



Works Approval Number	W6239/2019/1
Works Approval Holder	Winsek Pty Ltd
ACN	627147380
Registered business address	1/25 Foss St PALMYRA WA 6157
File Number	DER2019/000202
Duration	29/11/2019 to 28/11/2024
Date of issue	29/11/2019
Prescribed Premises	Category 61A & Category 63
Premises	Gemec Environmental Consultants 353 Pye Road Part of Lot 4 on Deposited Plan 13178 Certificate of Title Volume 1560 Folio 863 As shown in Attachment 1

This Works Approval is granted to the Works Approval Holder, subject to the following conditions, on 29 November 2019, by:

Stephen Checker
Manager Waste Industries
Regulatory Services

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

Explanatory notes

These explanatory notes do not form part of this Works Approval.

Defined terms

Definition of terms used in this Works Approval can be found at the start of this Works Approval. Terms which are defined have the first letter of each word capitalised throughout this Works Approval.

Department of Water and Environmental Regulation

The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986 (WA)* (EP Act). The Department also monitors and audits compliance with licences and works approvals, takes enforcement action and develops and implements licensing and industry regulation policy.

Works Approval

Section 52 of the EP Act provides that an occupier of any premises commits an offence if any work is undertaken on, or in relation to, the premises which causes the premises to become, or to become capable of being, Prescribed Premises, except in accordance with a works approval.

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered or permitted to be altered from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987 (WA)* (EP Regulations).

This Works Approval does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to, the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Works Approval Holder to ensure that any action or activity referred to in this Works Approval is permitted by, and is carried out in compliance with, statutory requirements.

The Works Approval Holder must comply with the Works Approval. Contravening a Works Approval Condition is an offence under s.55 of the EP Act.

Responsibilities of Works Approval Holder

Separate to the requirements of this Works Approval, general obligations of Works Approval Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Works Approval Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under s.61; and

- 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 (s.53).

Strict penalties apply for offences under the EP Act.

Reporting of incidents

The Works Approval Holder has a duty to report to the Department all Discharges of Waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

Offences and defences

The EP Act and its regulations set out a number of offences including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Works Approval Holder commits an offence if Emissions are caused, or altered, from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a closure notice or an environmental protection notice.

Defences to certain offences may be available to a Works Approval Holder and these are set out in the EP Act. Section 74A(b)(iii) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Works Approval Holder can prove that an Emission or Discharge occurred in accordance with a Works Approval.

This Works Approval specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of specified Emissions and Discharges, in order for the defence to offence provision to be available.

Authorised Emissions and Discharges

The specified and general Emissions and Discharges from the Works authorised through this Works Approval are authorised to be conducted in accordance with the Conditions of this Works Approval.

Amendment of Works Approval

The Works Approval Holder can apply to amend the Conditions of this Works Approval under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Works Approval at any time on the initiative of the CEO without an application being made.

Duration of Works Approval

The Works Approval will remain in force for the duration set out on the first page of this Works Approval or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

Suspension or revocation

The CEO may suspend or revoke this Works Approval in accordance with s.59A of the EP Act.

Definitions and interpretation

Definitions

In this Works Approval, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
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 info@dwer.wa.gov.au
Condition	means a condition to which this Works Approval is subject under s.62 of the EP Act.
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 Works Approval Holder in writing and sent to the Works Approval's address for notifications, as described at the front of this Works Approval, in relation to: (a) compliance with the EP Act or this Works Approval; (b) the Books or other sources of information maintained in accordance with this Works Approval; or (c) the Books or other sources of information relating to Emissions from the Premises.
Discharge	has the same meaning given to that term under the EP Act.
DWER	Department of Water and Environmental Regulation
Emission	has the same meaning given to that term under the EP Act.
Environmental Harm	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).
Implementation Agreement or	has the same meaning given to that term under the EP Act.

Decision	
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
Pollution	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Works Approval applies, as specified at the front of this Works Approval and as shown on the map in Schedule 1 to this Works Approval.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Reportable Event	means an exceedance above the target limit specified in Column 4 of Table 6, in Schedule 3.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
Waste	has the same meaning given to that term under the EP Act.
Works	refers to the Works described in Schedule 2, at the locations shown in Schedule 1 of this Works Approval to be carried out at the Premises, subject to the Conditions.
Works Approval	refers to this document, which evidences the grant of the works approval by the CEO under s.54 of the EP Act, subject to the Conditions.
Works Approval Holder	refers to the occupier of the Premises being the person to whom this Works Approval has been granted, as specified at the front of this Works Approval.

Interpretation

In this Works Approval:

- (a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a Condition, each row in a table constitutes a separate Condition;
- (d) any reference to an Australian or other standard, guideline or code of practice in this Works Approval means the version of the standard, guideline or code of practice in force at the time of granting of this Works Approval and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Works Approval; and
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

Conditions

Infrastructure and equipment

1. The Works Approval Holder must install and undertake the Works for the infrastructure and equipment:
 - (a) specified in Column 1; and
 - (b) to the requirements specified in Column 2; of Table 2 below.
2. The Works Approval Holder must not depart from the requirements specified in Column 2 of Table 2 except:
 - (a) where such departure does not increase risks to public health, public amenity or the environment; and
 - (b) all other Conditions in this Works Approval are still satisfied.
3. Subject to Condition 1, within 30 days of the completion of the Works specified in Column 1 of Table 2, the Works Approval Holder must provide to the CEO a report/engineering/building certification from a suitably qualified professional confirming each item of infrastructure or component of infrastructure specified in Column 1 of Table 2 below has been constructed with no material defects and to the requirements specified in Column 2.
4. Where a departure from the requirements specified in Column 2 of Table 2 occurs and is of a type allowed by Condition 2, the Works Approval Holder must provide to the CEO a description of, and explanation for, the departure along with the certification required by Condition 2(b).

Table 2: Infrastructure and equipment requirements table

Column 1	Column 2
Infrastructure/ Equipment	Requirements (design and construction)
Bioremediation pad	<p>The bioremediation pad must be constructed with the following specifications:</p> <ul style="list-style-type: none"> • Have a compacted gravel hardstand base (minimum 300 mm) to achieve a permeability of no greater than 1×10^{-9} m/s; • Bunded to retain any run off from the hardstand prior to discharge into the leachate pond; • Have an impervious ($\leq 1 \times 10^{-9}$ m/s) 500mm kerb bunding around the perimeter of the bioremediation pad; • The compacted gravel hardstand base to have a minimum 2% drainage gradient to ensure free drainage of all leachate to leachate collection infrastructure; • Capacity to store a 72-hour duration, 1 in 20 year ARI critical rainfall event without overflow; • Designed to store and manage 2,000m³ of material; and • Ensure the bioremediation pad floor area is at least 3000m².

Column 1	Column 2
Infrastructure/ Equipment	Requirements (design and construction)
Infrastructure for the collection of leachate	<p>The leachate collection infrastructure must be constructed with the following specifications:</p> <ul style="list-style-type: none"> • Have an impervious ($\leq 1 \times 10^{-9}$ m/s) kerb bunding of at least 500 mm high x 150 mm wide to prevent run-on and run-off of surface water, including a 1 in 20 year storm event (20 year average recurrence interval) of 72 hours duration; and • Have a seal between the gravel hardstand and any bund kerbing that is impervious ($\leq 1 \times 10^{-9}$ m/s);
Leachate pond	<p>The leachate pond must be constructed with the following specifications:</p> <ul style="list-style-type: none"> • Ensure the ponds are designed to achieve a permeability of no greater than 1×10^{-9} m/s or equivalent; • The leachate pond will be 100m x 3m x 1.5m deep; • The leachate pond must be designed to store approximately 450m³ of leachate; • Have an impervious ($\leq 1 \times 10^{-9}$ m/s) 500mm kerb bunding around the perimeter of the leachate pond; • Capacity to store a 72-hour duration, 1 in 20 year ARI critical rainfall event without overflow; and • Designed so that a minimum top embankment freeboard of 500 mm is able to be maintained during operation.
5 inert landfill cells	<p>The cells must conform to the following specifications:</p> <ul style="list-style-type: none"> • Each cell must be designed to store and manage approximately 2,000m³ of inert waste; • Each cell must be approximately 25m x 25m x 3m in dimension; • Approximately 5 m gap between each cell; • Ringlock and barbed-wire fencing to be installed; • Compacted gravel access road track to the facility; • Designed to ensure surface water is directed away from the cells; and • Must have sufficient cover material.

Column 1	Column 2
Infrastructure/ Equipment	Requirements (design and construction)
Monitoring bore	<p>The Monitoring bore must conform to the following specifications:</p> <ul style="list-style-type: none"> • Monitoring well is to be constructed of clean 50mm diameter Class 18 PVC casing and screen (0.4mm slot) lengths – with flush threaded joints; • The well should be installed with approximately two metres of the screened interval above the stabilised water level and approximately four metres below the stabilised water level; • Graded filtered gravel is to be placed around the well screen to a depth approximately one to two metres above the top of the screen; • A granular bentonite seal is to be placed above the gravel pack; • The borehole is to be backfilled with clean sand (or grouted with cement-bentonite slurry in sensitive locations), with a further bentonite seal placed beneath the surface; • Install a stand-pipe/monument well cover cemented over the top of the well to prevent damage and unauthorised access; and • Install a tamper proof cap on top of the well.

Emissions

5. The Works Approval Holder must not cause any Emissions from the Works authorised through this Works Approval except for specified Emissions and general Emissions described in Column 1 of Table 3, subject to the exclusions, limitations or requirements specified in Column 2, of Table 3.

Table 3: Authorised Emissions table

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
General Emissions	
Emissions which arise from undertaking the Works set out in Schedule 2.	<p>Emissions excluded from General Emissions are:</p> <ul style="list-style-type: none"> • Unreasonable Emissions; or • Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or • Discharges of Waste in circumstances likely to cause Pollution; or • Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
	<p>which the public has access; or</p> <ul style="list-style-type: none"> • Emissions or Discharges which do not comply with an Approved Policy; or • Emissions or Discharges which do not comply with prescribed standard; or • Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or • Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.

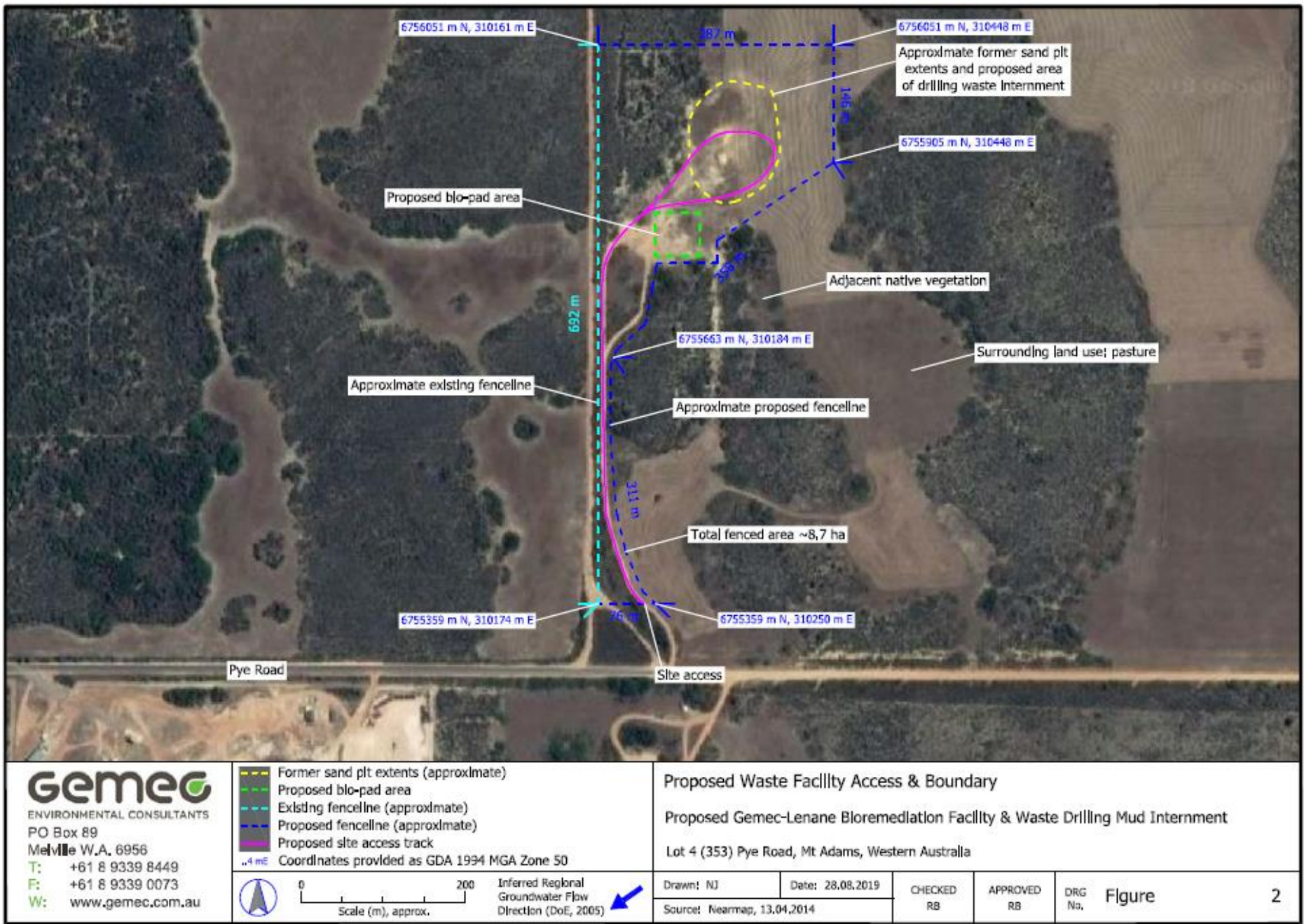
Record-keeping

6. The Works Approval Holder must maintain accurate Books including information, reports and data in relation to the Works and the Books must:
 - (a) be legible;
 - (b) if amended, be amended in such a ways that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) be retained for at least 3 years from the date the Books were made;
 - (d) be available to be produced to an Inspector or the CEO.
7. The Works Approval Holder must comply with a Department Request within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

Schedule 1: Maps

Premises map

The Premises are shown in the map below. The blue line depicts the premises boundary



Premises boundary

The Premises boundary is defined by the coordinates in Table 4.

Table 4: Premises boundary coordinates

Easting	Northing
<i>310161mE</i>	<i>6756051mN</i>
<i>310448mE</i>	<i>6756051mN</i>
<i>310448mE</i>	<i>6755905mN</i>
<i>310184mE</i>	<i>6755663mN</i>
<i>310250mE</i>	<i>6755359mN</i>
<i>310174mE</i>	<i>3755359mN</i>

Schedule 2: Works

At the time of assessment, Emissions and Discharges from the Works listed in Table 5 were considered in the determination of the risk and related Conditions for the Works Approval.

Table 5: Authorised Works

Works	Specifications/Drawings
Bioremediation pad	Figure 1 in this schedule
Infrastructure for the collection of leachate	Figure 1 in this schedule
Leachate pond	Figure 1 in this schedule
5 inert landfill cells	Figure 1 in this schedule
Monitoring bore	Figure 1 in this schedule

Site layout

The infrastructure and equipment are set out on the Premises in accordance with the site layout specified on the Premises site layout map in Schedule 1.

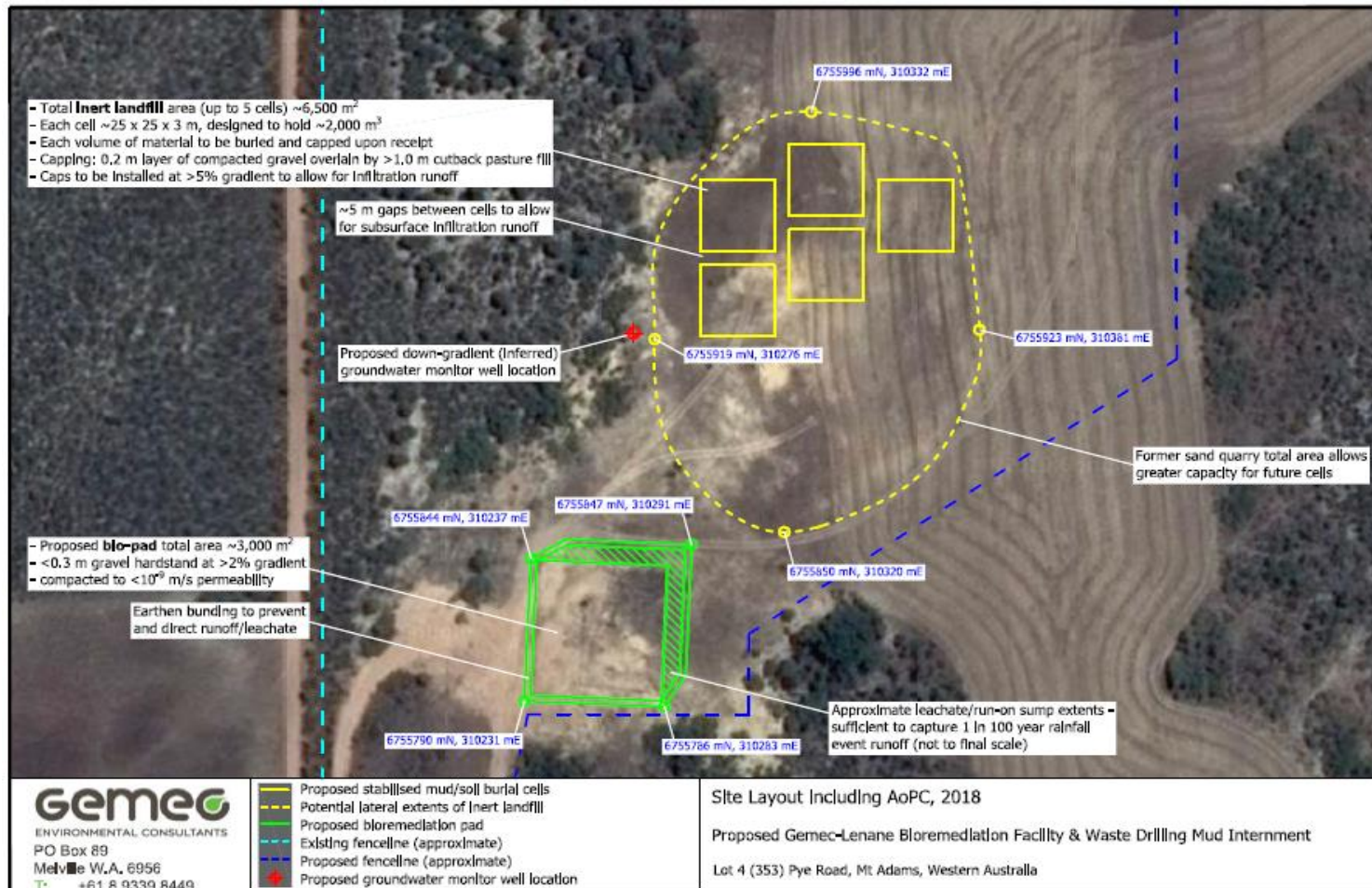


Figure 1: Proposed site layout