



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Brajkovich Landfill & Recycling Pty Ltd

**Licence:** L8970/2016/1

**Registered office:** Brajkovich Landfill & Recycling Pty Ltd  
Suite 3, 24 Walters Drive  
OSBORNE PARK WA 6017

**ACN:** 161 973 931

**Premises address:** Brajkovich Landfill North  
91 Walyunga Road  
BULLSBROOK WA 6084  
Being Part of Lot 5 on Plan 7892 as depicted in Schedule 1.

Point	Easting	Northing
1	408538.54	6489164.57
2	408535.57	6489139.95
3	408571.18	6489142.10
4	408593.75	6489142.87
5	408565.47	6488920.15
6	408715.41	6488923.78
7	408736.13	6488820.86
8	409204.09	6488928.09
9	409108.76	6489188.31
10	408966.70	6489189.66
11	408870.12	6489217.08
12	408769.38	6489213.64
13	408611.94	6489199.57
14	408589.88	6489159.49

**Grant date:** Friday, 10 June 2016

**Commencement date:** Monday, 13 June 2016

**Expiry date:** Wednesday, 12 June 2019



**Prescribed Premises Category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Premises production or design capacity
13	Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned	1000 tonnes or more per year	Combined total of 530, 000 tonnes per year
62	Solid waste depot: premises on which waste is stored, or sorted pending final disposal or re-use.	500 tonnes or more per year	
63	Class I inert landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled 'Landfill Waste Classification and Waste definitions 1996' published by the Chief Executive Officer and as amended from time to time) is accepted for burial.	500 tonnes or more per year	

**Conditions of Licence**

Subject to the conditions of Licence set out in the attached pages.

Date signed: 10 June 2016

.....  
**Alan Kietzmann**

Manager Licensing (Waste Industries)  
Officer delegated under Section 20  
of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:  
<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.



You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Other guidelines which you should be aware of include:

- Guidelines for managing asbestos at construction and demolition waste recycling facilities, Department of Environment and Conservation, 2012, as amended from time to time.

#### **Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

#### **Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

#### **Premises Description and Licence Summary**

Brajkovich Landfill North is located on Lot 5 (91) Walyunga Road, Bullsbrook. The lot is 162.5ha in size and is located on the corner of Walyunga Road and Great Northern Highway in Bullsbrook. The premises is surrounded by rural lifestyle blocks to the north, south and west. The premises borders the Walyunga National Park to the east. The lot has been used for historic sand mining since 1965, with periods of inactivity over the years.

Brajkovich Landfill & Recycling Pty Ltd (Brajkovich) commenced operating at the premises in 2013, as Stargaze Asset Pty Ltd. The current premises activities were assessed and approved under *Environmental Protection Act 1986* Works Approval W5316/2012/1 issued to Stargaze Asset Pty Ltd.

Brajkovich Landfill North operates primarily as a Class 1 inert landfill facility with the fill material consisting of inert waste type 1 from the crushing and screening of Construction and Demolition (C&D) waste. Construction and demolition waste is brought to the site, where it is sorted and mechanically treated. Any material not meeting the Inert Waste Type 1 classification is removed from the premises to an approved facility. The inert landfill operation is expected to take up 10.16ha of the lot's overall 162.5ha.

The main emission risks from the premises are dust and noise from the crushing and screening of material. These emissions are managed on site using water for dust suppression via sprinklers and water carts, as well as limiting dust lift off by limiting speed limits on site to 10km/hr and having a bund around the crushing and screening operations. Noise is managed by ensuring crushing and screening takes place in the quarry, and operational hours are restricted to day time hours. Noise on the premises is regulated under the *Environmental Protection (Noise) Regulations 1997*.



Crushing and screening of construction and demolition waste also creates a risk of asbestos contamination. This is managed by ensuring the site is operating as per the DER asbestos management guidelines and through the implementation of an Asbestos Management Plan (AMP).

The licence to operate the premises was first granted in 2013, as licence L8726/2013/1. This new licence is required as Brajkovich failed to pay their previous licence fees on time. As such the licence (L8723/2013/1) ceased to have effect and a new licence application was required.

The new licence has been modified to remove conditions that are no longer utilised on licences for regulation (redundant conditions), and the new asbestos management condition set has been added.

The licences and works approvals issued for the Premises since 25/01/2013 are:

Instrument Log		
Instrument	Issued	Description
W5316/2012/1	25/01/2013	New Works Approval
L8726/2013/1	10/04/2013	New Licence
L8726/2013/1	15/08/2013	Amendment to accept asbestos
L8726/2013/1	9/01/2014	Amendment to change acceptance criteria
L8726/2013/1	15/08/2014	Transfer of licence from Stargaze Asset Pty Ltd to Brajkovich Landfill & Recycling Pty Ltd
L8726/2013/1	16/10/2014	Amendment to correct conditions
L8970/2016/1	10/06/2016	New licence issued due to previous licence ceasing to have effect after late payment of annual fees.

### Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

### END OF INTRODUCTION



# Licence Conditions

## 1 General

### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 In the Licence, unless the contrary intention appears:

**'Act'** means the *Environmental Protection Act 1986*;

**'ACM'** means asbestos containing material and has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'Acceptance Criteria'** has the meaning defined in Landfill Definitions;

**'AHD'** means the Australian height datum;

**'annual period'** means the inclusive period from 1 April until 31 March;

**'AS/NZS 5667.1'** means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

**'AS/NZS 5667.11'** means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

**'asbestos'** means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysotile, crocidolite, tremolite and any mixture containing 2 or more of those;

**'asbestos fibres'** has the meaning **defined** in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'asbestos fines'** has the meaning **defined** in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'asbestos management plan dated 31 July 2013'** means the plan prepared by Site Environmental and Remediation Services on behalf of Brajkovich Landfill & Recycling Pty Ltd which was submitted to DER on 1 August 2013;

**'averaging period'** means the time over which a limit or target is measured or a monitoring result is obtained;

**'BGL'** means below ground level;

**'CEO'** means Chief Executive Officer of the Department of Environment Regulation;



**'CEO'** for the purpose of correspondence means;

Chief Executive Officer  
Department Administering the Environmental Protection Act 1986  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Email: [info@der.wa.gov.au](mailto:info@der.wa.gov.au)

**'Clean Fill'** has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009) published by the CEO and as amended from time to time;

**'classified load'** means any load that has been identified as containing asbestos or ACM;

**'Construction and Demolition Waste'** has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009) published by the CEO and as amended from time to time;

**'controlled waste'** has the definition in the *Environmental Protection (Controlled Waste) Regulations 2004*;

**'DER Asbestos Guidelines'** means the current version of the Guidelines for managing asbestos at construction and demolition waste recycling facilities as published by the Department of Environment Regulation, Government Western Australia;

**'Green waste'** means waste originating from trees and plants, and includes grass and garden clippings, leaves, tree prunings and branches;

**'Inert Waste Type 1'** has the meaning defined in Landfill Definitions;

**'Inert Waste Type 2'** has the meaning defined in Landfill Definitions;

**'Landfill definitions'** means the document titled "Landfill Waste Classifications and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Environment, as amended from time to time;

**'Licence'** means this licence numbered L8970/2016/1 and issued under the Act;

**'Licensee'** means the person or organisation named as Licensee on page 1 of the Licence;

**'Mechanical treatment'** means using machinery to physically process waste by crushing and screening;

**'NATA'** means the National Association of Testing Authorities, Australia;

**'NATA accredited'** means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

**'practicable'** is as defined in the *Environmental Protection Act 1986*.

**'Premises'** means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

**'quarantined storage area or container'** means a hardstand storage area or sealed-bottom container that is separate and isolated from authorised waste disposal areas and is capable of



containing all non-conforming waste and its constituents, these areas must be clearly marked and their access restricted to authorised personnel;

**'Recycling Area'** means the area shown as the Recycling Area on the Landfill Area Map in Schedule 1, and which is used for the Category 13 and Category 62 prescribed activities on the premises;

**'rehabilitation'** means the completion of the engineering of a landfill cell and includes capping and/or final cover;

**'Special Waste Type 1'** has the meaning defined in Landfill Definitions;

**'spot sample'** means a discrete sample representative at the time and place at which the sample is taken;

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

**'waste'** has the meaning defined in the *Environmental Protection Act 1986*; and

**'µS/cm'** means microsiemens per centimetre.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.



## 1.2 Premises Operations

- 1.2.1 The Licensee must only accept waste on to the Premises if:
- (a) it is of a type listed in Table 1.2.1;
  - (b) the quantity accepted is below any quantity limit listed in Table 1.2.1; and
  - (c) it meets any specification listed in Table 1.2.1.

Table 1.2.1: Waste acceptance		
Waste type	Quantity limit tonnes/ year	Specification
Inert Waste Type 1	400,000	Loads shall not contain any visible asbestos
Inert Waste Type 2		
Special Waste Type 1	120,000	<p>This material is only to be received at the Class I inert landfill activity areas on the premises (shown as the landfill cells on the Landfill Area map in Schedule 1), for immediate disposal.</p> <p>Special Waste Type 1 material is not permitted to be accepted within areas of the premises where activities related to Category 62 (solid waste depot) or Category 13 (crushing of building material) are undertaken (these areas collectively being known as the Recycling Area).</p> <p>Also see Note 1 below.</p>
Green waste	10,000	Does not include chemically treated timber

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*.

- 1.2.2 The Licensee must visually inspect all waste on arrival at the Premises and again before it enters any stockpile, treatment process or is landfilled to ensure that it complies with the waste acceptance criteria in Table 1.2.1.
- 1.2.3 The Licensee must ensure that where waste does not comply with condition 1.2.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.
- 1.2.4 The Licensee must ensure that any waste that does not conform to the waste acceptance criteria in Table 1.2.1 due to asbestos content, is covered or bagged and kept within a clearly identified, labelled, segregated and secure container prior to being buried on-site or removed off-site to an appropriate authorised facility.
- 1.2.5 The Licensee must advise all source material providers to the Recycling Area that asbestos or potentially asbestos contaminated material is not accepted at this part of the Premises.
- 1.2.6 The Licensee must include a 'no asbestos' clause in all contracts with material sources related to the Recycling Area.



- 1.2.7 The Licensee must maintain a clearly visible sign saying 'No Asbestos' at the entry to the Recycling Area.
- 1.2.8 The Licensee must only accept waste onto the Premises for storage, sorting or crushing that is Inert Waste Type 1 with a signed declaration from the supplier of the source material with each delivery that warrants that the load does not contain any asbestos or ACM.
- 1.2.9 The Licensee must visually inspect all loads of material when they arrive at the Recycling Area prior to unloading and during unloading to ensure that the material does not contain visible asbestos or ACM (Classified Load).
- 1.2.10 Where this inspection confirms that material does contain asbestos or ACM, the Licensee must:
- (a) reject the waste material for acceptance from this area of the Premises;
  - (b) redirect the load of material to the designated asbestos disposal area within the Class I inert landfill area on the premises for immediate burial;
  - (c) maintain accurate records of all rejected loads on the Premises and the documentation must be made available to DER officers upon request; and
  - (d) record the details of the material source, material carrier, registration number of the vehicle and date of rejection.
- 1.2.11 The Licensee must maintain Classified Loads outside of the approved Class I inert landfill area in a damp state using appropriate dust suppression measures.
- 1.2.12 The Licensee must ensure that suspected Classified Loads are isolated, kept damp and appropriately contained, and the Licensee must comply with the *Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC:2002(2005)]* and the *Health (Asbestos) Regulations 1992*.
- 1.2.13 The Licensee must ensure that suspected Classified Loads are classified as "high risk" and continue to be managed in accordance with the high risk procedure as outlined in section 3.4 of the DER Asbestos Guidelines.
- 1.2.14 The Licensee must, as a minimum maintain records of all accepted load inspections and of any accepted loads on the premises which have been determined as Classified Loads or as "high risk" loads.
- 1.2.15 The Licensee must continue to visually inspect material on the Premises at all stages of the storage, sorting and crushing process. Suspect asbestos identified at any stage of the process must be handled in accordance with Conditions 1.2.12 of this Licence.
- 1.2.16 The Licensee must within 3 months from the date of this Licence, maintain material on the Premises within the Recycling Area in at least two separate stockpiles areas for unprocessed material, processed material tested for ACM and:
- (a) unprocessed material and processed material areas must be kept clearly separated at a minimum 3m distance;
  - (b) processed material tested for ACM and processed material awaiting testing for ACM must be clearly separated by a minimum 3m distance OR clearly delineated and separated with impermeable barriers; and
  - (c) clearly visible and legible signage must be erected on individual stockpiles to clearly identify and delineate tested processed material, untested processed material and unprocessed material.



1.2.17 The Licensee must ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 1.2.2 and in accordance with any process limits described in that Table.

Table 1.2.2: Waste processing		
Waste type	Processes	Process limits <sup>1</sup>
Inert Waste Type 1	<p>Receipt, handling, storage.</p> <p>Mechanical treatment consisting only of crushing and screening</p> <p>Storage of treated materials</p> <p>Disposal of waste by landfilling.</p>	<p>Waste shall only be stored within designated storage bays provided with dust control measures. No more than 50,000 tonnes of waste awaiting treatment shall be stored at any one time.</p> <p>No more than 3,000 tonnes to be treated per day.</p> <p>Disposal of Inert Waste Type 1 by landfilling shall only take place within the landfill cells shown on the Landfill Area Map in Schedule 1.</p> <p>The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2m.</p>
Inert Waste Type 2	<p>Receipt, handling and storage prior to removal from site for disposal at an approved facility</p>	<p>Inert Waste Type 2 is not to be disposed of by landfilling.</p> <p>Waste to be stored in a manner that prevents it being windblown outside of the designated storage area.</p> <p>Less than 100 tyres shall be stored at any one time.</p>
Special Waste Type 1	<p>Receipt, handling and disposal of waste by landfilling</p>	<p>Special Waste Type 1 material is only to be received at the Class I inert landfill activity areas on the premises (shown as the landfill cells on the Landfill Area Map in Schedule 1).</p> <p>Special Waste Type 1 received at the premises as part of the Class I landfill activity is to be disposed of immediately within the designated asbestos disposal area within the landfill.</p> <p>Not to be deposited within 2m of the final tipping surface of the landfill.</p> <p>No works shall be carried out on the landfill that could lead to a release of asbestos fibres.</p>
Green waste	<p>Receipt, handling, storage and grinding prior to disposal off-site or used as mulch or landscaping material on-site.</p>	<p>Waste shall only be stored within designated storage bays. No more than 2,500 tonnes of waste awaiting treatment shall be stored at any one time.</p> <p>No more than 1,500 tonnes to be treated per day.</p> <p>No green waste to be disposed of by landfilling at the premises.</p> <p>Green waste shall be removed from the premises within 8 weeks of being received on site.</p>

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



- 1.2.18 The Licensee must ensure that the asbestos content of any recycled output originating from construction and demolition waste does not exceed the contamination limits specified in Table 1.2.3.

Table 1.2.3: Recycled output contamination limits		
Output	Parameter	Limit
Recycled drainage rock	Asbestos (in any form)	0.001%w/w
Recycled sand		
Recycled road base		

- 1.2.19 The Licensee must ensure that recycled outputs originating from construction and demolition waste are sampled and tested in accordance with Table 1.2.4.

Table 1.2.4: Recycled output sampling and testing			
Output	Parameter	Limit	Method
Recycled drainage rock	Asbestos (in any form)	0.001%w/w	In accordance with the DER Asbestos Guidelines.
Recycled sand			
Recycled road base			

- 1.2.20 The Licensee must manage the landfilling activities to ensure:
- (a) waste is levelled and compacted as soon as practicable after it is discharged;
  - (b) waste is placed and compacted to ensure all faces are stable and capable of retaining rehabilitation material;
  - (c) rehabilitation of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed.
- 1.2.21 The Licensee must ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.2.5 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.2.5: Cover requirements			
Waste Type	Material	Depth	Timescales
Special Waste Type 1	Type 1 Inert waste or soil	300mm	As soon as practicable after deposit and prior to compaction
		1000mm	By the end of the working day in which the asbestos waste was deposited
Inert waste type 1	No cover required		

- 1.2.22 The Licensee must take all reasonable and practical measures to ensure that no windblown waste escapes from the Premises and that windblown waste is collected on at least a weekly basis and appropriately contained.
- 1.2.23 The Licensee must:
- (a) implement security measures at the site to prevent as far as is practical unauthorised access to the site;
  - (b) undertake regular inspections of all security measures and repair damage as soon as practicable; and
  - (c) ensure the entrance gates are closed and locked when the site is closed.
- 1.2.24 The Licensee must ensure that no waste is burnt on the Premises.



## 2 Monitoring

### 2.1 General monitoring

2.1.1 The Licensee must ensure that:

- all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- all laboratory samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

### 2.2 Monitoring of inputs and outputs

2.2.1 The Licensee must undertake the monitoring specified in Table 2.2.1.

Table 2.2.1 Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging Period	Frequency
Waste Inputs	Construction and Demolition Waste, Special Waste Type 1 and Green Waste	m <sup>3</sup>	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Waste Classification and Waste Definitions 1996			Each load leaving or rejected from the Premises

### 2.3 Ambient environmental quality monitoring

2.3.1 The Licensee must undertake the monitoring specified in Table 2.3.1 according to the specifications in that table.

Table 2.3.1: Monitoring of ambient groundwater quality				
Monitoring point reference & location	Parameter	Units	Averaging period	Frequency <sup>1</sup>
GB, AB, PB and CB	Standing water level	m(AHD) and m(BGL)	Spot sample	Six monthly*
GB, AB, PB and CB	pH	-	Spot sample	Six monthly*
GB, AB, PB and CB	Electrical conductivity	µS/cm	Spot sample	Six monthly*
GB, AB, PB and CB	Ammoniacal nitrogen, cadmium, chloride, chromium (total), copper, iron, lead, mercury, manganese, nickel, nitrate-nitrogen, total potassium, total nitrogen, phosphorus, zinc, total dissolved solids and Total Petroleum Hydrocarbons (TPH)	mg/L	Spot sample	Six monthly*

\*The Licensee shall ensure that six monthly monitoring is undertaken at least 5 months apart



### 3 Information

#### 3.1 Records

- 3.1.1 All information and records required by this Licence must:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
  - (c) except for records listed in 3.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
  - (d) for those following records, be retained until the expiry of the Licence or any subsequent licence:
    - (i) off-site environmental effects; or
    - (ii) matters which affect condition of the land or groundwater.
- 3.1.2 The Licensee must complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous year.
- 3.1.3 The Licensee must implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.
- 3.1.4 The Licensee must:
- (a) implement and maintain a system which ensures that a record is made of:
    - (i) the waste types and quantities accepted at the site;
    - (ii) the waste types and quantities disposed of at the site;
    - (iii) where appropriate the amount of landfill levy payable in respect of the waste;
    - (iv) rejected loads including the reason for rejection; and
    - (v) any documentary evidence to demonstrate compliance with the Class I landfill acceptance criteria.
- 3.1.5 The Licensee must:
- (a) ensure the location of any cell that is used for the disposal of asbestos is recorded on a site plan using GPS coordinates and kept permanently on site; and
  - (b) ensure this record is made available to DER officers upon request.

#### 3.2 Reporting

- 3.2.1 The Licensee must submit to the Director an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

Table 3.2.1: Annual environmental report		
Condition or Table (if relevant)	Parameter	Format or Form <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken	None specified



1.2.19	Recycled output sampling and testing	None specified
2.2.1 and 3.1.4	Monitoring of inputs and outputs. Summary of waste types and quantities: accepted, disposed of at the site, and removed and rejected loads in the reporting year	None specified
2.3.1	Ambient ground water quality	G1
Table 2.3.1	Monitoring results of ambient groundwater quality: <ul style="list-style-type: none"> <li>An interpretive summary and assessment of ambient groundwater quality monitoring results against relevant assessment levels for water as published in the Assessment and management of contaminated sites guidelines.</li> <li>An interpretive summary and assessment of ambient groundwater quality monitoring results against previous monitoring results. Trend graphs shall be provided in support of this assessment.</li> </ul>	A summary of the results should be presented in tabulated form within the body of the report as well as onto site drawings, where appropriate.
3.1.2	Compliance	AACR
3.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2

- 3.2.2 The Licensee must ensure that the Annual Environmental Report also contains:
- an assessment of the information contained within the report against previous monitoring results and Licence limits; and
  - a list of any original monitoring reports submitted to the Licensee from third parties in the reporting period and make these reports available on request.

### 3.3 Notification

- 3.3.1 The Licensee must ensure that the parameters listed in Table 3.3.1 are notified to the Director and in accordance with the notification requirements of the table.

Table 3.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
1.2.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5PM of the next usual working day.  Part B: As soon as practicable	N1
N/A	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution		
2.1.3	Calibration report	As soon as practicable.	None specified

Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

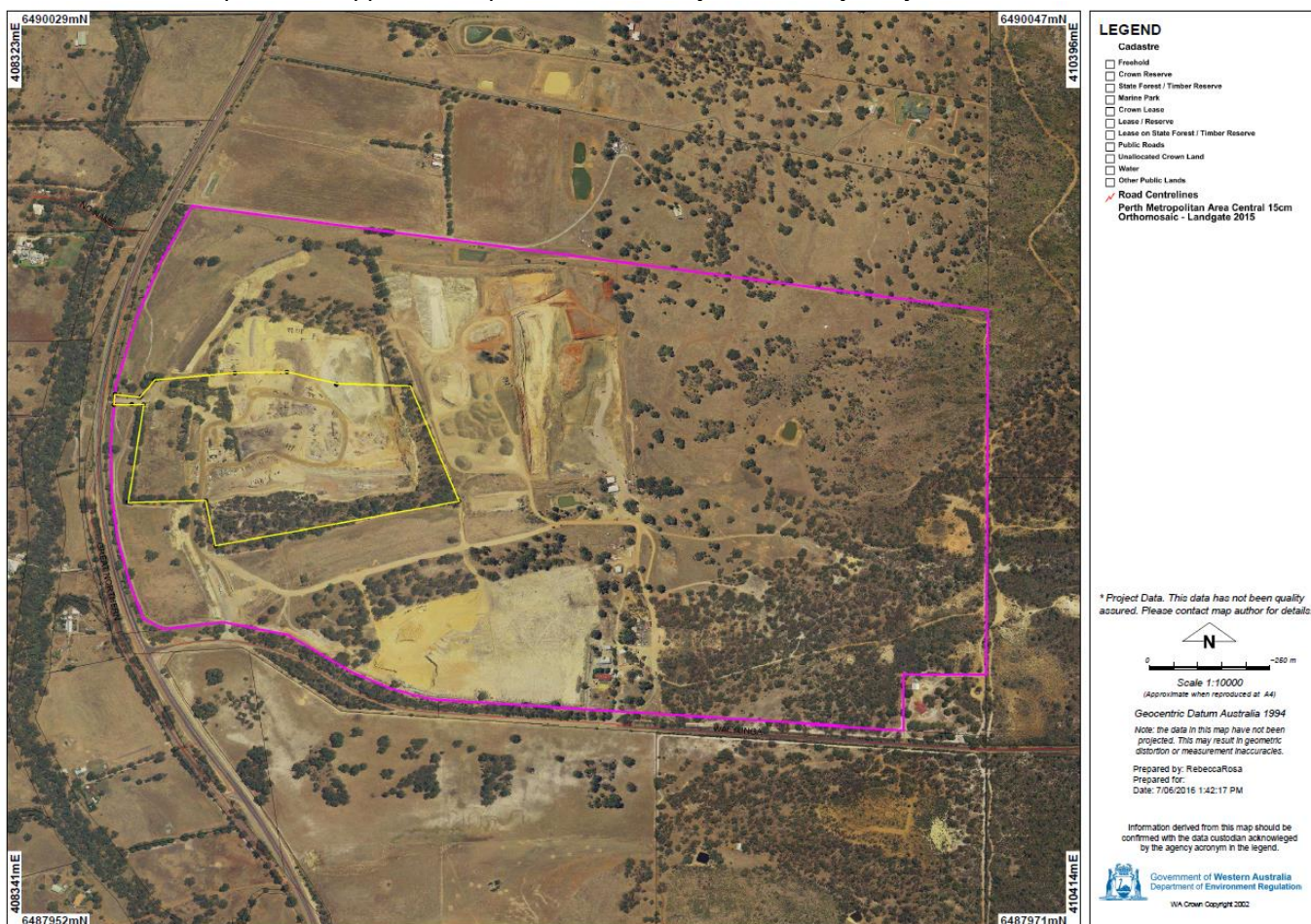
Note 2: Forms are in Schedule 2



## Schedule 1: Maps

### Premises and Monitoring Locations Map

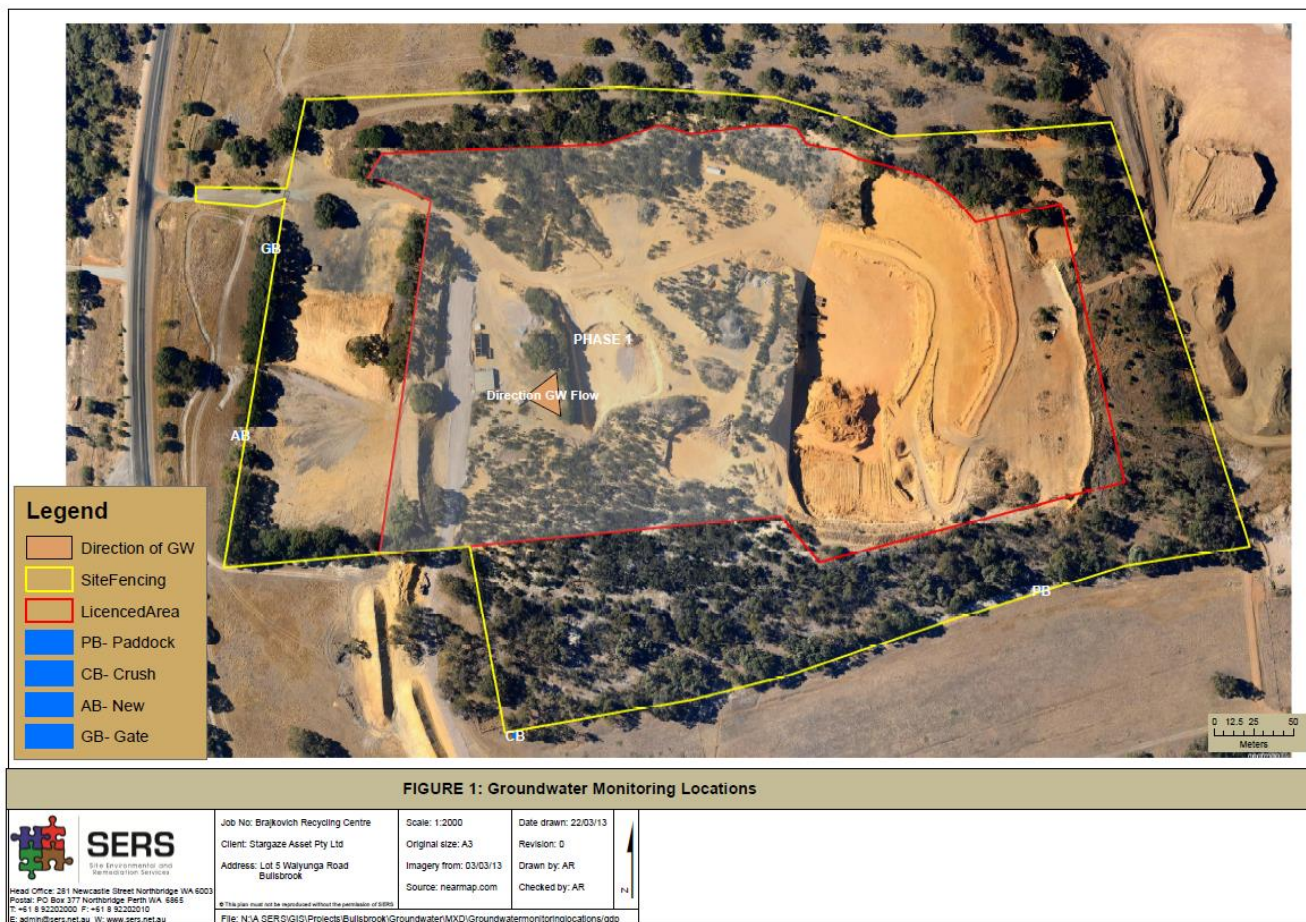
The boundary of Lot 5 is shown in pink. The approximate premises boundary is shown by the yellow line.





## Premises and Monitoring Locations Map

The Premises is shown in the maps below. The yellow line depicts the Premises boundary. The monitoring bores are shown as blue dots (PB, CB, AB and GB).





## Landfill Area Map

The area in which the disposal of waste by landfilling may take place is shown in the map below by cell areas.





## Schedule 2: Reporting & Notification Forms

These forms are provided for the proponent to report monitoring and other data required by this licence. They can be requested in an electronic format.

The original monitoring reports must also be submitted.

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Licence: L8970/2016/1      Licensee: Brajkovich Landfill & Recycling Pty Ltd  
Form: AACR      Period :  
Name: Annual Audit Compliance Report

### Annual Audit Compliance Report

#### Section A: Statement of compliance with licence conditions

Were all conditions of licence complied with within the reporting period?		
Yes	<input type="checkbox"/>	Initial Sections A & B, then proceed to Section C
No	<input type="checkbox"/>	Initial Section A, then proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this annual audit compliance report (AACR).

Initial:



**Section B: Details of non-compliance with licence condition**

a) Licence condition not complied with?	
b) Date(s) and time(s) the non compliance occurred, if applicable?	
c) Was this non compliance reported to DER?	
<input type="checkbox"/> Yes, and  <input type="checkbox"/> Reported to DER verbally      Date  <input type="checkbox"/> Reported to DER in writing      Date	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Please use a separate page for each licence condition that was not complied with. Each page must be initialised by the person(s) who signs Section C of this AACR

Initial:



### Section C: Signature and certification

This AACR may only be signed by a person(s) with legal authority to sign it as defined below. Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The AACR must be signed and certified:
an individual	<input type="checkbox"/>	by the individual licence holder, or
	<input type="checkbox"/>	by a person approved in writing by the Chief Executive Officer (CEO) of DER to sign on the Licensee's behalf.
a corporation	<input type="checkbox"/>	by affixing the common seal of the Licensee in accordance with the Corporations Act 2001; or
	<input type="checkbox"/>	by two directors of the Licensee; or
	<input type="checkbox"/>	by a director and a company secretary of the Licensee, or
	<input type="checkbox"/>	if the Licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or
	<input type="checkbox"/>	by the principal executive officer of the Licensee; or
	<input type="checkbox"/>	by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DER.
A public authority (other than a local government)	<input type="checkbox"/>	by the principal executive officer of the Licensee; or
	<input type="checkbox"/>	by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DER.
a local government	<input type="checkbox"/>	by the CEO of the Licensee; or
	<input type="checkbox"/>	by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this AACR is correct and not false or misleading in a material particular.

Signature:

Name: (printed)

Position:

Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Signature:

Name: (printed)

Position:

Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Seal (if signing under seal)



Licence: L8970/2016//1  
Form: N1

Licensee: Brajkovich Landfill & Recycling Pty Ltd  
Date of breach:

**Notification of detection of the breach of a limit.**

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

**Part A**

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

<b>Notification requirements for the breach of a limit</b>	
<b>To be notified as soon as practicable and no later than 5PM of the next working day</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	



## Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the installation in the preceding 24 months.	

Name	
Position	
Signature on behalf of Brajkovich Landfill & Recycling Pty Ltd	
Date	



Licence: L8970/2016/1  
Form: G1  
Name: Monitoring of point source emission to groundwater

Licensee: Brajkovich Landfill & Recycling Pty. Ltd.  
Period :

Form A2: Monitoring of groundwater						
Emission point	Parameter	Limit	Result <sup>1</sup>	Averaging Period	Method	Sample date & Times
GB	Standing water level		m(AHD) and m(BGL)			
GB	pH					
GB	Electrical conductivity		µS/cm			
GB	Ammoniacal nitrogen		mg/L			
GB	cadmium		mg/L			
GB	chloride		mg/L			
GB	chromium (total)		mg/L			
GB	copper		mg/L			
GB	iron		mg/L			
GB	lead		mg/L			
GB	mercury		mg/L			
GB	manganese		mg/L			
GB	nickel		mg/L			
GB	nitrate-nitrogen		mg/L			
GB	phosphorus		mg/L			
GB	total dissolved solids		mg/L			
GB	total nitrogen		mg/L			
GB	total potassium		mg/L			



Form A2: Monitoring of groundwater						
Emission point	Parameter	Limit	Result <sup>1</sup>	Averaging Period	Method	Sample date & Times
GB	TPH		mg/L			
GB	zinc		mg/L			
AB	Standing water level		m(AHD) and m(BGL)			
AB	pH					
AB	Electrical conductivity		µS/cm			
AB	Ammoniacal nitrogen		mg/L			
AB	cadmium		mg/L			
AB	chloride		mg/L			
AB	chromium (total)		mg/L			
AB	copper		mg/L			
AB	iron		mg/L			
AB	lead		mg/L			
AB	mercury		mg/L			
AB	manganese		mg/L			
AB	nickel		mg/L			
AB	nitrate-nitrogen		mg/L			
AB	phosphorus		mg/L			
AB	total dissolved solids		mg/L			
AB	total nitrogen		mg/L			
AB	total potassium		mg/L			



Form A2: Monitoring of groundwater						
Emission point	Parameter	Limit	Result <sup>1</sup>	Averaging Period	Method	Sample date & Times
AB	TPH		mg/L			
AB	zinc		mg/L			
PB	Standing water level		m(AHD) and m(BGL)			
PB	pH					
PB	Electrical conductivity		µS/cm			
PB	Ammoniacal nitrogen		mg/L			
PB	cadmium		mg/L			
PB	chloride		mg/L			
PB	chromium (total)		mg/L			
PB	copper		mg/L			
PB	iron		mg/L			
PB	lead		mg/L			
PB	mercury		mg/L			
PB	manganese		mg/L			
PB	nickel		mg/L			
PB	nitrate-nitrogen		mg/L			
PB	phosphorus		mg/L			
PB	total dissolved solids		mg/L			
PB	total nitrogen		mg/L			
PB	total potassium		mg/L			



Form A2: Monitoring of groundwater						
Emission point	Parameter	Limit	Result <sup>1</sup>	Averaging Period	Method	Sample date & Times
PB	TPH		mg/L			
PB	zinc		mg/L			
CB	Standing water level		M(AHD) and m(BGL)			
CB	pH					
CB	Electrical conductivity		µS/cm			
CB	Ammoniacal nitrogen		mg/L			
CB	cadmium		mg/L			
CB	chloride		mg/L			
CB	chromium (total)		mg/L			
CB	copper		mg/L			
CB	iron		mg/L			
CB	lead		mg/L			
CB	mercury		mg/L			
CB	manganese		mg/L			
CB	nickel		mg/L			
CB	nitrate-nitrogen		mg/L			
CB	phosphorus		mg/L			
CB	total dissolved solids		mg/L			
CB	total nitrogen		mg/L			
CB	total potassium		mg/L			



Form A2: Monitoring of groundwater						
Emission point	Parameter	Limit	Result <sup>1</sup>	Averaging Period	Method	Sample date & Times
CB	TPH		mg/L			
CB	zinc		mg/L			

Signed on behalf of Brajkovich Landfill & Recycling Pty. Ltd.: ..... Date: .....



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Brajkovich Landfill & Recycling Pty Ltd

**Licence:** L8970/2016/1

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**Registered office:** Brajkovich Landfill & Recycling Pty Ltd  
Suite 3, 24 Walters Drive  
OSBORNE PARK WA 6017

**ACN:** 161 973 931

**Premises address:** Brajkovich Landfill North  
91 Walyunga Road  
BULLSBROOK WA 6084  
Being Part of Lot 5 on Plan 7892 as depicted in Appendix 1.

**Grant date:** Friday, 10 June 2016

**Commencement date:** Monday, 13 June 2016

**Expiry date:** Wednesday, 12 June 2019

### Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) CEO, delegated officer has decided to issue a licence. The delegated officer considers that in reaching this decision, he has taken into account all relevant considerations.

Decision Document prepared by: Rebecca Rosa  
Licensing Officer

Decision Document authorised by: Alan Kietzmann  
Delegated Officer



## Contents

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## 1 Purpose of this Document

This decision document explains how DER delegated officer has assessed and determined the application and provides a record of the decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	13	Combined total of 530,000 tonnes per year
	62	
	63	
Application verified	Date: 11/05/2016	
Application fee paid	Date: 12/05/2016	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.		



### 3 Executive summary of proposal and assessment

Brajkovich Landfill North is located on Lot 5 (91) Walyunga Road, Bullsbrook. The lot is 162.5ha in size and is located on the corner of Walyunga Road and Great Northern Highway in Bullsbrook. The premises is surrounded by rural lifestyle blocks to the north, south and west. The premises borders the Walyunga National Park to the east. The lot has been used for historic sand mining since 1965, with periods of inactivity over the years.

Brajkovich Landfill & Recycling Pty Ltd (Brajkovich) commenced operating at the premises in 2013, as Stargaze Asset Pty Ltd. The current premises activities were assessed and approved under *Environmental Protection Act 1986* Works Approval W5316/2012/1 issued to Stargaze Asset Pty Ltd.

Brajkovich Landfill North operates primarily as a Class 1 inert landfill facility with the fill material consisting of inert waste type 1 from the crushing and screening of Construction and Demolition (C&D) waste. Construction and demolition waste is brought to the site where it is sorted and mechanically treated within the Recycling Area. Any material not meeting the Inert Waste Type 1 classification is removed from the premises to an approved facility. The inert landfill operation is expected to take up 10.16ha of the lot's overall 162.5ha. See Appendix A for the premises layout.

The main emission risks from the premises are dust and noise from the crushing and screening of material. These emissions are managed on site using water for dust suppression via sprinklers and water carts, as well as limiting dust lift off by limiting speed limits on site to 10km/hr and having a bund around the crushing and screening operations. Noise is managed by ensuring crushing and screening takes place in the quarry, and operational hours are restricted to day time hours. Noise on the premises is regulated under the *Environmental Protection (Noise) Regulations 1997*.

Crushing and screening of construction and demolition waste also creates a risk of asbestos contamination. This is managed by ensuring the site is operating as per the DER asbestos management guidelines and through the implementation of an Asbestos Management Plan (AMP).

#### **New licence L8970/2016/1**

The licence to operate the premises was first granted in 2013, as licence L8726/2013/1. This new licence is required as Brajkovich failed to pay their previous licence fees on time. As such the Licence (L8723/2013/1) ceased to have effect and a new licence application was required.

This Decision Document has been prepared to capture the main changes to the Licence, such as the addition of the new asbestos management requirements, and gives a brief overview for monitoring conditions. This Decision Document also addresses the removal of old licence conditions and how these are still managed within the new licence. This Decision Document is not intended to be a comprehensive re-assessment of the premises, as the premises operations were previously assessed under the licence application L8726/2013/1. Current planning approvals are in place for the premises, expiring in 2018.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation	L1.2.1 – 1.2.24	<p>Conditions 1.2.1 – 1.2.4 remain largely unchanged from the initial licence, L8726/2013/1 (previously conditions 1.3.1-1.3.4)</p> <p>Condition 1.2.1 specifies the waste types and quantity limits that may be accepted at the premises to those that have been assessed under the original licence application (L8726/2013/1) as suitable given the infrastructure and control measures at the premises.</p> <p>Condition 1.2.2 specifies that each load is to be visually inspected on arrival at the premises to ensure that it complies with the premises waste acceptance criteria.</p> <p>Condition 1.2.3 specifies that where waste is found to be non-conforming, the waste is segregated and removed offsite to ensure compliance with Condition 1.2.1. Condition 1.2.4 extends on this condition to ensure that any non-conforming waste due to asbestos content received at the premises is covered/bagged, clearly labelled and segregated prior to burial to prevent asbestos fibres entering the environment.</p> <p>Condition 1.2.17 limits the waste processing that can occur on the premises given the infrastructure and control measures at the premises, as per the original licence and works approval application.</p>	<p>Documentation supporting application W5316/2021/1 and L8726/2013/1</p> <p>“Guidelines for managing asbestos at construction and demolition waste recycling facilities”, published by the Department of Environment and Conservation, as amended from time to time.</p> <p><i>Environmental Protection (Unauthorised Discharges)</i></p>



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><b>Asbestos risk assessment</b></p> <p><u>Emission Description</u> <i>Emission:</i> Asbestos fibres from non-conforming waste brought onto the premises and from crushing activities on site. <i>Impact:</i> Asbestos fibres can have severe health impacts including asbestosis and mesothelioma. The nearest residents are located approximately 380 metres west, and there are industrial/farming enterprises located immediately adjacent to the northern and eastern boundaries. <i>Controls:</i> The Licensee is permitted to accept Special Waste Type 1 (asbestos) as part of its Class I inert landfill activities, however they are not permitted to accept asbestos and asbestos containing material into their crushing and solid waste depot activities (the Recycling Area). The Licensee has a current Asbestos Management Plan (AMP) that complies with DER's asbestos guidelines. Controls include staff training to identify asbestos, inspecting all loads prior to receipt at the premises and during unloading for suspect material, isolating and segregating suspected asbestos loads, keeping stockpiles and unloading areas damp, monitoring and product testing. Asbestos / ACM loads are removed from the crushing and solid waste depot activity areas on the premises, and disposed of to an appropriate asbestos disposal cell within the area for the authorised landfill on the premises, or removed from the premises.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Major <i>Likelihood:</i> Rare <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Given the moderate risk rating for asbestos, a number of conditions have been specified in this licence that are in line with the DER's Asbestos Guidelines.</p> <p>Condition 1.2.1 specifies that waste containing visible asbestos or asbestos containing material shall not be accepted within the Inert Waste Type 1 material received at the</p>	<p><i>Regulations 2004.</i></p> <p><i>Health (Asbestos) Regulations 1992.</i></p> <p>Code of Practice for the Safe Removal of Asbestos 2<sup>nd</sup> Edition</p>



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>premises for sorting, crushing or screening (Category 62 and 13 activities, Recycling area).</p> <p>Condition 1.2.4 specifies that identification and segregation of any identified asbestos content is required.</p> <p>Condition 1.2.5 to 1.2.8 specifies that the Licensee is not to receive asbestos or asbestos containing material within the Recycling Area on the premises, and that the Licensee must have:</p> <ul style="list-style-type: none"><li>- a 'no asbestos' clause in all contracts with material sources to this part of the premises;</li><li>- a clearly visible sign saying 'no asbestos' at the entry to these activity areas on the premises; and</li><li>- a signed declaration from the suppliers to material accepted at the Recycling Area that warrants that the load does not contain any asbestos or ACM.</li></ul> <p>Condition 1.2.9 The Licensee must visually inspect all loads prior to unloading and during unloading within the Recycling Area to ensure that the material does not contain visible asbestos or ACM.</p> <p>Condition 1.2.10 specifies what actions are to occur when asbestos or ACM is confirmed within the material mentioned in Condition 1.2.9 in accordance with the DER's Asbestos Guidelines.</p> <p>Condition 1.2.11 to 1.2.13 specifies that the Licensee must:</p> <ul style="list-style-type: none"><li>- maintain Classified Loads in a damp state using appropriate dust suppression measures;</li><li>- ensure that suspected loads are isolated, kept damp and appropriately contained;</li><li>- comply with the Code of Practice for the Safe Removal of Asbestos 2<sup>nd</sup> Edition and the <i>Health (Asbestos) Regulations 1992</i>; and</li><li>- ensure that suspected loads are classified as 'high risk' and managed in</li></ul>	



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>accordance with the DER Asbestos Guidelines.</p> <p>Condition 1.2.14 specifies that the Licensee must maintain records of all accepted loads which have been determined as Classified Loads or as 'high risk'.</p> <p>Condition 1.2.15 specifies that the Licensee must continue to visually inspect material on the Premises at all storage, sorting and processing stages to identify asbestos.</p> <p>Condition 1.2.16 specifies that the Licensee must maintain material on the Recycling Area in at least two separate stockpiles for unprocessed and processed material tested for ACM.</p> <p>Condition 1.2.18 requires the licensee to ensure that any recycled output contains no more than 0.001%w/w asbestos and condition 1.2.19 requires recycled outputs to be tested to ensure compliance with condition 1.2.18. These conditions ensure compliance with the DER asbestos guidelines.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Major <i>Likelihood:</i> Rare <i>Risk Rating:</i> Moderate</p> <p><b>Fire risk assessment</b> <u>Emission Description</u> <i>Emission:</i> Smoke emissions from fire at premises (green waste stockpiles) and/or contaminated fire-fighting water used to suppress fire entering the environment. Fire spreading to adjacent premises. <i>Impact:</i> Smoke may cause nuisance impacts or exacerbate respiratory issues at nearby receptors. Smoke may impact local flora and fauna. <i>Controls:</i> Green waste is kept in stockpiles within designated storage bays, with no more than 2,500 tonnes of greenwaste stored within this area at any one time.</p>	



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Table 1.2.2 requires that the green waste be stored in dedicated storage areas, to reduce the risk of fire spreading and assists in fire fighters being able to readily access any burning green waste.</p> <p>Condition 1.2.24 specifies that no waste shall be burnt at the premises to avoid deliberate emissions and prevent potential for fire to spread to other parts of the premises or lot.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	
Odour		<p><u>Emission Description</u> <i>Emission:</i> Odour emissions from the storage and processing of green waste on the premises. <i>Impact:</i> Potential odour impacts from the greenwaste operations on nearby residents. <i>Controls:</i> Green waste is kept in stockpiles within designated storage bays, with no more than 2,500 tonnes of greenwaste stored within this area at any one time. Green waste will be received at the premises for the purpose of shredding/mulching. However process limits to this material (such as maximum quantity held on the site at any one time and removal from the site within 8 weeks of receipt) will reduce the potential for this material to result in odour emissions.</p>	Documentation supporting application W5316/2021/1 and Documentation supporting application W5316/2021/1 and



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Risk Assessment</u>  <i>Consequence: Moderate</i>  <i>Likelihood: Unlikely</i>  <i>Risk Rating: Low</i></p> <p>Any fugitive odour emissions can be adequately managed under the general provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><u>Residual Risk</u>  <i>Consequence: Moderate</i>  <i>Likelihood: Unlikely</i>  <i>Risk Rating: Low</i></p>	<p>L8726/2013/1</p> <p><i>Environmental Protection Act 1986</i></p>
Noise		The Licensee is required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i> . Noise emissions are considered likely to comply with these regulations and therefore specific noise conditions are not required.	<i>Environmental Protection (Noise) Regulations 1997</i>
General monitoring	L2.1.1	Conditions L2.1.1 provides the requirements for the correct collection and analysis of groundwater samples taken for the monitoring requirements of the licence.	N/A
Monitoring of inputs and outputs	L2.2.1	Condition 2.2.1 and Table 2.2.1 requires the Licensee to monitor the quantity of waste being received at the premises, as well as the loads rejected from the premises.	N/A
Ambient quality monitoring	L2.3.1	<p>Emissions to groundwater from the general operation of the premises, or receipt and burial of non-conforming waste to the landfill cells could contaminate the local groundwater supply. The premises is only permitted to accept Class I inert waste material at the premises for burial.</p> <p>In order to monitor the potential impacts of the premises activities on local groundwater quality, ambient groundwater quality monitoring is required.</p> <p>Condition 2.3.1 specifies the location of monitoring points, parameters to be monitored,</p>	<p>Documentation supporting application W5316/2021/1 and L8726/2013/1</p>



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		frequency and averaging period.	
Information	L3.1.1 L3.1.2 L3.1.3 L3.1.4 L3.1.5 L3.2.1 L3.2.1 L3.3.1	<p>Condition 3.1.1 sets out the requirements for any records that are required under this Licence, such as ensuring they are legible and retained for 6 years, which assists DER in regulating the conditions of this Licence.</p> <p>Condition 3.1.2 requires the occupier to undertake an audit of their operations against the conditions of the Licence and to report on this compliance in an Annual Audit Compliance Report (AACR). This condition assists DER in regulating the occupier's compliance with Licence conditions and allows an opportunity for DER to receive the occupier's environmental performance.</p> <p>Condition 3.1.3 requires a complaints management system to be implemented where the occupier can internally address any issues that arise from premises operations. DER will review these complaints as reported in the Annual Environmental Report (AER) and can consider the requirement for the reassessment of any regulatory controls to address the complaints.</p> <p>Condition 3.1.4 requires the Licensee to maintain a system to record details regarding the waste received, deposited or rejected at the facility, as well as waste subject to the landfill levy, and evidence that the waste conforms to the Class I waste acceptance criteria.</p> <p>Condition 3.1.5 requires the Licensee to maintain a permanent record for the location of asbestos burial on the premises and to ensure that these records are available to DER officers upon request.</p> <p>Condition 3.2.1 and 3.2.2 require the Licensee to submit an AER. The AER is required to include the AACR and a summary of the complaints required under Condition 3.1.3. DER reviews all of the data provided in the AER to assess compliance with the Licence</p>	L8726/2013/1



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>conditions and to monitor the environmental impacts from the premises.</p> <p>Condition 3.3.1 requires the Licensee to notify the CEO if there is a breach of any Licence limit (i.e. processing limits). The notifications required under this condition give DER appropriate notice of any environmental impacts at the premises so that DER can determine if any further action is required to address the incident.</p>	
<b>Licence Duration</b>		<p>The original licence for this premises (L8726/2013/1) was initially due to expire on 9 April 2018. However it was identified as one of the licences to have the duration extended as part of the rollout of the extension to licence durations as per DER's <i>Guidance Statement: Licence Duration</i> (May 2015), to 9 April 2022.</p> <p>The current City of Swan planning approval for the extractive industry on the premises, DA-163/2013, is valid for a period of 5 years only, after which time a further development approval must be submitted to continue with extraction on the site. The expiry date for this approval is 7 July 2019.</p> <p>The current sand excavation licence for the lot, DA-163/2013, issued by the City of Swan and the Approval to Commence Development for the sand excavation issued by the Western Australian Planning Commission (Ref 21-5986-8) expire on 6 September 2018.</p> <p>The new licence is to be granted with an expiry date of 12 June 2019 to align with the expiry of the planning approval.</p>	<i>DER Guidance Statement: Licence Duration (May 2015)</i>
<b>Licence amendment</b>		<p>Conditions 1.3.1 – 1.3.4, 1.3.5, 1.3.6 and 1.3.7 in the old licence (L8726) have remained largely unchanged as Conditions 1.2.1 – 1.2.4, 1.2.17, 1.2.18 and 1.2.19 in the new licence (L8970).</p> <p>Conditions 1.3.8 and 1.3.9 in the old licence (L8726) have been removed as DER has received an updated Asbestos Management Plan from Brajkovich in December 2014, and the requirements for managing asbestos are now covered by conditions 1.2.5-1.2.16 in the new licence.</p>	



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>Conditions 2.6.1 and 2.6.2 on the old licence (L8726) have been removed, given that the requirements of these conditions can be suitably regulated under the provisions of section 49 of the <i>Environmental Protection Act 1986</i>.</p> <p>Conditions 3.1.1-3.8.1 on the old licence remain unchanged, with the exception of clarifying the requirement of the condition for ambient environmental quality monitoring (now condition 2.3.1) and removal of 3.1.2 and 3.1.3 calibration requirements; these have been removed as they are not considered valid or enforceable as they do not specify the type of monitoring equipment.</p> <p>Condition 5.1.2 has been removed from the licence, as per the internal operating procedures removing this condition set due to lack of enforceability.</p> <p>The remaining Information conditions 5.1.1, 5.1.3-5.1.6, 5.2.2 and 5.2.3 remain unchanged as conditions 3.1.1-3.1.5, 3.2.2 and 3.3.1 on the new licence.</p>	



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
16/05/2016	Application advertised in West Australian (or other relevant newspaper)	No comments received	N/A
07/06/2016	Proponent sent a copy of draft instrument	Proponent has reviewed the draft licence and agreed to all recommended changes. The proponent has also provided an updated landfill map for inclusion.	Updated map inserted into Licence and Decision Document.



## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High



## Appendix A

### Landfill Area & Premises Layout Map

The area in which the disposal of waste by landfilling may take place is shown in the map below by cell areas. The Premises Boundary is shown by the yellow line. The Recycling Area is shown by the area cross-hatched orange at the top of the premises.

