



Application for Licence

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

Licence Number	L8779/2013/2
Applicant	Soft Star Pty Limited
ACN	080 645 398
File Number	2013/002270
Premises	Christmas Island Resort Wastewater Treatment Plant 1 Golf Course Casino Rd Waterfall Bay CHRISTMAS ISLAND WA 6798 Legal description – Lot 3051 on Deposited Plan 46328 Volume 3140 Folio 601 Lot 3052 on Deposited Plan 46328 Volume 3140 Folio 602 As defined by the coordinates in Schedule 1 of the licence
Date of Report	29 March 2022
Decision	Licence granted

Senior Environmental Officer, Industry Regulation

An officer delegated by the CEO under section 20 of the EP Act

1. Application summary

On 3 February 2022, Soft Star Pty Limited (Licence Holder) applied to renew licence L8799/2013/1 as it is due to expire on 3 April 2022. The Premises is located at Lot 3051 and Lot 3052 on Deposited Plan 46328, Waterfall Bay, Christmas Island. The licence relates to prescribed premises categories as described below in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 54 – Sewage facility: premises – (a) on which sewage is treated (excluding septic tanks); or (b) from which treated sewage is discharged onto land or into waters.	125 cubic metres per day

Soft Star Pty Ltd owns the Christmas Island Resort (which houses up to 300 people) and the Wastewater Treatment Plant (WWTP) which is located approximately 500m north of the resort. The WWTP is leased by Soft Star Pty Ltd from the Commonwealth of Australia. As the Resort remains non-operational, the WWTP continues to be in care and maintenance.

The Resort uses an Intermittent Decanted Extended Aeration (IDEA) sewage system at the WWTP to manage the effluent from the resort prior to discharge via an ocean outfall pipe to the Indian Ocean, off Christmas Island. The facility has a maximum treatment capacity of 125 cubic metres per day (m³/day), however the volume currently being treated is closer to 90m³/day.

The Premises remains in care and maintenance as the Resort is not operational.

2. Regulatory framework

The Delegated Officer has determined to undertake an administrative renewal of the licence and has not conducted a full review and risk assessment of emissions and discharges from the Premises in line with the department's *Work Instruction: Regulatory Services, COVID-19 licensing position* June 2021.

In replacing the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

3. Decision summary

Under the regulatory framework the Delegated Officer has determined to grant the licence L8799/2013/2 without conducting any risk assessment.

The licence will be issued for 20 years with an expiry date of 3 April 2042 consistent with the *Guidance Statement: Licence Duration 2016*.

In renewing the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- revise licence conditions and consolidate existing pollution control conditions;
- include all infrastructure into condition 1, *Table 1: infrastructure and equipment*

- requirements;
- correct clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the renewed licence.

3.1 Summary of administrative changes

Section 62 of the EP Act provides general power to impose conditions on licences. All licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) for the purposes of the EP Act to prevent, control, abate or mitigate pollution or environmental harm.

Table summarises the transfer of all appropriate conditions from the expiring licence into the revised licence including changes made to licence conditions where required and the rationale for changes made.

Table 2: Summary of changes from Expiring Licence to Revised Licence

Expiring licence conditions (L9211/2019/1)	Condition summary	Revised licence conditions (L9211/2019/2)	Conversion notes
N/A – Cover page	Licence version, issue and expiry dates.	Licence version and issue date updated. New expiry date: 03/04/2042	Revised to current licensing format.
Licence conditions 1.1.1 -1.1.2	General - Interpretation	Table 11: Definitions	Redundant sub-headings - deleted from licence - revised to current licensing format
1.1.3	Australian or other standard	N/A	Redundant condition - deleted from licence.
1.1.4	Guideline or code of practice	N/A	Redundant condition - deleted from licence.
1.2.1	General condition	N/A	Redundant condition - deleted from licence.
1.2.2	Pollution control and monitoring equipment	N/A	Redundant condition - deleted from licence.
1.2.3	Dangerous goods	N/A	Redundant condition - deleted from licence.
1.2.4	Recovery and removal of spills	N/A	Redundant condition - deleted from licence. Adequately covered by EP (Unauthorised Discharges) Regulations 2004.
1.3.1	Record and investigate exceedance of limit/target	Condition 7	Revised to current licensing format.
1.3.2	Waste acceptance - Specifications	Condition 2	Revised to current licensing format.
1.3.3	Waste processing	Condition 3	Revised to current licensing format.

Expiring licence conditions (L9211/2019/1)	Condition summary	Revised licence conditions (L9211/2019/2)	Conversion notes
1.3.4	Containment infrastructure	Condition 1	Revised to current licensing format.
1.3.5	Wastewater treatment vessels - requirements	Condition 1	Revised to current licensing format.
1.3.6	Security measures	Condition 1	Revised to current licensing format.
2 - Emissions 2.1.1	Record and investigate exceedance of limit/target	Condition 7	Revised to current licensing format.
2.2.	Point source emission to air	N/A	No authorised air emissions. Redundant condition - deleted from licence.
2.3.1	Point source emissions to surface water	Condition 5	Revised to current licensing format.
2.3.2	Point source emissions to surface water - targets	Condition 6	Revised to current licensing format.
2.4	Point source emissions to groundwater	N/A	No authorised groundwater emissions. Redundant condition - deleted from licence.
2.5	Point source emissions to land	N/A	No authorised emissions to land. Redundant condition - deleted from licence.
2.6.1	Fugitive emissions	Condition 4	Revised to current licensing format.
2.7.1	Odour	N/A	Redundant condition - deleted from licence. Adequately covered by EP Act under general provisions for the regulation of pollution.
2.8	Noise	N/A	Redundant condition - deleted from licence. Adequately covered by EP Act under general provisions for the regulation of pollution.
3 – Monitoring 3.1.1	General monitoring	Condition 9	Revised to current licensing format.

Expiring licence conditions (L9211/2019/1)	Condition summary	Revised licence conditions (L9211/2019/2)	Conversion notes
3.1.2	Monitoring regime	Condition 10	Revised to current licensing format.
3.1.3	Monitoring equipment	Condition 11	Revised to current licensing format.
3.1.4	Monitoring equipment calibration	N/A	Redundant condition – deleted from licence.
3.2	Monitoring of point source emissions to air	N/A	No monitoring requirements. Redundant condition - deleted from licence.
3.3.1	Monitoring of point source emissions to surface water	Condition 8	Revised to current licensing format.
3.4	Monitoring of point source emissions to groundwater	N/A	No monitoring requirements. Redundant condition - deleted from licence.
3.5	Monitoring of emissions to land	N/A	No monitoring requirements. Redundant condition - deleted from licence.
3.6.1	Monitoring of inputs and outputs	Condition 12	Revised to current licensing format.
3.7.1	Process monitoring	Condition 13(a) and 13(b)	Revised to current licensing format.
3.8	Ambient environmental quality monitoring	N/A	No monitoring requirements. Redundant condition - deleted from licence.
3.9	Meteorological monitoring	N/A	No monitoring requirements. Redundant condition - deleted from licence.
4.1	Improvements	N/A	Redundant condition - deleted from licence.
5.1.1	Records	Condition 19 and 20	Revised to current licensing format.
5.1.2	Personnel aware of conditions	N/A	Redundant condition - deleted from licence.
5.1.3	AACR	Condition 15	Revised to current licensing format. Forms accessed at www.dwer.wa.gov.au

Expiring licence conditions (L9211/2019/1)	Condition summary	Revised licence conditions (L9211/2019/2)	Conversion notes
5.1.4	Complaints	Condition 14	Revised to current licensing format.
5.2.1	Reporting Annual Environmental Repot (AER)	Condition 16	Revised to current licensing format.
5.2.2	AER – additional requirements	Condition 17	Revised to current licensing format.
5.2.3	AER - Non – annual reporting requirements	Condition 7 and 19	Revised to current licensing format.
5.3.1	Notification requirements	Condition 18	Taking process equipment offline and removal of sludge revised to current licensing format. N1 form redundant attachment - deleted from licence as it duplicates reporting requirement already required under Section 72 of the EP Act (duty to notify CEO of discharges of waste)
Schedule 1: Maps	Schedule 1: Maps	Schedule 1: Figures 1, 2 and 3	New naming convention.
Schedule 2: Reporting & notifications	AACR and ET1 Forms	N/A	Redundant attachment - deleted from licence.

4. Consultation

The draft Revised Licence and this decision report were provided to the licence holder on 2 March 2022 for comment. The licence holder provided a response on 13 March 2022 requesting the comment period be waived and the licence be issued as soon as possible.

5. Decision

The Delegated Officer determined the risks to human health and the environment from the activities on the Premises, and as previously assessed by the Department have not materially changed. The Delegated Officer has determined to grant the Revised Licence L8997/2013/2 without conducting any additional risk assessment.