



Application to replace expiring licence

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L7038/1997/13
Licence holder	Brajkovich Landfill & Recycling Pty Ltd
ACN	161 973 931
File number	DER2015/001610
Premises	Quinns Quarry 220 Hester Avenue NEERABUP WA 6031 Part of Lot 11533 on Plan 217813 As defined by the coordinates in Schedule 1 of the licence
Date of report	21/09/2021
Status of report	Final

Jane Dalin
SENIOR ENVIRONMENTAL OFFICER
INDUSTRY REGULATION

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

1. Scope of assessment

1.1 Application summary and overview of the premises

Brajkovich Landfill & Recycling Pty Ltd (licence holder) submitted an application to replace expiring licence L7038/1997/12, issued under Division 3 Part V of the *Environmental Protection Act 1986* for the following prescribed premises categories:

- Category 13: Crushing of building materials;
- Category 62: Solid waste depot;
- Category 63: Class I inert landfill site; and
- Category 70: Screening of material.

The licence is due to expire on 30 September 2021.

The Department of Water and Environmental Regulation (DWER) has determined to undertake an administrative renewal of the licence as the current licence (L7038/1997/12) was recently issued on 26 September 2019.

1.2 Site Operation

Several waste types are handled at Quinns Quarry (the Premises), including clean fill, inert construction and demolition waste, asphalt, drilling slurry and asbestos. The wastes accepted at site are predominately sourced within the Perth Metropolitan area. The waste is sorted on arrival and non-conforming waste is removed. Construction and demolition waste is crushed prior to landfilling where required. Clean sand is separated for use as landfill cover material. While the quarrying of limestone has ceased, previously extracted limestone is screened and crushed into smaller pieces for sale.

1.3 Planning

The Premises, occupied by the licence holder, is reserved as Parks and Recreation under the Metropolitan Region Scheme (MRS), therefore, the Western Australian Planning Commission (WAPC) is the determining authority for any development on the Premises. On 30 September 2016, WAPC, approved development on the Premises subject to conditions. This approval is due to expire on 30 September 2021.

On 15 July 2021, the City of Wanneroo (the City) received an application to extend the approved development period for the Premises. The City provided a recommendation to WAPC supporting the application, including recommending a condition requiring the development application to expire on 30 September 2026 (5 years).

1.4 Regulatory framework

In replacing the licence 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. Consultation

In accordance with section 54 of the *Environmental Protection Act 1986* (EP Act), the City of Wanneroo (the City) and WAPC, were invited to comment on the licence replacement application.

In a letter received by DWER on 16 August 2021, the City indicated that they have no objections to the proposed renewal of licence L7038/1997/12 provided extension to the development application is approved by the WAPC.

WAPC has yet to make a decision on the application submitted by the licence holder.

The draft replacement licence and this decision report were provided to the licence holder on 3/09/2021 for comment. The licence holder's comments, along with DWER's response, have been summarised in Appendix 1.

3. Decision

The delegated officer has determined the risks to human health and the environment from activities on the premises, and as previously assessed by the department on 26/09/2019, have not materially changed. The delegated officer has therefore determined to grant the replacement licence without conducting any additional risk assessment. The replacement licence has been issued for a period of 5 years based on the City's recommendation to WAPC.

In replacing the expiring licence the delegated officer has also determined to:

- update the format and appearance of the licence;
- revise licence conditions numbers and realign condition numbers for numerical consistency;
- removed the requirement for the monitoring of noise emissions, improvement conditions IC1, IC2, IC3 and IC5 as the date of completion has expired;
- correct clerical mistakes and unintentional errors;
- remove redundant forms; and
- transferred all existing regulatory controls and conditions to the replacement licence.

3.1 Summary of changes

The below table provides a summary of the proposed updates and will act as a record of implemented changes. All proposed changes have been incorporated into the replacement licence.

Condition / table	Description
Cover page	Licence version updated. Issue and expiry dates updated
	Restructured to clearly indicate what prescribed activities are being conducted on the premises with assessed production throughputs for each category.
	Removed explanatory notes to be consistent with current DWER licence template
Table 8	Removed all conditions relating to noise emission monitoring as the date of completion has expired.
Table 13	Removed IC1, IC2, IC3 and IC5 as the date of completion has expired
Definitions	Definitions removed: Schedule 2
Forms	Removed Notification Form N1, to be consistent with current DWER licence template

Appendix 1: Summary of licence holder's comments on draft licence and decision report

Method	Comments received	DWER response
Email received 10/09/2021	No comments were received	N/A