



## Application for Licence

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence Number</b>	L8970/2016/2
<b>Applicant</b>	Brajkovich Landfill and Recycling Pty Ltd
<b>ACN</b>	161 973 931
<b>File Number</b>	DER2016/000736-1
<b>Premises</b>	Brajkovich Landfill North 91 Walyunga Road BULLSBROOK WA 6084  Part of Lot 5 on Deposited Plan 7892 Certificate of Title Volume 1927 Folio 635
<b>Date of Report</b>	11 June 2019

## 1. Definitions

In this Decision Report, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
ACN	Australian Company Number
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
Annual Period	means the inclusive period from 1 April until 31 March
Asbestos	means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysolite, 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)
Books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
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
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
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
Damp	means moist to the touch

Term	Definition
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
Department Request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to: <ul style="list-style-type: none"> <li>(a) compliance with the EP Act or this Licence;</li> <li>(b) the Books or other sources of information maintained in accordance with this Licence; or</li> </ul> the Books or other sources of information relating to Emissions from the Premises.
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
DWER	Department of Water and Environmental Regulation.
Emission	has the same meaning given to that term under the EP Act.
EP Act	means the <i>Environmental Protection Act 1986</i> (WA).
EP Regulations	means the <i>Environmental Protection Regulations 1987</i> (WA).
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	refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.
Licence Holder	refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at the front of this Licence.
Practicable	is as defined in the <i>Environmental Protection Act 1986</i>
Premises	refers to the premises to which this Licence applies, as specified at the front of this Licence and as shown on the map in Schedule

Term	Definition
	1 to this Licence.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Primary Activities	refers to the Prescribed Premises activities listed on the front of this Licence as described in Schedule 2, at the locations shown in Schedule 1.
Products	refers to Wastes which have undergone crushing, processing or screening to create a useable recycled product and which has been tested and conforms with the specifications of this Licence.
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
Waste	has the same meaning given to that term under the EP Act.

## 2. Background

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 on 25 January 2013 (as amended 5 February 2015).

The licence to operate the premises was first granted in 2013 (L8726/2013/1). This licence ceased to have effect as Brajkovich failed to pay their licence fees on time and a new licence application was required. The subsequent licence (L8970/2016/1), which commenced on 13 June 2016, was modified to remove conditions that were no longer utilised on licences for regulation (redundant conditions), and a new asbestos management condition set was added.

The licence renewal of L8970/2016/1 encompasses an extension of all current Premises activities until 10 June 2024 to allow for the completion of the rehabilitation of the landfill cells. This extension aligns with current planning approvals in place for operations. The renewal also acts to remove further redundant conditions and update the licence to the new format currently in use by DWER.

Brajkovich has also sought to extend the premises boundary to include an area to the north of their existing boundary, which encompasses an extension to the Recycling area as indicated in the Premises Map in Appendix 1.

## 3. Overview of Premises

Brajkovich Landfill North is located on Lot 5 (91) Walyunga Road, Bullsbrook approximately 30km north west of the Perth CBD. The site is 162.5ha in size and is located on the corner of Walyunga Road and Great Northern Highway in Bullsbrook. The Premises is located at the base of the Darling Scarp, just inside the swan coastal plain boundary, and extends up the scarp to the bordering Walyunga National Park.

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.

Adjacent to the sand extraction area is a designated clay extraction area located in the centre of 91 (Lot 5) Walyunga Road. The clay extraction area has been leased to BGC Clay Products Australia Pty Ltd. The Prescribed Premises area is fenced off to show clear delineation between the two operations. Two other extractive industry operations are also located on the same Lot, both having received the relevant local government approvals for site activities.

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. C&D 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.

Special Waste Type 1 (asbestos and ACM) is accepted for immediate disposal directly into the Class 1 inert Landfill cells and is not permitted to enter the Recycling area to negate the risk of contamination of the C&D Waste accepted for crushing. Green waste is also accepted to the Premises for mulching purposes and is removed once processed for disposal off site, or kept on site for use in landscaping.

The crushing and screening, storage and landfilling activities at the site for commercial purposes cause the Premises to become Prescribed under the EP Act for the categories as described in Table 2 below.

**Table 2: Classification of premises**

<b>Classification of Premises</b>	<b>Description</b>	<b>Approved Premises production or design capacity or throughput</b>
Category 13	Crushing of building material: Premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned	Combined total of 530,000 tonnes per annual period
Category 62	Solid waste depot: Premises on which waste is stored, or sorted, pending final disposal or re-use	
Category 63	Class I inert landfill site: Premises (other than clean fill Premises) on which waste of a type permitted for disposal for this category of prescribed Premises, in accordance with the Landfill Waste Classification and Waste Definitions 1996, is accepted for burial	

### **Description of operations**

Operations are fundamentally a land rehabilitation project which involves an inert class I landfill, solid waste depot and a crushing and screening operation. Site work will involve the extraction of further sand to create space for the landfill which is expected to cover a total footprint of approximately 10.15 ha. Removal of the sand resource occurs in stages with the pit area divided into cells and then gradually replaced with inert material derived mainly from Construction and Demolition (C&D) Waste. Sufficient material will be placed to eventually restore original pre-extraction levels of the scarp, allowing for re-vegetation of the site for amenity and development purposes.

C&D Waste is brought onto the Premises, sorted, crushed and where possible, recycled. Inert waste that is unable to be recycled or reused, will be deposited into the inert landfill. On-site

operations are carried out in accordance with the Environmental and Site Management Plan (ESMP) and Asbestos Management Plan (AMP) which have both been submitted to DWER as part of previous applications.

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. Ultimately, noise from premises activities is regulated under the *Environmental Protection (Noise) Regulations 1997*.

#### Solid waste depot and crushing activities

Brajkovich Demolition and Salvage Pty Ltd generate approximately 169,000 cubic metres (m<sup>3</sup>) to 240,000 m<sup>3</sup> of C&D Waste each year. A maximum of 40 truckloads per day, carrying 20 m<sup>3</sup> to 25 m<sup>3</sup> of material per truck equating to approximately 800 m<sup>3</sup> to 1000 m<sup>3</sup> of C&D material will be brought to the site each day. This material is generally made up of broken bricks, tiles, concrete, sand, gravel, PVC piping, mixed steel and soil. The aim is to recycle/process 95% of that material. Pre-disposal, sorting of material will occur to recover plastics, ACM, timber and scrap metal which will be sent on for processing or disposal at approved off-site facilities. Non-conforming waste will be managed according the Environmental and Site Management Plan (ESMP) and licence conditions. The non-inert waste, unsuitable for processing is to be moved to the quarantine area and placed into skip bins before being removed off site.

The crushing and screening (processing) operations will aim to produce three different grades of aggregate; fines, mediums grade and drainage aggregate. The aggregate will be subject to validation testing to ensure the product is free from asbestos prior to transportation off site. Stockpiles of unprocessed materials, products awaiting testing for ACM and products tested for ACM will be clearly separated and their contents identified to prevent potential cross contamination. Crushed material that cannot be reused will be used to rehabilitate the exhausted sandpit.

All operations and activities relating to crushing and screening on the Premises will comply with the *Environmental Protection (Noise) Regulations (1997)*.

#### Asbestos Management

Any waste being received at the site for any purpose other than the landfilling of Special Waste Type 1 is to be accompanied with a certificate stating that the waste is asbestos free. All declared asbestos free loads will be visually inspected on arrival at site, and again as the load is tipped, prior to materials entering the crushing and screening process. Should asbestos be identified within material at any stage of processing it will be wet down and transferred to the active asbestos landfill cell at the facility. Asbestos will never be stored or stockpiled on site.

Asbestos will only be accepted at the site if it is suitably packaged and labelled. The site will be informed prior to the delivery of asbestos or ACM so that on-site personal can manage acceptance appropriately. It will be immediately disposed of by tipping directly into the designated asbestos cell and covered at least at the end of every day with inert waste. The asbestos cells will be marked on a site plan and a permanent record of the location of such cells will be kept on site at all times. The unloading of any ACM will happen at the lowest possible height within the active cell and no asbestos will be placed within 2m of the final finished level.

The site specific asbestos management plan (AMP) has been designed to outline the processes for asbestos identification and management at all stages of operations.

#### Inert Landfill

The landfill has previously been composed of 14 designated cells, however the applicant has reduced cell size (W5316/2012/1, as amended 5 February 2015) in order to keep the cells open

for a shorter period of time and rehabilitate the land more efficiently. There is no change in the Premises area designated for landfilling with the change in individual cell size, and an updated site map to reflect this change is included in Appendix 1. Three cells are to be open and active at a time to assist with management of dust and compaction. When one cell nears completion, bund walls for the second shall be constructed. Batters between the cells are to be 1:1:5 and will be constructed with a >1m thick mineral layer. Once each cell is completed, it is to undergo rehabilitation in line with the council approval, Victorian BPEM landfill guidelines and the ESMP. The life of the landfill is expected to be approximately 10 years, however this renewal encompasses an extension of all site activities to allow for the completion of the rehabilitation of the landfill cells.

The base of the landfill is sand, below that clay material is found at 3-4 metres below ground level and is at least 1m thick. The hydraulic conductivity of the clay material has been tested for previous licence assessments submitted to DWER and meets the performance standards of Victorian BPEM Guidelines.

Surface water management measures are implemented to ensure that stormwater is diverted away from the operational landfill. The captured water will be diverted into stormwater holding ponds. This water will then be recycled and used for dust suppression. Six monthly testing is conducted to determine surface water quality. Groundwater is also subject to six monthly testing through the use of four monitoring bores installed along the Premises boundary. The location of these bores is outlined in Appendix 1 – monitoring locations.

The holding capacity of associated settling ponds has been designed to have sufficient capacity to hold a 1 in 10 year storm rainfall event. Emergency spillway discharge points have been designated to alleviate pressure on the holding ponds but be able to divert access flow back up to the storage ponds to prevent discharge off site. The volume of surface water runoff requires a calculated storage capacity of 623m<sup>3</sup>. This volume will be contained within three holding ponds as indicated in the Holding Ponds premises map in Appendix 1. The site has also been divided up into four drainage catchment areas to ensure that contaminated water is diverted and retained on site.

A list of infrastructure and equipment used in site operations, and their locations, on the Premises, are included in Table 3 below.

**Table 3: Infrastructure and equipment for site operations**

Infrastructure	Site Layout Plan Reference
Landfill cells – finalised and working	Appendix 1: Site overview
Recycling Area	
Access roads	
Monitoring bores	Appendix 1: Monitoring locations
Crusher	N/A – mobile equipment
Screener	
Water Cart	
Loaders, excavators, compactors, tippers	

## 4. Environmental siting

The Premises sits in an area zoned as 'Landscape' as defined by the City of Swan Local Planning Scheme No. 17. The Premises is located at the base of the Darling Scarp with the Lot boundary extending up the scarp to Walyunga National Park. The Premises is surrounded by rural lifestyle blocks and the surrounding land uses for residential and agricultural purposes. The distances from the Premises boundary to these sensitive nearby receptors, including an area defined as Western Swamp Tortoise Habitat, is included in Table 4 below.

**Table 4: Residential and sensitive receptors and distance from activity boundary**

Residential and sensitive premises	Distance from Prescribed Premises
Residential properties	A number of rural residential properties are within a 700m radius of Premises
Walyunga National Park	1000m east of Premises

Due to the historic clearing of the area for sand extraction, vegetation on Lot 5 Walyunga Road is predominantly open forest and does not appear to contain significant ecological communities. The geology at the site comprises of the Yoganup formation, Guilford clays and may include Colluvium deposits. Bedrock in the area consists of strongly foliated metamorphic rocks of Precambrian age which are overlain in an upwards direction by predominately clayey weathered bedrock material, sandy clays of the Guilford Formation and superficial sands. Surrounding the Premises are a number of environmentally significant receptors which are detailed in Table 5 below.

**Table 5: Environmental receptors and distance from activity boundary**

Environmental receptors	Distance from Prescribed Premises
Bushforever sites 296, 412 & 400	within 1200m radius of Premises
Swan Groundwater Area – RIWI Act	Premises mapped within this area
Swan River System – RIWI Act (surface water areas)	Premises mapped within this area
Threatened ecological communities	A number of threatened ecological communities are in close proximity to the Premises
Threatened Flora and Fauna	A number of threatened flora and fauna are in close proximity to the Premises
Ellenbrook Floodplain	Immediately north, west and south of Premises
Ellen Brook	170m west of Premises
Swan River	2700m south east of Premises
<i>Environmental Protection (Western Swamp Tortoise Habitat) Policy 2011 area</i>	Approximately 150m to the west of the western premises boundary. This area also broadly aligns with the mapped Ellen Brook Floodplain area  The policy area identified for the protection of the habitat of the Western Swamp Tortoise contains the surface and groundwater catchment around the Twin Swamps Nature Reserve (~1500m south) and Ellen Brook Nature Reserve (~1400m



	north-west) which are the two mapped habitat reserves for the Western Swamp Tortoise.
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## 5. Legislative context and other approvals

The Applicant has obtained local government planning approvals as required for site operations so as to be compliant with the City of Swan's Local Planning Scheme No. 17. Approval for the rehabilitation of existing sand excavation areas does not contain an expiry date, hence the licence has been given a duration of 5 years. A list of planning approvals issued to the Applicant by the City of Swan is included in Table 6 below. The site has been issued approvals from the City of Swan for other extractive industry operations that occur on 91 (Lot 5) Walyunga Road, however only those applications relevant to prescribed Premises activities have been included.

**Table 6: Relevant approvals**

Legislation	Number	Approval
Planning and Development Act 2005	DA-261/2012	Rehabilitation of existing sand excavation areas Issued 26 October 2012, no expiry
	DA – 163/2013	Industry – Extractive. This will expire 7 July 2019. Activities relating to the Extractive Industry approval issued by the City of Swan do not cause the Premises to become Prescribed and are hence not regulated under the EP Act.  It is the responsibility of the Licence Holder to ensure that any action or activity referred to in the Licence is permitted by, and is carried out in compliance with, other statutory requirements.

The applicant commenced operation at the site as Stargaze Asset Pty Ltd, with activities approved under Works Approval W5316/2012/1. The subsequent licence for site operations L8726/2013/1 was granted on 10 April 2013, however this licence ceased to have effect as Brajkovich failed to pay their annual licence fees on time. A new licence L8970/2016/1 was granted on the 10 April 2016. A summary of the sites works approval and licencing history with DWER is included in Table 7 below.

**Table 7: Works approval and licence history**

Instrument	Issued	Nature and extent of works approval, licence or amendment
W5316/2012/1	25/01/2013	New Works Approval
W5316/2012/1	5/02/2015	Works Approval amendment (new landfill cells 10-18)
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.
L8970/2016/2	10/06/2019	Licence renewal encompassing update of licence to new format.

Since the issuing of licence L8970/2016/1 there have been several DWER compliance inspections auditing site operations. A summary of these reports relating to compliance with Licence conditions is included in Table 8 below.

**Table 8: Compliance inspections and compliance history**

Instrument	Event	Findings
L8970/2016/1	Compliance Inspection	On 29 May 2017 EFR 1209 was issued regarding the keeping of records when asbestos is accepted to site
	Compliance Inspection	On 30 May 2017 EFR 3215 was issued relating to the covering of Special Waste Type 1 (asbestos) with material other than Inert Waste Type 1 (asbestos contaminated soil)
	Compliance Inspection	On 7 June 2017 DWER compliance officers inspected the Premises and recorded the following non-compliances with Licence conditions: <ul style="list-style-type: none"> <li>Putrescible waste accepted to site in breach of waste acceptance criteria – EFR 1210 issued</li> <li>More than 100 tyres stored on site – EFR 1211 issued</li> </ul>

## 6. Risk assessment

Emissions generated through site activities are subject to a risk assessment as detailed in Table 9 below.

**Table 9: Risk assessment – Prescribed Premises operations**

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Source/Activities	Potential emissions	Potential receptors	Potential pathway & receptor (impact)	Applicant controls					
Category 13: Crushing and screening activities	<b>Dust:</b> generated from use of crushing and screening equipment	Residential properties within 700m radius of Premises	<b>Air:</b> health and amenity impacts	Materials are wet down before entering the crusher Water system and sprinklers installed on the crusher and in use whenever the crusher is operated Crusher not operated if wind speed exceeds 35 knots	Minor	Likely	Medium	Materials will be maintained in a damp state throughout crushing and screening process to mitigate the generation of fugitive dust. Sprinkler systems will be maintained in good working order and will be operated every time crushing and screening operations are occurring. Crushing operations are also suspended whenever weather conditions are unsuitable. These controls are outlined in the ESMP and if adhered to should be adequate to prevent dust crossing property boundary.	Conditions 10 to 13 and Condition 17
	<b>Asbestos:</b> ACM entering waste stream for crushing and screening operations, fibres being released into the air and included in final product	Walyunga National Park 1000m east of Premises <i>Environmental Protection (Western Swamp Tortoise Habitat) Policy 2011</i> area – approx. 150m west of premises. Ellen Brook 170m west of Premises Ellenbrook Floodplain surrounding Premises Threatened ecological communities, threatened flora and fauna in close proximity to Premises		Waste accepted for crushing activities must be accompanied with a certificate stating that the waste is asbestos free All loads visually inspected for ACM on arrival at site, when the load is tipped, and prior to materials entering the crusher Regular inspections of stockpiles for non-conforming wastes and separation of stockpiles Product testing of recycled materials for asbestos	Major	Unlikely	Medium	Asbestos arriving at site is immediately transported to the active asbestos landfill cell and does not enter the Recycling Area where crushing and screening activities occur. Waste accepted for crushing and screening is inspected at every stage of crushing process and if any evidence of ACM is detected, the process is stopped and the entire load removed immediately to landfill. Stockpiles of product are tested for ACM prior to removal from site and there is separation of products tested and products untested for ACM. Materials are wet down to prevent the release of asbestos fibres to the air should non-conforming waste inadvertently enter the crusher. A full list of management and operational controls are specified in the site specific AMP which appears adequate to prevent ACM being subject to crushing and screening activities.	Conditions 15 to 17 Conditions 22 to 27
	<b>Noise:</b> generated from use of crushing and screening equipment			Crushing and screening activities are limited to between 7am and 7pm Monday to Saturday Crushing operations will occur in quarry 6.5m below ground level Noise bunds 6.5m height around all operations	Minor	Possible	Medium	Location of crushing and screening activities is strategic to mitigate noise from machinery. A limitation on operational hours and noise bunds will reduce noise emissions. Noise emissions from the premises to be managed through guidance in the ESMP and general provisions of the EP Act. The Premises must also comply with the <i>Environmental Protection (Noise) Regulations 1987</i> .	General provisions of the EP Act and the <i>Environmental Protection (Noise) Regulations 1987</i>
Category 62: waste acceptance, handling and stockpiling	<b>Dust:</b> generated from vehicle movements on Premises, tipping, stockpiling of materials and lift-off from stockpiles	Residential properties within 700m radius of Premises Walyunga National Park 1000m east of Premises <i>Environmental Protection (Western Swamp Tortoise Habitat) Policy 2011</i> area – approx. 150m west of premises.	<b>Air:</b> health and amenity impacts	On site roads regularly damped by a water cart 10 km/h speed limit for all vehicles on site Materials are wet down before tipping Sprinklers maintain stockpiles in a damp condition and continue after hours. Water cart also used Static unworked stockpiles covered with hessian/plastic/shade cloth or hydro-mulch	Minor	Likely	Medium	The wetting down of all internal roads on a regular basis and the speed restrictions on all vehicle will be adequate to mitigate dust emissions from vehicle movements. Maintaining stockpiles in a damp state at all times or covering unworked stockpiles will also act to prevent dust lift off. These management strategies are included in the ESMP and will be adequate to suppress dust emissions arising in this manner.	Conditions 10 to 13 and Condition 17

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Source/Activities	Potential emissions	Potential receptors	Potential pathway & receptor (impact)	Applicant controls					
	<b>Asbestos:</b> ACM contamination of stockpiles through acceptance into recycling area of Premises	Ellen Brook 170m west of Premises Ellenbrook Floodplain surrounding Premises Threatened ecological communities, threatened flora and fauna in close proximity to Premises		All loads visually inspected for ACM on arrival at site and when the load is tipped  If asbestos is identified material is wet down and reloaded for transportation to the active asbestos landfill cell  Asbestos never to be stored or stockpiled on site and is immediately disposed of into the landfill cell  Product testing of recycled materials for asbestos	Major	Unlikely	Medium	Loads accepted at the premises are inspected at every stage of processing and if ACM is discovered, the load is immediately wet down and reloaded for transportation to the inert landfill site. Asbestos will not be accepted into the Recycling area and when accepted to site will be immediately deposited in the active asbestos landfill cell. There will also be no stockpiling or storage of asbestos on site. Stockpiles of unprocessed material and product are tested for ACM prior to removal from site and there is separation of products tested and products untested for ACM. These management strategies are outlined in both the ESMP and AMP.	Conditions 15 to 17 Conditions 22 to 27
	<b>Noise:</b> generated from vehicle movements, tipping and stockpiling of materials using machinery			Site activities are limited to between 7am and 7pm Monday to Saturday, including delivery of loads by trucks  Noise bunds 6.5m around activities	Minor	Possible	Medium	A limitation on operational hours and noise bunds will reduce noise emissions.  Noise emissions from the premises to be managed through guidance in the ESMP and general provisions of the EP Act. The Premises must also comply with the <i>Environmental Protection (Noise) Regulations 1987</i> .	General provisions of the EP Act and the <i>Environmental Protection (Noise) Regulations 1987</i>
Category 63: landfilling of accepted materials	<b>Dust:</b> generated from tipping of materials into landfill cells	Residential properties within 700m radius of Premises	<b>Air:</b> health and amenity impacts	Materials are wet down before tipping when assumed to generate fugitive dust	Minor	Likely	Medium	The wetting down for materials whilst tipping is occurring will mitigate the majority of fugitive dust – some localised dust emissions may occur.	Conditions 10 to 13 and Condition 17
	<b>Asbestos:</b> generated from tipping of ACM into landfill cells, releasing fibres into the air	Walyunga National Park 1000m east of Premises <i>Environmental Protection (Western Swamp Tortoise Habitat) Policy 2011</i> area – approx. 150m west of premises. Ellen Brook 170m west of Premises		Asbestos will only be accepted at the site if it is suitably packaged and labelled  Immediately disposed of into active asbestos landfill cell  Tipped asbestos to be covered at least at the end of every day with inert waste  No asbestos will be placed within 2m of the final finished level of the landfill cell	Major	Unlikely	Medium	Criteria for asbestos acceptance at the property specifies that asbestos will only be accepted if it is packaged and labelled. This is outlined with further management strategies in the AMP. The packaged asbestos is transported immediately to the active landfill cell and disposed of. Wetting down of loads will also suppress dust potentially containing asbestos fibres from being released into the air. Covering the tipped asbestos as soon as practicable with inert waste and ensuring that asbestos is buried below 2m will further reduce the risk of asbestos fibres being released.	Conditions 15 to 17 Conditions 22 to 27
	<b>Stormwater:</b> entry of stormwater into active phase on landfill generating leachate, potential contamination of stormwater through interaction with waste products	Ellenbrook Floodplain surrounding Premises Threatened ecological communities, threatened flora and fauna in close proximity to Premises	<b>Stormwater:</b> infiltration of potentially contaminated stormwater into groundwater	Materials accepted for landfill are inert and should not generate leachate  Stormwater diverted into holding ponds with emergency spillway discharge points  Six monthly testing to determine surface water quality  Six monthly testing of groundwater at monitoring bores installed on Premises boundary	Moderate	Possible	Medium	Inert waste accepted for landfilling does not by nature generate large amounts of leachate. Stormwater management plans outlined in the ESMP appear adequate to divert stormwater away from the active cells to prevent potential contamination by interaction with waste products. Holding and settling ponds will act to remove majority of collected sediment and water is reused on site in dust suppression. 6 monthly testing of both groundwater and surface water quality will provide an indication as to whether stormwater management measures need review.	Condition 30 General provisions of the EP Act

## 7. Consultation

Method	Comments received	DWER response
<p>Application advertised on DWER website</p>	<p>The Upper Swan District Ratepayers and Residents Association Inc. has expressed concerns relating to an increase in:</p> <ul style="list-style-type: none"> <li>• Mud deposited on Walyunga Road and Great Northern Highway from trucks entering and existing the site;</li> <li>• Dust and noise emission; and</li> <li>• The volume of trucks entering and exiting site</li> </ul> <p>Concerns were also raised relating to the visual impact the Premises may have to local tourism activities.</p>	<p>The licence renewal of L8970/2016/1 encompasses an extension of all current Premises activities until 10 June 2024 to allow for the completion of the rehabilitation of the landfill cells. The renewal also acts to remove further redundant conditions and update the licence to the new format currently in use by DWER.</p> <p>There is no change to current Conditions surrounding Premises operations, throughput, Premises activities or processes within the licence renewal. Consequentially, the Delegated officer considers an increase in emissions arising from the Premises unlikely. Conditions within the licence appear adequate to mitigate site emissions.</p> <p>DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the approval under the EP Act.</p> <p>Risk assessments conducted as a part of Licence applications examine controls implemented by Premises operators to prevent emissions and discharges from site activities to the environment. This in turn influences Licence Conditions which regulate site operations. Distances to sensitive receptors (Walyunga National Park) are also taken into consideration when conducting a risk assessment.</p> <p>As visual amenity impacting the tourism industry is not a Premises emission or discharge DWER does not consider it when conducting a risk assessment for the issuing of a Licence.</p>
<p>Direct interest stakeholders notified</p>	<p>Refer to Appendix 2</p>	<p>Refer to Appendix 2</p>

Applicant notified of draft 16 May 2019	The Applicant has provided new coordinates for the Premises boundary	Premises coordinates updated
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## 8. Conclusion

This assessment of the risks of activities on the premises has been undertaken with due consideration of a number of factors, including the documents and policies specified in this decision report (summarised in Appendix 3).

Based on this assessment, it has been determined that the Issued Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the approval under the EP Act.

**A/MANAGER WASTE INDUSTRIES  
REGULATORY SERVICES**

Delegated Officer under section 20 of the *Environmental Protection Act 1986*



# Appendix 1: Premises maps

## Site overview







## Monitoring locations



FIGURE 1: Groundwater Monitoring Locations

 <b>SERS</b> Site Environment and Sustainability Services <small>Head Office: 281 Newcastle Street Northbridge WA 6003          Postal: PO Box 377 Northbridge Perth WA 6965          T: +61 8 92202000 F: +61 8 92202010          E: admin@sers.net.au W: www.sers.net.au</small>	Job No: Brajkovich Recycling Centre Client: Stargaze Asset Pty Ltd Address: Lot 5 Walyunga Road Bullsbrook	Scale: 1:2000 Original size: A3 Imagery from: 03/03/13 Source: neamap.com	Date drawn: 22/03/13 Revision: 0 Drawn by: AR Checked by: AR	
	<small>© This plan must not be reproduced without the permission of SERS</small> File: N:\A\SERS\GIS\Projects\Bullsbrook\Groundwater\MXD\Groundwatermonitoringlocations\gdp			



**Holding Pond Locations – defined in blue**

**PREMISES BOUNDARY - Part Lot 5 (91) Walyunga Road, BULLSBROOK WA 6084**



Premises Boundary  
(yellow line)

**FIGURE 1: Landfill Design - Licence Amendment**

<p><b>SERS</b> Soil Remediation Services</p> <p>Head Office: 261 Stansfield Drive, Bullbrook WA 6084          Postal: PO Box 177 Bullbrook Farm WA 6084          Tel: +61 8 92322000 Fax: +61 8 92322010          Email: sers@ers.net.au www.sers.net.au</p>	Job No: BR06/04 Walyunga Centre Client: Stargate Asset Pty Ltd Address: Lot 5 Walyunga Road Bullbrook	Date: 1/2000 Original size: A3 Imagery from: ES/10/10 Source: Newshape	Date Drawn: 21/10/10 Revision: 2 Drawn by: AR Checked by: AR	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: #d3d3d3; margin-right: 5px;"></span> Site Office &amp; Storage</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: #add8e6; margin-right: 5px;"></span> Holding Ponds</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: #90ee90; margin-right: 5px;"></span> Future Prescribed Materials</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: #f08080; margin-right: 5px;"></span> Site Boundary</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: #ffff00; margin-right: 5px;"></span> Site Fencing</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 2px solid red; margin-right: 5px;"></span> Premises Boundary</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: #cccccc; margin-right: 5px;"></span> Access Road</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: #d3d3d3; margin-right: 5px;"></span> Access Road</li> </ul>
	<p>File: N:\A\SERS\GIS\Projects\Bullbrook\Gtagate_Landfill_Design\A3_C.par</p>			

## Appendix 2: Summary of consultation comments

### Application consultation

Person	Comment	DWER response
City of Swan	If the applicant is still seeking to extract from the cells, and the renewal of the extractive licence will allow them to do this, this constitutes development as 'Industry-Extractive' and requires further planning approval as the existing approval DA163/2013 is due to expire 7 July 2019.	<p>This licence renewal encompasses an extension of all current Premises activities relating to Categories 13, 62 and 63. Activities relating to the Extractive Industry approval issued by the City of Swan do not cause the Premises to become Prescribed and are hence not regulated under the EP Act.</p> <p>DWER advises the Licence holder to contact the City of Swan in relation to the expiry of their Extractive Industry approval if extractive industry activities are still occurring on site.</p> <p>It is the responsibility of the Licence holder to ensure that any action or activity referred to in the Licence is permitted by, and is carried out in compliance with, other statutory requirements.</p>

## Appendix 3: Key documents

Document title	In text ref	Availability
Licence L8970/2016/1 - Brajkovich Landfill North	L8970/2016/1	DWER Records (A1098893) or accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
Decision Document L8970/2016/1 – Brajkovich Landfill North	L8970/2016/1	DWER records (A1098893) or accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
Brajkovich Landfill and Recycling Pty Ltd - Environmental and Site Management Plan	ESMP	DWER records (A1780091)
Brajkovich Landfill and Recycling Pty Ltd - Asbestos Management Plan	AMP	DWER records (A840453)
Licence L8726/2013/1 – Brajkovich Landfill North	L8726/2013/1	DWER records (A620617)
DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	DER 2015b	
DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	DER 2016a	
DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2016b	
DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2016c	