lease with private party so the party could operate a waste depot at a former landfill site and advising on terms of the lease agreement.
- Prepared submissions for local government authority to a state government department in respect of waste papers released for public consultation.

PROSECUTIONS AND ENFORCEMENT DISPUTES

Glen McLeod Legal has acted for private companies in enforcement proceedings brought under the EP Act.

- Represented a private entity in planning review proceedings and mediation in relation to a construction and demolition recycling facility, including characterisation of the facility and environmental impacts of use.
- Acted for a private entity in an enforcement dispute with DWER over receipt of materials on recycling facility site, advising on and representing a private entity in a local government prosecution relating to a complex site which included characterisation of materials received on- site and recycling.



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