



Application for Works Approval Amendment

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

Works Approval Number	W6909/2024/1
Works Approval Holder	Brajkovich Landfill & Recycling (Muchea) Pty Ltd
ACN	663 397 555
File Number	DER2023/000771~2
Premises	88 Caladenia Close LOWER CHITTERING WA 6084 Legal description - Lot 9001 on Deposited Plan 71254 Certificate of Title Volume 2789 Folio 776 As defined by the Premises maps attached to the Revised Works Approval
Date of Report	9 July 2025
Proposed Decision	Intent to grant revised works approval

MANAGER WASTE INDUSTRIES REGULATORY SERVICES

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

1. Decision summary

Works Approval W6909/2024/1 is held by Brajkovich Landfill & Recycling (Muchea) Pty Ltd (Works Approval Holder) for the premises located at 88 Caladenia Close Lower Chittering.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Revised Works Approval W6909/2024/1 has been granted.

The Revised Works Approval issued as a result of this amendment consolidates and supersedes the existing Works Approval previously granted in relation to the Premises.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Amendment summary

On 27 August 2024, the Works Approval Holder submitted an application to the department to amend Works Approval W6909/2024/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act).

The amendment seeks to authorise acceptance and burial of Inert Waste Type 2 (plastics only) in the works approval with no proposed increase to throughput. The premises is currently approved for 500,000 tonnes per annum of clean fill and Inert Waste Type 1 under Category 63: Class I inert landfill site.

The application proposes the acceptance and direct burial of Inert Waste Type 2 plastics (such as strapping, pipes, buckets, cable reels, and pallets) that arrive mixed with Construction and Demolition (C&D). No storage of Inert Waste Type 2 has been proposed in this application.

Material for landfilling will be thoroughly inspected during tipping. Any non-conforming waste identified will be placed in skip bins in a quarantined area prior to being transferred to an appropriate landfill facility for disposal.

2.3 Exclusions

The initial application included approval to accept and bury Special Waste Type 1 (Asbestos) and Inert Waste Type 2 (tyres).

Due to planning approval restrictions, the applicant confirmed on 13th January 2025 that asbestos acceptance is to be removed from the application.

On 30 May 2025 the applicant was advised through a request for further information that Lower Chittering is located within a Tyre Landfill Exclusion Zone under the *Environmental Protection Regulations 1987* (Schedule 5). In accordance with section 14 (1) (b) of the *Environmental Protection Regulations 1987* tyres may only be disposed of by landfilling in this zone if the written approval of the Chief Executive Officer (CEO) has first been obtained. The applicant was given the opportunity to remove tyre acceptance and burial from the amendment application or seek CEO approval to landfill tyres within the Tyre Landfill Exclusion Zone. On 3 June 2025 the applicant confirmed that tyre acceptance is to be removed from the application.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this Amendment Report are detailed in

Table 1 below.

Table 1 also details the proposed control measures the Works Approval Holder has proposed to assist in controlling these emissions, where necessary.

Table 1: Works Approval Holder controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Acceptance, sorting and burial of Inert Waste Type 2 (plastic)	Air/windborne pathway	Targeted wetting will occur when the material has the potential to generate fugitive dust is being handled. A water cart will be used for dust suppression. A sprinkler system is proposed to be established and will be on during the tipping and sorting of waste. Adhere to Dust Management Plan (DMP)
Noise	Vehicle movements and machinery operation		Vehicle speed limited to less than 10km/hr, which is supported by signage Noise bunds constructed around noise generating equipment Careful selection of machinery to minimise noise level Adhere to Noise Management Plan (NMP)
Leachate	Burial of Inert Waste Type 2 (plastics)	Localised contamination of soils causing infiltration into groundwater	High depth to groundwater (>30 mbgl) Strict waste acceptance criteria adopted

Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the Works Approval Holder's from its

assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	Closest residential premises is located approximately 620 m north-east of landfill premises boundary
Muchea Landfill – Shire of Chittering	Directly adjacent to the northern premises boundary
Muchea Livestock Centre (Agricultural)	Approximately 670 m west south-west of the landfill premises boundary
Environmental receptors	Distance from prescribed activity
Underlying groundwater	>30 mbgl

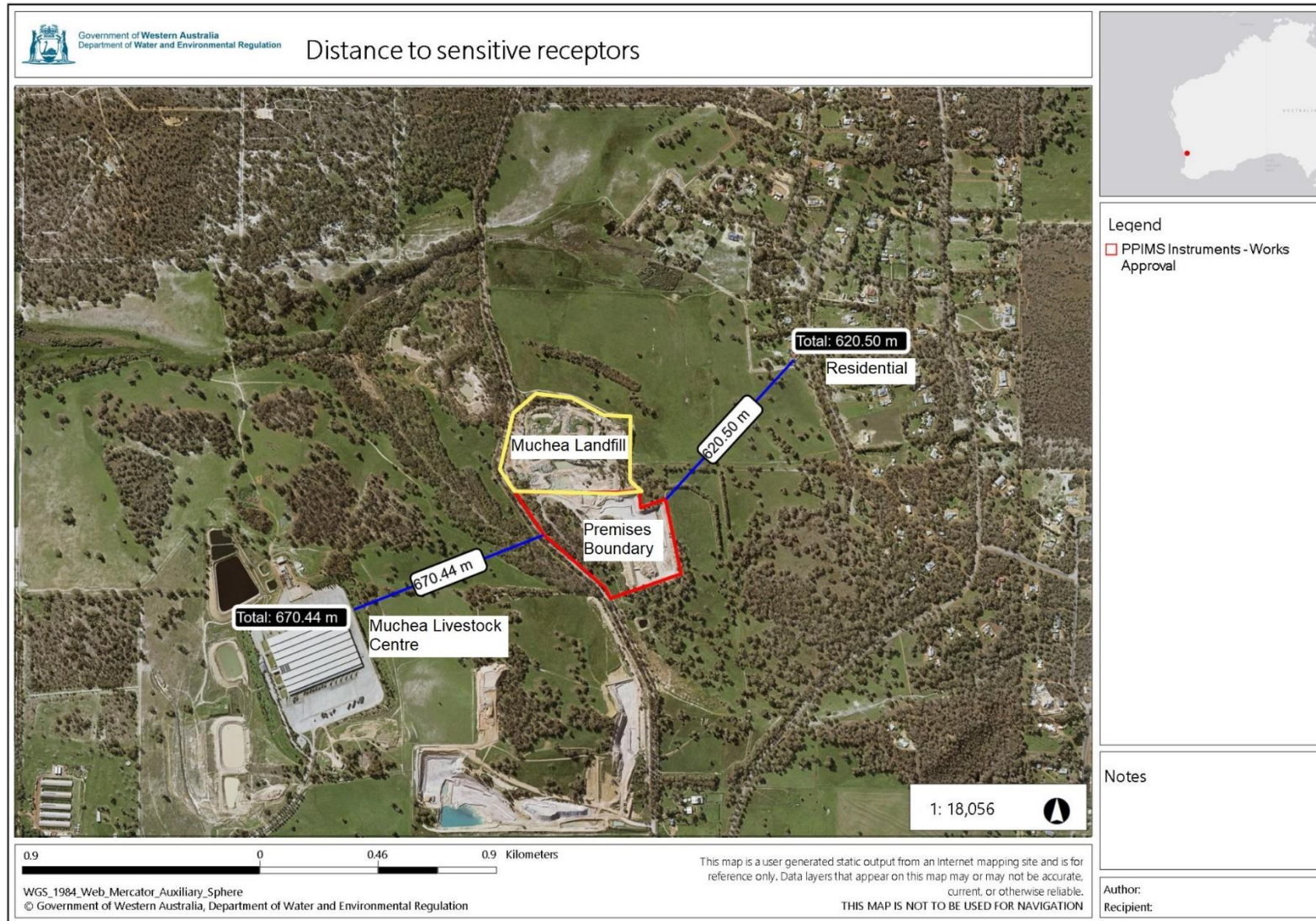


Figure 1: Distance to sensitive receptors

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3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the Works Approval Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Works Approval Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the Works Approval Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

The Revised Works Approval W6909/2024/1 that accompanies this Amendment Report authorises construction and time-limited operations. The conditions in the Revised Works Approval have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the Premises. A risk assessment for the operational phase has been included in this Amendment Report, however licence conditions will not be finalised until the department assesses the licence application.

Table 3. Risk assessment of potential emissions and discharges from the Premises during construction and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Works Approval Holder's controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Works Approval Holder's controls				
Operation								
Acceptance, sorting and burial of Inert Waste Type 2 (plastic)	Dust	Air/windborne pathway causing impacts to health and amenity	Closest residential premises ~620 m north-east	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	2, 3, 9, 10, 11, 12 & 16	N/A
	Noise		Muchea Livestock Centre ~670 m south-west		C = Slight L = Unlikely Low Risk	Y	11 & 22 - 25	N/A
	Leachate and stormwater contaminated with leachate	Localised contamination of soils and infiltration into groundwater	Groundwater (>30 mbgl) Neighbouring properties		C = Minor L = Unlikely Medium Risk	N	1, 19 <u>8</u>	The delegated officer considers that due to the inert nature of the waste being landfilled and the depth to groundwater that leachate is not expected to be an issue. However, an additional stormwater management condition for the cell is deemed necessary to mitigate the risk to the health and amenity of the surrounding environment.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Works Approval Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal 4 April 2025	<p>The Shire of Chittering replied on 8 May 2025 acknowledging that a development approval is in place for the rehabilitation of a disused quarry using inert waste for the premises.</p> <p>However, the burial of Inert Waste Type 2 may extend beyond the approved scope.</p> <p>The Shire recommended:</p> <ul style="list-style-type: none"> The applicant seek a modified planning approval; DWER include robust environmental safeguards and community-facing transparency in any amended works approval <p>The Shire of Chittering replied further on 29 May 2025 stating that dewatering from the cell following storm events should not occur without the necessary approvals.</p>	<p>The department notes the response from the shire and this information is provided to the applicant in this decision report and has been taken into consideration in the works approval. It is the responsibility of the works approval holder to ensure all necessary approvals are obtained.</p> <p>The department has implemented an additional regulatory control for any stormwater that enters the cell must be treated as contaminated and not removed.</p>
Works Approval Holder was provided with draft amendment on 17 June 2025	Works Approval Holder replied on 30 June 2025 stating they accept the conditions as proposed and wishes to proceed with the final issue of the works approval	N/A

5. Conclusion

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

5.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Works Approval as part of the amendment process.

Table 5: Summary of works approval amendments

Condition no.	Proposed amendments
12	Inclusion of Inert Waste Type 2 (plastics) acceptance

16	Inclusion of Inert Waste Type 2 (plastics) processing requirements
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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 Austral