



Application to renew a licence

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

Licence Number	L8736/2013/2
Licence Holder	Brajkovich Demolition Pty Ltd
File Number	2012/008320 - 1
Premises	Brajkovich Salvage Yard 1686 Great Northern Highway UPPER SWAN WA 6069 Legal description - Part of Lot 19 on Plan 9452 As defined by the coordinates in Schedule 2
Date of Report	01 April 2022
Decision	To grant a licence

Senior Industry Regulation Officer
Industry Regulation

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

1. Application summary

On 13 January 2022 Brajkovich Demolition Pty Ltd (Licence Holder) applied to renew licence L8736/2013/1, as the existing licence is due to expire on 4 May 2022. The Premises are located within part of Lot 19, 1686 Great Northern Highway in Upper Swan. The licence relates to the prescribed premises category described in Table 1.

Table 1: Premises category description and production capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 62: Solid waste depot – premises on which waste is stored or sorted pending final disposal or reuse.	150,000 tonnes per annual period

The Licence Holder has been operating a salvage yard for over 20 years within part of Lot 19, 1686 Great Northern Highway in Upper Swan. Construction and demolition materials are brought to the site and salvageable material is sorted and stored. The materials are then on sold to customers. Any unsalvageable material is stored on site in a designated area before it is disposed of to an appropriate facility.

Salvageable material is sorted and stored in comparable segregated areas as per the layout shown in Figure 2, Schedule 1 of the licence. Customers purchase materials from the site as required. Each year the site accepts around 1 million bricks, 1 million tiles, 50,000 tonnes of concrete slabs, 1000 tonnes of precast products, 500 tonnes of glass as windows and 100 tonnes of plaster board. The site also accepts various amounts of timber, plastic and metal materials up to 10,000 tonnes. The nominated through-put for the site is 150,000 tonnes per year.

2. Regulatory framework

The Delegated Officer has determined to undertake an administrative renewal of the licence and has not conducted a full review and risk assessment of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position*, October 2021.

In replacing the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

3. Complaints and incident history

There are no records of any incidents or complaints identified at the Premises in the last seven years in the department's Incidents and Complaints Management System (ICMS).

4. Decision summary

Under the regulatory framework the Delegated Officer has determined to grant the licence L8736/2013/2 without conducting any additional assessment or risk assessment.

The existing prescribed premises category and waste types authorised for acceptance have not been reviewed as part of this renewal. The licence will be issued for 20 years.

In renewing the licence, the Delegated Officer has determined to:

- update the format and appearance of the licence;
- remove redundant definitions and conditions and update definitions as required;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements); and
- transfer all relevant existing regulatory controls and conditions to the renewed licence.

As a result of this decision, Licence L8736/2013/2 has been granted subject to conditions set out in the attached licence and summarised below.

4.1 Summary of changes to the licence conditions

Section 62 of the EP Act provides general power to impose conditions on licences. All licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) for the purposes of the EP Act to prevent, control, abate or mitigate pollution or environmental harm.

Table 2 summarises the transfer of all appropriate conditions from the expiring licence into the new licence.

Table 2: Licence conditions description and rationale

Licence condition number	Summary - previous licence condition	Conversion notes	New licence condition number
1.1.1/1.1.2	Definitions	Transferred relevant definitions and included standard current licence definitions.	Table 5
1.1.3	References to Australian or other standards	Covered in current licence format interpretation section, part (d)	Interpretation
1.1.4	References to a guideline or code of practice		
1.2.1	General condition	Redundant condition - deleted from licence.	N/A
1.2.2	Pollution control and monitoring equipment	Redundant condition - deleted from licence.	
1.2.3	Dangerous goods	Redundant condition - deleted from licence.	
1.2.4	Recovery and removal of spills	Redundant condition - deleted from licence. Adequately covered by <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .	
1.2.5	Stormwater control – contamination prevention	Revised to current licensing format.	Condition 8
1.3.1, Table 1.3.1	Waste acceptance	Transferred with current licence format wording and table number updated.	Condition 1, Table 1
1.3.2			Condition 2
1.3.3, Table 1.3.2	Waste processing limits	Transferred with current licence format wording and table number updated.	Condition 3
1.3.4			Condition 4
1.3.5			Condition 5
1.3.6			Condition 6
1.3.7			Condition 7
2.1 to 2.5 inclusive	Point source emissions to air, surface and ground water, and emissions to land	Redundant conditions - deleted from licence.	N/A
2.6.1	Fugitive emissions -dust	Redundant condition - deleted	N/A
2.6.2		Transferred with current licence format wording and table number updated.	Condition 9
2.7	Odour	Redundant condition - deleted	N/A
2.8	Noise – not specified	Redundant condition - deleted	N/A
3.6.1, Table 3.6.1	Input/output monitoring	Revised to current licensing format.	Condition 10, Table 3
3.1 to 3.5	Monitoring – all non-	Redundant conditions - deleted	N/A

Licence condition number	Summary - previous licence condition	Conversion notes	New licence condition number
inclusive and 3.7, 3.8	specified conditions / No condition		
4	Improvements – no requirements specified	Redundant condition - deleted	N/A
5.1.1	Records requirements	Standard current licence template condition set for maintaining accurate and auditable books applied.	Conditions 14 & 15
5.1.2	Personnel aware of conditions	Redundant condition - deleted	N/A
5.1.3	Annual Audit Compliance Report (AACR)	Standard current licence template AACR condition applied.	Condition 12
5.1.4	Records and reporting - complaints	Standard current licence template complaints recording condition applied	Condition 11
5.2.1, Table 5.2.1	Annual Environmental Report	Standard current licence template annual reporting condition applied with same reporting timeframe cross referencing relevant conditions for reporting.	Condition 13
5.3.1, Table 5.3.1	Notifications	Redundant condition - deleted	N/A
N/A	Schedule 1 – Premises Map	Updated premises map noting minor change to premises boundary within the Lot.	Schedule 1 – Figure 1
	Schedule 1 – Map of storage locations	Updated map of storage locations, as provided by the licence holder.	Schedule 1 – Figure 2
	Premises boundary coordinates	Added to licence, noting changes to premises boundary.	Schedule 2

4.2 Additional conditions

The renewed licence has been updated to include standard conditions for recording complaints (condition 12) and keeping books (conditions 14 and 15) in line with DWER's *Guidance Statement – Setting Conditions 2015*. These are standardised conditions to allow for the effective administration of the renewed licence.

5. Consultation

The licence renewal application was referred to the City of Swan for comments on 25 February 2022. No comments were received.

The draft licence and this decision report were provided to the licence holder on 17 March 2022 for comment. The licence holder provided a response on 28 March 2022 providing requested premises boundary coordinates and waived the remainder of the consult period.

6. Conclusion

Based on the assessment in this Decision Report the Delegated Officer has determined to grant Licence L8736/2013/2. The licence is subject to conditions commensurate with the determined controls as well as conditions necessary for administration and annual reporting requirements.