

Date: 6 November 2015

## COMMENTS PAPER – Department of Environment Regulation DRAFT *Environmental Guidance: Licence Documentation*

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### **Background**

Department of Environment Regulation (DER) has released for consultation [Licence documentation](#); for the licensing and conditioning of prescribed premises under Schedule 1 to the Environmental Protection Regulations 1987 (EP Regulations). Submissions are due by 13 November 2015.

### **Current Situation**

The Water Corporation operates 118 Wastewater and Water Treatment Plants as prescribed premises (listed in Schedule 1 of the *Environmental Protection Regulations 1987*) across western Australia under Part V of the *Environmental Protection Act 1986* (EP Act); in accordance with DER issued environmental registrations and licences. Applications for works approvals or for licences are made under sections 54 and 57 of the EP Act respectively. Licence amendments are applied for under section 59 of the EP Act.

## Comments

Document	Part/ Condition	Comment / Recommendation
Draft application form – works approval/licence	5	<p>It is appreciated that completion of Part 5 would be relevant for private industry, however considering the nature the Water Corporation’s operations, the number licences held and the potential number of works approval applications made, completion of Part 5 requirements would be unnecessarily onerous.</p> <p>In addition, with regard to Part 5.3 particularly, the DER already has records of Water Corporation breaches; as provided in annual audit compliance reports and/or works approval compliance reports.</p> <p>It is accordingly requested that Water Corporation be exempt from completing Part 5.</p>
Draft application form – works approval/licence	General (text fields)	<p>Text fields are too restricted, for example:</p> <ul style="list-style-type: none"> <li>• pressing of up and down arrows moves cursor to new field not a new line; and</li> <li>• there is no spell checking capability, no font changes, bold, italics, underline etc.</li> </ul> <p>This can make completed the application for difficult and unnecessarily time consuming. It is recommended that more standard word processing features are utilised.</p>
Draft application form – works approval/licence	Application Options (page 1)	<p>An option to apply for a licence, where a registration is already held, is not available. It is suggested that such an option to upgrade a registered premises to a licenced premises be included.</p>
Draft application form – works approval/licence	Part 6-8	<p>It is suggested that Parts 6 to 8 not apply to licence amendments, unless respective amendments involve significant process or emission changes. It is expected that that the DER will already have information on existing premises and related operations.</p>
Draft application form – works approval/licence	Attachment 9	<p>It is suggested that the <i>Proposed Fees</i> be determined by the DER based on data provided by the applicant.</p>
Draft Licence template	5(b)(iv)	<p>Many Water Corporation licences currently permit the discharge of treated wastewater in water to which the public has access. This condition would significant impact Water Corporation operations and would result in Water Corporation activities becoming impracticably non-compliant. It is suggested that this condition be removed or not apply to existing and/or approved discharges to</p>

		water, including in water to which the public has access.
Draft Licence template	6	Will there only be one <i>emissions monitoring table</i> included in the new template? If so the table could be rather large and complicated; e.g. if a large number of parameters across one or more categories (i.e. to land, water and air) is monitored. It would be more beneficial if the template included a separate table for each emission category.
Draft Licence template	12	The Water Corporation holds a large number of environmental licences; many of which have in effect the same, or similar, AACR submission dates based on <i>anniversary dates</i> . To avoid resource issues (including realistic scheduling of General Manager time for review and sign-off) and to allow for timely reporting, it is suggested that the period for AACR submissions to the CEO be at least 60 days (rather than the proposed 30 days).
Draft Licence template	13	It requested that timeframes to provide the CEO with reports or information relating to the Authorised Activities, the Premises or any condition in this Licence (including data from any monitoring conditions, environmental risk assessment studies) are realistic; i.e. take into account complexity of information requested and ability for the relevant licensee to source and provide the information in a timely manner. For example, Water Corporation would expect at least 60 days to provide a report relating to environmental risk assessment studies).
Draft Licence template	14	Will templates, for submission of reports and information to the CEO, be available in advance (e.g. online) of the CEO request.  Also, will it be possible to submit reports and information, especially if large in size, via a online secure file transfer application. This would improve efficiency and allow for a more timely provision of reports and information.
Draft Licence template	15	Compliance with a CEO Request for information, within 7 days from the date of the CEO Request, will be in most cases, depending on the context of the request, unrealistic. It is suggested that a timeframe not be specified in the licence, but rather determined upon request based on the complexity of the request and the ability of the licensee to meet the desired timeframe. Negotiation with relevant licensees with regard to a realistic timeframe to respond to the CEO would be appreciated.

## **Recommendation**

It is recommended that DER consider the Water Corporation comments in this submission.

## **Contact Details**

For any further information in regards to these comments contact –

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