



## Application for Works Approval

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

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<b>Works Approval Number</b>	W6628/2021/1
<b>Applicant</b>	Supercharge Batteries Pty Ltd
<b>ACN</b>	002 848 580
<b>File number</b>	DER2018/001042-6
<b>Premises</b>	Supercharge Unit 4, 42 Gillam Drive KELMSCOTT WA 6111  Legal description - Lot 10 on Deposited Plan D090746 Certificate of Title Volume 2065 Folio 194
<b>Date of report</b>	19 April 2022
<b>Proposed Decision</b>	Intent to grant works approval

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A/MANAGER WASTE  
REGULATORY SERVICES

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

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## 1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the premises. As a result of this assessment, works approval W6628/2021/1 has been granted.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 Application summary and overview of premises

On 03 September 2021, the applicant submitted an application for a works approval to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is to seek a works approval relating to storage and transfer of used lead acid batteries at the premises. The PS1 area within the premises is designated for the prescribed activity described within this authorisation. The premises is approximately 130m south west of Kelmscott residences within the City of Armadale.

The premises relates to the category and assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6628/2021/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in works approval W6628/2021/1.

## 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 decision report are detailed in Table 1 below. Table 1 & 2 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 1: Applicant Controls (Construction)**

<b>Emission (as identified above)</b>	<b>Emission source</b>	<b>Proposed controls</b>
Dust	Vehicle Movements	None proposed
Noise	Vehicle movements, power tools	Comply with noise regulations

**Table 2: Proposed applicant controls (Operation)**

Emission	Sources	Potential pathways	Proposed controls
<b>Operation</b>			
Lead-acid battery fluid (sulfuric acid, heavy metals)	Leaks and spills of waste from damaged or broken batteries during the storage, process and handling of batteries.	Overland runoff / migration into stormwater.  Localised impacts to underlying soil	Battery pallets stacked a maximum of 2 pallets high.  All staff are trained and know the Premises' emergency procedures.  Spill kits as specified by Worksafe for Dangerous Goods, UN 2794, Class 8, packing group 3 to be present and accessible on the Premises.  Monthly audits to be completed on spill kit.  Prevent spilled material from spreading or entering drains by banking absorbent material. If available, consider using water spray to disperse vapour.  All captured spilt waste to be removed from the Premises and disposed of by an appropriately licensed third party.  Cut-off drains sealed to prevent migration of contaminants to offsite drainage in the event of a spill.
Toxic gases / smoke (fire)	Fire on premises due to battery explosion or short circuit	Air/windborne pathway	All staff are trained and know the Premises' emergency procedures.  Each layer of batteries is to be separated by a thick layer of cardboard that encapsulates the battery poles.  Fire fighting equipment is located at key points throughout the Premises.

### 3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 3 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 3: Sensitive human and environmental receptors and distance from prescribed activity**

Human receptors	Distance from prescribed activity
Kelmscott residential dwellings	Approximately 130m north west from site boundary
Environmental receptors	Distance from prescribed activity
TEC: Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region, Priority 3, endangered	400m north and 600m south from site boundary

Geomorphic Wetlands - Swan Coastal Plain (Management) – Multiple use wetland	600m west from site boundary
Area proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> – Perth Groundwater Area	Intersects the entire site boundary

## 3.2 Risk ratings

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

Where the applicant 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 applicant'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 applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

Works approval W6628/2021/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e. storage of used lead acid batteries.

The conditions in the issued works approval, as outlined in Table 4 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

**Table 4: Risk Assessment (Construction)**

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls			
Dust	Dust from disturbance of drag out from vehicle movements	Air/windborne pathway causing impacts to amenity	Residences 130m northwest  Human receptors in surrounding industrial area	Refer to Table 1	C = Rare L = Slight <b>Low Risk</b>	Given the undercover, sealed storage area the Delegated Officer considers that dust could impact on receptors to a slight degree	Due to the low risk nature of dust emissions, regulatory controls are not included
Noise	Toxic	Air/windborne pathway causing impacts to health and amenity	Residences 130m northwest  Human receptors in surrounding industrial area	Refer to Table 1	C = Slight L = Possible <b>Low Risk</b>	Given requirements under the noise regulations and the limited nature of works, the Delegated Officer considers that noise could impact on receptors to a slight degree	Due to the low risk nature of noise emissions, regulatory controls are not included



**Table 5: Risk assessment (Operation)**

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls			
Leaks and spills of hazardous liquid waste from damaged or broken batteries during the storage and transfer of batteries.	Lead-acid battery fluid (sulfuric acid, heavy metals)	Overland runoff / migration into stormwater potentially causing ecosystem disturbance or impacting surface water quality  Localised acidification and heavy metal contamination of soils	IBRA threatened woodland (400m north and 600m south)  Geomorphic multiple use wetland (600m west)	Refer to Table 2	C = Minor L = Unlikely <b>Medium Risk</b>	Given the nature and volume of waste contaminants, the Delegated Officer considers that leachate spill could impact on receptors to a minor degree	In line with the applicant controls the following types of regulatory conditions will be included in the licence for spill emissions:  Spill kit installation  Removal of spills  Bund inspection and maintenance  Drain shut-off  Pallet stack heights and buffers  Fire water containment

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls			
Fire on premises due to battery explosion or short circuit	Toxic gases / smoke	Air/windborne pathway causing impacts to health and amenity	Residences 130m northwest  Human receptors in surrounding industrial area	Refer to Table 2	C = Major L = Unlikely <b>Medium Risk</b>	Given the flammable nature of wastes and proximity to residential receptors, the Delegated Officer considers that battery fire could impact on receptors to a major degree	In line with the applicant controls the following types of regulatory conditions will be included in the licence for fire prevention and emissions:  Requirement nothing burn onsite  Pallet stack heights and buffers  Firefighting equipment

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

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

## 4. Consultation

Table 6 provides a summary of the consultation undertaken by the department.

**Table 6: Consultation**

Consultation method	Comments received	Department response
Application advertised on the department's website on 13 January 2022	None received	N/A
Local Government Authority advised of proposal on 17 December 2021	None received	N/A
Applicant was provided with draft documents on 14 March 2022	N/A	N/A

## 5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements. The works approval Holder is obliged to ensure that all other necessary approvals (i.e. DWER licence, dangerous goods licence and controlled waste licence) are in place and adhered to prior to and during operation.

## 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 Australia.

## Appendix 2: Application validation summary

Works approval	<input checked="" type="checkbox"/>				
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input checked="" type="checkbox"/>
		Has the works approval been complied with?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
		Date Report received:			
Renewal	<input type="checkbox"/>	Current licence number:			
Amendment to works approval	<input type="checkbox"/>	Current works approval number:			
Amendment to licence	<input type="checkbox"/>	Current licence number:			
		Relevant works approval number:		N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>
Date application received	3 September 2021				
<b>Applicant and Premises details</b>					
Applicant name/s (full legal name/s)					
Premises name	Supercharge Batteries Pty Ltd				
Premises location	Unit 4, 42 Gillam Drive, Kelmscott. WA 6111 Lot: 10 Plan: D090746 Volume: 2065 Folio: 194				
Local Government Authority	City of Armadale				
<b>Application documents</b>					
HPCM file reference number:	DWERDT499664				
Key application documents (additional to application form):	Supporting documents – DWERDT499490				
<b>Scope of application/assessment</b>					
Summary of proposed activities	<i>New works approval</i> Construction of internal bunding for sealed undercover storage and handling of used lead acid batteries for transfer under licence as a Category 62 solid waste depot.				

**Category number/s (activities that cause the premises to become prescribed premises)**

**Table 1: Prescribed premises categories**

Prescribed premises category and description	Proposed production or design capacity
Category 62: Solid waste depot	Storage capacity of 200 tonnes with maximum throughput of 4,800 tonnes per annual period

**Legislative context and other approvals**

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input checked="" type="checkbox"/> Expiry: 28 June 2023 Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Approval: Expiry date: The applicant submitted exemption a clause 78H notice of exemption from planning requirements during state of emergency, which is still in effect.
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: Licence / permit not required.

<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A  <del>Type: Proclaimed Groundwater Area/Surface Water Area</del>  <del>Has Regulatory Services (Water) been consulted?</del>  <del>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></del></p>
<p>Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A  Priority: P1 / P2 / P3 / N/A  <del>Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)?</del>  <del>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></del></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004</i>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>The Proponent has provided a DMIRS Dangerous Goods Licence DGS022820</p>
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>-</p>
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>-</p>
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Classification: N/A Date of classification: N/A</p>