



## Application for Works Approval

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

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**Works Approval Number** W6710/2022/1

**Applicant** Neptune Site Services Pty Ltd

**ACN** 626 731 771

**File number** DER2022/000329

**Premises** Neptune Site Services  
1 Yagan Street  
PINJARRA WA 6208  
  
Legal description  
Lot 1 on Plan 416141  
  
As defined by the premises map attached to the issued works approval

**Date of report** 31 August 2022

**Decision** Works approval granted

**MANAGER WASTE INDUSTRIES  
REGULATORY SERVICES**  
an officer delegated under section 20 of  
the *Environmental Protection Act 1986* (WA)

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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 construction and operation of the premises. As a result of this assessment, works approval W6710/2022/1 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 30 June 2022, the applicant submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction works relating to a solid waste depot at the premises and time limited operations. Waste from residential construction sites is proposed to be accepted and processed for recycling at other premises. The premises is approximately 1.75 km west of Pinjarra town centre within the industrial zoned area.

The premises relates to the category 62 and assessed 20,000 tonnes per annual period production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6710/2022/1. 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 W6710/2022/1.

## 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 construction and operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 1: Proposed applicant controls**

Emission	Sources	Potential pathways	Proposed controls
<b>Construction</b>			
Dust	Construction activities (construction and installation of all infrastructure and equipment) for the solid waste depot (hardstands, shed and yard)	Air/windborne pathway causing impacts to health and amenity	None proposed
Noise			None proposed
Stormwater (contaminated)		Overland to adjacent premises and/ or seepage to groundwater	None proposed
Acid sulfate soils (ASS) and potential acid sulfate soils (PASS)		Disturbance of ASS through earthworks, releasing toxic metal and arsenic, and potentially hydrogen sulfide gas	Air/ windborne: public health and amenity impacts Land and waters: chemical alteration of soils, acidification of groundwater and waterways
<b>Operation (includes time limited operations)</b>			
Dust	Operation of the solid waste depot being the acceptance, sorting and storage of construction waste within the waste management shed using a 5 tonne excavator and bobcat	Air/windborne pathway causing impacts to health and amenity	Limited waste types accepted All unloading, sorting, screening and storage of waste will occur within the shed Entry and exit to shed will have a fine mist spray
Noise			Operations limited between hours of 0700 and 1700 hours Monday to Friday
Odour			Limited waste types accepted
Litter/ debris		Overland to adjacent premises and lands	All unloading, sorting, screening and storage of waste will occur within the shed
Vectors and disease			
Fire event		Multiple	Limited waste types accepted Shed design and construction specifications and hydrant connection
Stormwater (contaminated), including leachate		Overland to adjacent premises and/ or seepage to groundwater	Limited waste types accepted No washing of vehicles at the premises All unloading, sorting, screening and storage of waste will occur within the shed Shed floor will be constructed of 150 mm reinforced concrete hardstand All stormwater on hardstands will be directed to onsite infiltration swales (along western margin of premises) via a series of sumps
Asbestos		Air/windborne pathway causing impacts to health and amenity	Limited waste types accepted; demolition waste and asbestos is not accepted Asbestos management plan

### 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 2 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 2: Sensitive human and environmental receptors**

Human receptors	Distance from prescribed activity
Residences	Located ~370 and 420 m east
Rural zones land	From ~150m east and ~320 m south
Current/ future commercial/ industrial receptors (being the zoned Pinjarra industrial development)	Surrounding all sides, extending ~150m east
Environmental receptors	Distance from prescribed activity
Acid sulphate soils (moderate to low risk based on data set <i>Acid sulphate soil risk map (DWER-055)</i> )	Located within the catchment/ below the premises.
Peel Inlet - Harvey Estuary catchment - <i>Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992</i>	Located within the catchment
Underlying groundwater (non-potable purposes) - Proclaimed Murray groundwater area ( <i>Rights in Water and Irrigation Act 1914</i> )	Located within the catchment/ below the premises. Ground level at the premises is <10 mAHD

### 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 3.

Works approval W6710/2022/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 3 have been determined in accordance with *Guidance statement: Setting conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the premises. A risk assessment for the operational phase has been included in this decision report, however licence conditions will not be finalised until the department assesses the licence application.

**Table 3: Risk assessment of potential emissions and discharges from the premises during construction and operation**

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
<b>Construction</b>								
Construction activities (construction and installation of all infrastructure and equipment) for the solid waste depot (hardstands, shed and year)	Dust	Air/windborne pathway causing impacts to health and amenity	Human receptors as per Table 2	Refer to Section 3.1.1	C = Minor L = Unlikely <b>Medium risk</b>	N/A	<b>Condition 5</b>	No controls were proposed by the applicant, with consideration of the context and scope of the construction, Condition 5 is considered adequate for the risk.
	Noise				C = Minor L = Rare <b>Low risk</b>	N/A	N/A	N/A – regulated by the <i>Environmental Protection (Noise) Regulations 1997</i> and general provisions of the EP Act.
	Stormwater (contaminated)	Overland to adjacent premises and/ or seepage to groundwater	Environment receptors as per Table 2		C = Minor L = Rare <b>Low risk</b>	N/A	N/A	N/A – regulated by the <i>Environmental Protection (Unauthorised Discharge) Regulations 2004</i> and general provisions of the EP Act.
	Acid sulphate soils (ASS)				C = Moderate L = Rare <b>Medium Risk</b>	N/A	<b>Condition 2</b>	No controls were proposed by the applicant, with consideration of the low-medium potential risk for ASS and the scope of the construction, Condition 2 is considered adequate for the risk.
<b>Operation (including time-limited-operations)</b>								
Operation of the solid waste depot being the acceptance, sorting and storage of construction waste	Dust	Air/windborne pathway causing impacts to health and amenity	Human receptors as per Table 2	Refer to Section 3.1.1	C = Major L = Rare <b>Medium Risk</b>	Y	Conditions 1, 9 and 15 <b>Condition 5, 9 and 15</b>	With consideration of the context and scope of the operation, in addition to the applicants controls, Conditions 5, 9 and 15 are considered adequate for the risk.
	Noise				C = Minor L = Unlikely <b>Medium Risk</b>	N/A	N/A	N/A – regulated by the <i>Environmental Protection (Noise) Regulations 1997</i> and general provisions of the EP Act.
	Odour				N/A	N/A	N/A	Based on the suite of waste types accepted, impacts from odour are not considered foreseeable
	Litter/ debris	Overland to adjacent premises and lands	Human and environmental receptors as per Table 2		C = Minor L = Rare <b>Low Risk</b>	Y	Conditions 1, 9 and 15	N/A – regulated by the general provisions of the EP Act.
	Vectors and disease		Human receptors as per Table 2		N/A	N/A	N/A	Based on the suite of waste types accepted, impacts from vectors and disease are not considered foreseeable

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Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation cont.	Fire event	Multiple	All receptors as per Table 2	Refer to Section 3.1.1	C = Major L = Rare <b>Medium Risk</b>	N	Conditions 1, 9 and 15 <b><u>Condition 19</u></b>	With consideration of the context and scope of the operation, in addition to the applicants controls, the preparation and implementation of a fire management plan, under condition 19 is considered appropriate for the risk at a solid waste depot that accepts limited waste types.
	Stormwater (contaminated), including leachate	Overland to adjacent premises and/ or seepage to groundwater	All receptors as per Table 2	Refer to Section 3.1.1	C = Moderate L = Rare <b>Medium Risk</b>	Y	Conditions 1, 9 and 15	N/A – regulated by the <i>Environmental Protection (Unauthorised Discharge) Regulations 2004</i> and general provisions of the EP Act.
	Asbestos	Air/windborne pathway causing impacts to health and amenity	Human receptors as per Table 2	Refer to Section 3.1.1	C = Major L = Rare <b>Medium Risk</b>	Y	Conditions 1, 9 and 15 <b><u>Conditions 10, 11, 13 and 14</u></b>	With consideration of the context and scope of the operation, in addition to the applicants controls, Conditions 5 is considered adequate for the risk.  In addition, regulated by the <i>Environmental Protection (Controlled Waste) Regulations 2004</i> and general provisions of the EP Act.

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 4 provides a summary of the consultation undertaken by the department.

**Table 4: Consultation**

Consultation method	Comments received	Department response
Application advertised on the department's website on 5 August 2022	N/A	N/A
Local Government Authority advised of proposal on 3 August 2022	<p>The Shire of Murray replied on 5 August 2022 and raised concern regarding:</p> <ul style="list-style-type: none"> <li>i) Dust leaving the premises</li> <li>ii) Pollutants discharging to groundwater, including in stormwater</li> <li>iii) <i>Environmental Protection (Noise) Regulations 1997</i></li> <li>iv) Crushing of building rubble</li> <li>v) <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i></li> <li>vi) Storage of waste outside of the waste management shed</li> <li>vii) Management of incidental dangerous and flammable waste</li> <li>viii) Litter and debris, including windblow litter</li> <li>ix) Visual amenity</li> </ul>	<p>The concerns raised are noted and considered adequately addressed via:</p> <ul style="list-style-type: none"> <li>• Development approval P261/2021 issued by the Shire of Murray on 10 February 2022 that includes conditions regarding visual amenity, site design and storm water management.</li> <li>• The conditions of Works Approval W6710/2022/1, including relevant controls proposed by the applicant, include: waste acceptance, sorting and storage restriction to the waste management shed; and fire prevention and management.</li> <li>• The applicant remains subject to the general provisions of the EP Act and subsidiary legislation, including regulations for noise and unauthorised discharges.</li> <li>• Crushing of building rubble is not part of the application, assessed or authorised by the works approval and is subject to Section 53 of the EP Act.</li> </ul>
Applicant was provided with draft documents on 26 August 2022	Comment period was waived on 30 August 2022	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.

## 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 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)	
<b>Application type</b>	
Works approval	<input checked="" type="checkbox"/>
Date application received	30 June 2022 (DWERDT625092)
<b>Applicant and premises details</b>	
Applicant name/s (full legal name/s)	Neptune Site Services Pty Ltd
Premises name	Neptune Site Services
Premises location	1 Yagan Street (Lot 1 on Plan 416141) PINJARRA WA 6208
Local Government Authority	Shire of Murray
<b>Application documents</b>	
HPCM file reference number:	DER2022/000329
Key application documents (additional to application form):	Shire of Murray 2021, <i>Development Approval P261/2021</i> Fire and Civil WA 2022, <i>Flow and residual pressure test report</i> Promat Australia Pty Ltd 2016, <i>Fire engineering report</i> Neptune Site Services, <i>Further information</i> Neptune Site Services, <i>Asbestos management plan (and Asbestos training manual)</i> Cachet Homes 2021, <i>Site plan</i> Landgate 2021, <i>Record of Certificate of Title</i> Stormwater management documentation
<b>Scope of application/assessment</b>	
Summary of proposed activities or changes to existing operations.	Construction and time limited operation of a new Category 62 solid waste depot facility for the purpose of accepting, sorting and storing up to 20,000 tonnes/ year of building materials waste.
<b>Category number/s (activities that cause the premises to become prescribed premises)</b>	
<b>Table 1: Prescribed premises categories</b>	
Prescribed premises category and description	Proposed production or design capacity
Category 61: Solid waste depot: premises on which waste is stored or sorted, pending final disposal or re-use, other than in the course of operating — (a) a refund point (as defined in the <i>Waste Avoidance and Resource Recovery Act 2007</i> section 47C(1)) (a <b>refund point</b> ); or (b) a facility or other place (an <b>aggregation point</b> ) for the aggregation of containers that have been returned to refund points until those containers are accepted for processing or disposal.	20,000 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"/>	N/A
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input checked="" type="checkbox"/>
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: 10/02/2022 Expiry date: N/A (2 year validity to the commencement of construction)
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"/>	N/A
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"/>	N/A.
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"/>	N/A
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any other Acts or subsidiary regulations	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Various, including: general provisions of the EP Act, Noise Regulations and Unauthorised Discharge Regulations
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992</i>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A – no relevant emissions proposed
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A