



Application for Works Approval

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

Works Approval Number	W6921/2024/1
Applicant	Aquila Holdings (WA) Pty Ltd
ACN	659 814 276
File number	DER2024/000111
Premises	Vac West Industrial 41 Foskew Way Narngulu WA 6532 Legal description Lot 130 on Deposited Plan 67361 Certificate of Title Volume 1681 Folio 264 As defined by the premises maps attached to the issued works approval
Date of report	28 June 2024
Proposed Decision	Works approval granted

A/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 W6921/2024/1 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 6 March 2024, Aquila Holdings (WA) Pty Ltd (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 for the construction and time limited operation of a Category 61 liquid waste facility, for the installation of two storage tanks at 41 Foskew Way, Narngulu. The premises is located 3km from Geraldton.

The applicant provides sweeping and vacuum truck operations to exporters at the Mid West Ports Authority. The applicant is proposing to store wash water from vehicle wash down at Mid West Ports Authority before there is a sufficient amount to transport it to a licensed liquid waste disposal facility. The two pre-fabricated tanks will each have a capacity of 32,000L and are proposed to be used for storage of industrial wash water. The wastewater is classified as L150 industrial wash waters contaminated with a controlled waste under the *Environmental Protection (Controlled Waste) Regulations 2004* (Controlled Waste Regulations). The applicant holds a Controlled Waste carrier licence T00526. The carrier licence includes carrying L150 industrial wash waters contaminated with a controlled waste.

The applicant intends on increasing storage of liquid waste in the future with plans for the installation of an additional four tanks. This decision report does not assess emissions for the higher production capacity: the installation will require a subsequent works approval assessment.

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 W6921/2024/1 and outlined in Table 1 below. 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 W6921/2024/1.

Table 1: Assessed production capacity

Prescribed Premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 61 Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	2,000 tonnes per annual period

3. Local government approval

The landowner, J & L Hirst Holdings Pty Ltd, was granted development approval from the City of Greater Geraldton on 16 April 2024 for the two wastewater storage tanks. Conditions from the development approval relevant to this application are:

- As per the site plan the tanks must be at least 1m from the premises boundary.
- Condition 8 in the previous planning approval: All stormwater is to be disposed of onsite to the approval of the local government.
- Note v in the previous planning approval: On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.

4. 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.

4.1 Source-pathways and receptors

4.1.1 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 2 below. Table 2 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 2: Proposed applicant controls

Source	Emission	Potential pathways	Proposed controls
Construction			
Vehicle and/or machinery movement on unsealed road during tank installation	Dust	Air/windborne pathway causing impacts to health and amenity	Reduce speed limit. Tank is prefabricated with minor works to install and connect.
Vehicle and/or machinery movement during tank installation	Noise	Air/windborne pathway causing impacts to health and amenity	Premises is located in an industrial area. Tank is prefabricated with minor works to install and connect.
Operation			
Vacuum truck/ vehicle movement on unsealed road	Dust	Air/windborne pathway causing impacts to health and amenity	Reduce speed limit.

Source	Emission	Potential pathways	Proposed controls
Vacuum truck/ vehicle movement and operation	Noise	Air/windborne pathway causing impacts to amenity	Discharge into tanks during working hours only. Premises is located in an industrial area.
Leaks and spillage from transfer of water from truck to storage tanks	Waste and leachate	Overland runoff and subsurface seepage causing impacts to groundwater	<p>The tanks will be installed upon a HDPE liner.</p> <p>The tanks will be constructed to Australian Standard AS4766:2066 and the walls strengthened to a rating of 1.2.</p> <p>There will be impermeable bunding set up on all sides of the tanks with a pump and pipework to divert water from leaks/overflow to the wash down pad and slipway.</p> <p>The existing wash down pad is impermeable, bunded and drains to the slipway.</p> <p>The existing slipway is impermeable, bunded and drains to a blind sump.</p> <p>When the slipway overfills it flows back up and onto the wash down pad. The wash down pad and slipway have a combined capacity of approximately 32,500L.</p> <p>There will be a spill tray at each connection to catch any drips during connection / disconnection.</p> <p>The tanks will remain coupled to the manifold at all times during loading and unloading. The manifold will have a check valve fitted.</p> <p>The tanks will have 3-inch butterfly taps on the outlet, along with a backup double isolated camlock cap.</p> <p>There will be a full spill kit available on the wash down pad.</p> <p>Connection to the truck will be carried out upon the wash down pad, which runs into a secured slipway should there be a mishap.</p>
Overflow from storage tanks	Waste and leachate	Overland runoff causing impacts to groundwater	The tanks are pre-installed with level gauges for monitoring by the manufacturer.

4.1.2 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 and Figure 1 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
Residences	Nearest residences are approximately 1.26km northeast of the Premises boundary.
Suburb of Wandina	Approximately 3km west of the Premises
Geraldton Junior and Senior Motorcross Club	Approximately 1.5km northwest of the Premises
Environmental receptors	Distance from prescribed activity
Aboriginal Sites and Heritage Places	<p>There are 2 within 2km:</p> <ul style="list-style-type: none"> Place ID: 20854 Name: Geraldton Southern Transport Corridor Field Site 03 Place status: Historic Place type: Modified Tree Approximately 1.19km north of the premises Place ID: 20852 Name: GSTC-ISO-01 to 04 Place status: Historic Approximately 1.35km north of the premises
RIWI Act – Surface Water Areas and Irrigation Districts	Premises is within the Greenough River and Tributaries Catchment Area.
RIWI Act – Groundwater Areas	<p>Premises is within the Arrowsmith Groundwater Area.</p> <p>Depth to groundwater is 10-20m.</p> <p>Groundwater salinity is 3000-7000mg/L TDS.</p>

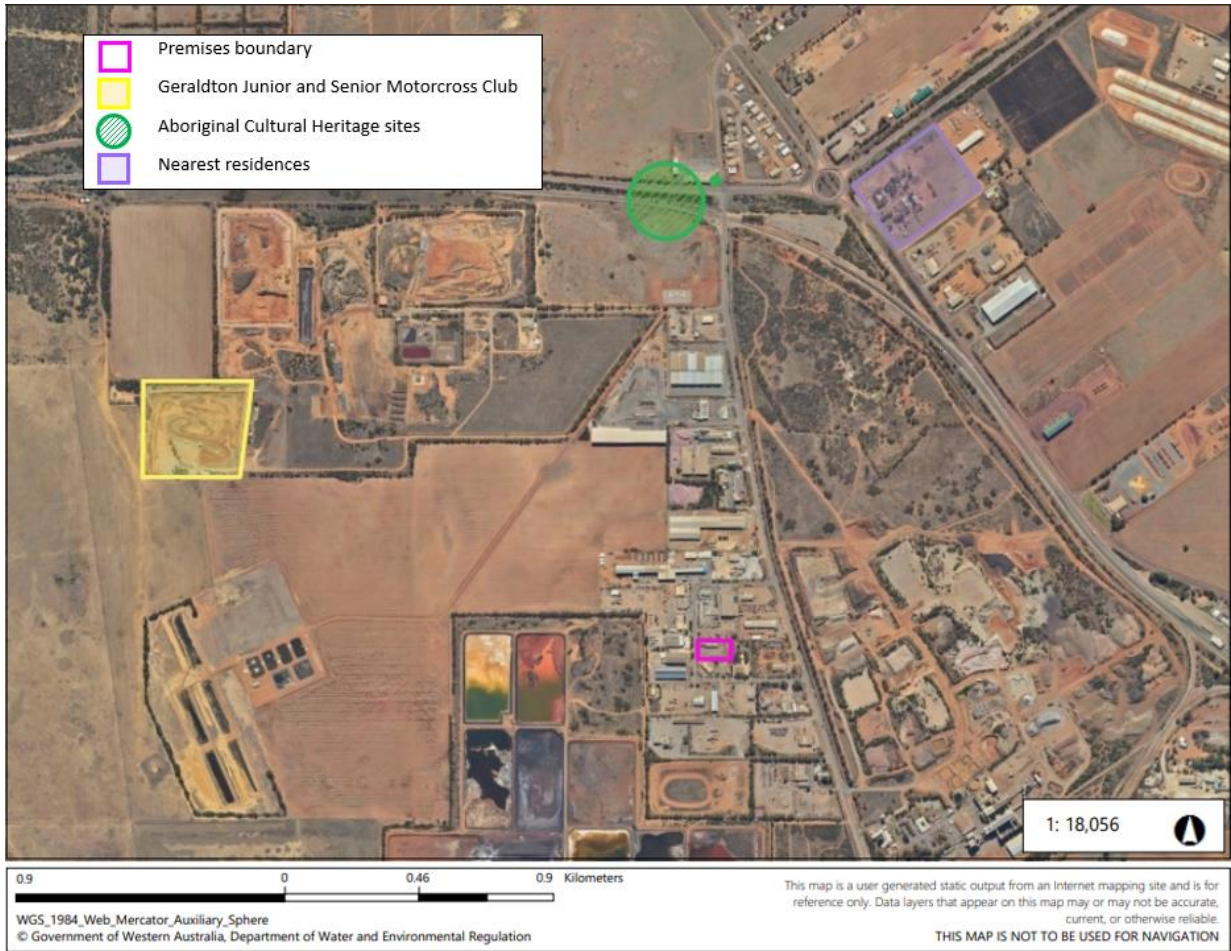


Figure 1: Distance to sensitive receptors

4.2 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 4.1. 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 4.1), 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 W6921/2024/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 4 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 two new storage tanks and acceptance of liquid waste onto 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 4: Risk assessment of potential emissions and discharges from the premises during construction and operation

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Vehicle and/or machinery movement on unsealed road during tank installation	Dust	Air/windborne pathway causing impacts to health and amenity	Residential premises	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Yes	N/A	Given the minor nature and scale of the construction works, with the works occurring within an existing industrial area sufficiently separated from residential areas, the Delegated Officer does not reasonably foresee offsite receptors being impacted by dust emissions associated with construction works relating to the tank installation.
Vehicle and/or machinery movement during tank installation	Noise	Air/windborne pathway causing impacts to amenity	Residential premises	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Yes	N/A	Given the minor nature and scale of the construction works, with the works occurring within an existing industrial area sufficiently separated from residential areas, the Delegated Officer does not reasonably foresee offsite receptors being impacted by noise emissions associated with construction works relating to the tank installation.

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation (including time-limited-operations)								
Vacuum truck/ vehicle movement and operation	Noise	Air/windborne pathway causing impacts to amenity	Residential premises	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Yes	N/A	Given the minor nature and scale of the operations occurring within an existing industrial area sufficiently separated from residential areas and during working hours, the Delegated Officer does not reasonably foresee offsite receptors being impacted by noise emissions associated with operations.
Vacuum truck/ vehicle movement on unsealed road	Dust	Air/windborne pathway causing impacts to health and amenity	Residential premises	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Yes	N/A	Given the minor nature and scale of the operations occurring within an existing industrial area sufficiently separated from residential areas, the Delegated Officer does not reasonably foresee offsite receptors being impacted by dust emissions associated with operations.
Leaks and spills of wash water	Waste and leachate	Overland runoff causing impacts to groundwater	Arrowsmith Groundwater Area Greenough River and Tributaries Catchment	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Yes	Condition 1 (Infrastructure and equipment) Condition 6 (Time limited operations)	The Delegated Officer considers the applicant's proposed construction controls will mitigate leaks and spills at the premises. These controls will be added as construction

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
			Area				requirements)	conditions on the works approval, and operational conditions on the subsequent licence.
Overflow of untreated wash water from storage tanks	Waste and leachate	Overland runoff and subsurface seepage causing impacts to groundwater	Arrowsmith Groundwater Area Greenough River and Tributaries Catchment Area	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Yes	Condition 1 (Infrastructure and equipment) Condition 6 (Time limited operations requirements)	The Delegated Officer considers the applicant's proposed controls will mitigate spills or overflows from a 32,000L tank. These controls will be added as construction conditions on the works approval, and operational conditions on the subsequent licence.

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.

5. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 01/05/2024.	None received	N/A
Local Government Authority advised of proposal on 01/05/2024.	<p>The City of Greater Geraldton replied on 01/05/2024 confirming that the proposal requires development approval and that approval had been granted on 16/04/2024.</p> <p>The City of Greater Geraldton provided further comment on 13/05/2024. The applicant is to note:</p> <p>Foskew Way has 'as-of-rights' vehicle access only, ie vehicles/trucks up to 19m in length can access. For truck (road train) combinations exceeding 19m in length an application to add the road to the restricted access vehicle (RAV) would be required, and any associated road improvements undertaken typically at the proponent's cost.</p>	The department considers road improvements and traffic management will be sufficiently managed by the City of Greater Geraldton.
Applicant was provided with draft documents on 05/06/2024.	<p>Comments received on 17/06/2024.</p> <p>See Appendix 1</p>	See Appendix 1

6. 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: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
Condition 1, Table 1, 1(h) Condition 1, Table 1, 2(b)(iii) and 2(b)(iv)	<p>The liner supplier was not confident tying in the enviro liner to the current wash pad (could not guarantee it would be correctly sealed). They have preferred to make a full bunded area now.</p> <p>The applicant advised the bunded area is 31m x 6.2m.</p>	<p>Conditions related to the bunding and liner installation have been updated accordingly.</p>
Schedule 2, Table 8, row 2	<p>The manufacturer of the Enviro Liner 6030, Layfield, confirmed the liner complies with the specifications listed in Schedule 2, Table 8, except for yield strength, stating "Strengths are normally reported as kN/m, not kN/m², and 16,000 and is extremely high. Furthermore, as Enviro Liner is closely aligned to LLDPE material properties, Layfield use GRI GM17 as the basis for the material specification for Enviro Liner and yield strength is not reported."</p>	<p>Draft Yield strength specification removed from Schedule 2, Table 8.</p>

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)				
Application type				
Works approval	<input checked="" type="checkbox"/>			
Licence	<input type="checkbox"/>	Relevant works approval number:		None <input 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	06/03/2024			
Applicant and premises details				
Applicant name/s (full legal name/s)	Aquila Holdings (WA) Pty Ltd Trading as Vac West Industrial			
Premises name	N/A			
Premises location	41 Foskew Way Narngulu WA 6532 Lot 130 on Diagram 67361 Certificate of Title Volume 1681 Folio 264			
Local Government Authority	City of Greater Geraldton			
Application documents				
HPCM file reference number:	DWERVT13704~77			
Key application documents (additional to application form):	Attachment 1A – Commercial Property Lease Agreement Attachment 1B – ASIC Company Extract Attachment 2 – Site maps Attachment 5 – Correspondence from 29Metals Attachment 7 – Siting and Location of premise Attachment 10 – Proposed fee calculation and invoice for storage tanks			
Scope of application/assessment				

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)

<p>Summary of proposed activities or changes to existing operations.</p>	<p>Aquila Holdings (WA) Pty Ltd trading as Vac West Industrial provide organic, commercial, and industrial waste management solutions in Geraldton. They also offer industrial cleaning services.</p> <p>Vac West Industrial provide sweeping & vacuum truck operations to the mining company 29Metals to reduce environmental impact. 29Metals's current berth at Geraldton Port has a wastewater storage facility where Vac West dispose of wash water created from machine wash down etc. However, 29Metals are moving to a new berth, which does not have a wastewater storage facility unlike their previous berth. Vac West can dispose of wastewater at 29Metal's Golden Grove mine site, but it is not viable to continuously run vehicles with small amounts of wash water to this site as it is about 200km away.</p> <p>Instead, Vac West are proposing to install 2 x 32,000 litre tanks at the Vac West yard in Nangulu for storage of the wash water until there is a sufficient amount to warrant a vehicle to deliver/dispose of the water to the Golden Grove mine site.</p>
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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 61: Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	Design capacity: 2000 tonnes per year Estimated/ actual required capacity: 1200 tonnes per year

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:09/08/2027 Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)		
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: Development Approval from City of Greater Geraldton Expiry date: April 2026 If N/A explain why?
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: N/A Licence/permit No: N/A Licence / permit not required.
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"/>	Name: N/A Type: N/A Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: N/A
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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, State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Environmental Protection (Controlled Waste) Regulations 2004</i> <i>Environmental Protection (Noise) Regulations 1997</i> <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)		
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
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"/>	Classification: N/A Date of classification: N/A