



## Application to renew a licence

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

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<b>Licence Number</b>	L4726/1991/16
<b>Licence Holder</b>	Water Corporation
<b>File Number</b>	DER2016/000050-1
<b>Premises</b>	Subiaco Water Resource Recovery Facility Lemnos Street SHENTON PARK WA 6008 Legal description - Lot 3150 on Plan 149501, Lot 5286 on Plan 162620, and Lot 6815 on Plan 166929 As shown in Schedule 1 of the licence
<b>Date of Report</b>	28 October 2022
<b>Decision</b>	To grant a licence

Senior Environmental Officer, Industry Regulation  
An officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

## 1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L4726/1991/16 without conducting any additional risk assessment.

The licence can be issued for 20 years, which is consistent with the *Guidance Statement on 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;
- correct clerical mistakes and unintentional errors;
- transfer all existing regulatory controls and conditions to the new licence; and
- include minor administrative changes to the licence as requested by the licence holder.

As a result of the above, the Delegated Officer decided to grant Licence L4726/1991/16, subject to conditions set out in the attached licence.

## 2. Scope of assessment

### 2.1 Application summary

On 19 August 2022 Water Corporation (licence holder) applied to renew licence L4726/1991/15, as the licence is due to expire on 31 October 2022. The licence was granted to the licence holder for the premises located at Lemnos street, Shenton Park (Premises).

The licence relates to prescribed premises categories as described in Table 1.

**Table 1: Premises category description and production design capacity**

<b>Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)</b>	<b>Production / design capacity</b>
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.	67,000 cubic metres per day
Category 61 - Liquid waste facility: premises on which liquid waste produced on others premises (other than sewage waste) is stored, reprocessed, treated or irrigated.	20,000 tonnes per annual period

The Subiaco Water Resource Recovery Facility (formerly Subiaco Wastewater Treatment Plant) is a secondary treatment and liquid waste receival facility. Treated wastewater is discharged to the Indian Ocean via the Swanbourne Ocean Outfall, in which a portion of the treated wastewater is further treated via filtration and chlorination for onsite irrigation and offsite reuse at McGillvray Oval, Christchurch Grammar School and Venues West. The reuse of treated wastewater offsite is regulated by the Department of Health (DoH).

### **3. Regulatory framework**

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises, which is in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position* October 2021.

In granting 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>.

### **4. Considerations for issuing a new licence**

#### **4.1 Compliance and enforcement actions**

There have been 14 incidents identified at the Premises by the department in the last five years which relate to notifications generated by the licence holder and submitted to the department via Pollution Watch in relation to discharged wastewater. These incidents do not prevent the issue of a licence to the licence holder for this Premises.

#### **4.2 Legal occupancy**

The licence holder has demonstrated legal occupancy of the Premises.

#### **4.3 Categories of the licence**

The Premises are currently licensed to treat 64,000 m<sup>3</sup>/day for category 54 however, works were completed in 2015 and 2018 to upgrade the facility in accordance with works approval W5590/2014/1. The upgrade has resulted in an increase in production capacity that was previously risk assessed during the works approval process for W5590/2014/1. Therefore, the maximum production capacity has been changed from 64,000 m<sup>3</sup>/day to 67,000 m<sup>3</sup>/day for licence L4726/1991/16.

With regards to category 61 the corresponding maximum production capacity for the renewal of the licence is consistent with the category for which the licence holder currently holds a licence and which was previously assessed.

#### **4.4 Planning approval**

The licence holder has informed the department that it has planning approval for the activities on the Premises.

## 5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Table 1 summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

**Table 1: Licence conditions changes, description and rationale**

Current condition	Summary of current condition	New condition / table (if relevant)	Description and rationale
1.1.1 - 1.1.4	Interpretation & Definitions	N/A	Redundant conditions removed as no longer relevant. Definitions revised to current licensing format.
1.2.1 – 1.2.4	General conditions	N/A	Redundant conditions removed as no longer relevant. Adequately covered by EP (Unauthorised Discharges) Regulations 2004.
1.3.1	Exceedance of limit/target	1	Transfer of existing condition.
1.3.2	Waste acceptance	2	Transfer of existing condition.
1.3.3	Waste processing	3	Transfer of existing condition – Column referring to Process requirements has been removed from table as it duplicates quantity limit under Table 1:Waste acceptance.
1.3.4	Containment infrastructure	4	Transfer of existing condition – reference to requirements specified in Table 3 has been included.
1.3.5	Wastewater treatment tanks	5	Transfer of existing condition.
1.3.6	Irrigation of treated wastewater	6	Transfer of existing condition.
2.1.1	Exceedance of limit/target	8	Transfer of existing condition.
2.2.1	Emissions to air	7	Emissions to air, surface waters and land amalgamated into Table 4.
2.2.2	Emission limits to air	9	Emission limits to air and surface amalgamated into Table 5.
2.2.3	CEMS log	17	Transfer of existing condition.
2.3.1	Emissions to surface water	7	Emissions to air, surface waters and land amalgamated into Table 4.
2.3.2	Emission limits to surface water	9	Emission limits to air and surface amalgamated into Table 5.
2.4	Emissions to groundwater	N/A	Redundant condition – removed from licence.
2.5.1	Emissions to land	7	Emissions to air, surface waters and land amalgamated into Table 4.
2.6	Fugitive emissions	N/A	Redundant condition – removed from licence.

<b>Current condition</b>	<b>Summary of current condition</b>	<b>New condition / table (if relevant)</b>	<b>Description and rationale</b>
2.7.1	Odour	10	Transfer of existing condition.
2.8	Noise	N/A	Redundant condition – removed from licence.
3.1.1 – 3.1.5	General monitoring	11 - 15	Transfer of existing conditions.
3.2.1	Monitoring of emissions to air	16	Transfer of existing condition.
3.2.2 – 3.2.4	Sampling and monitoring	18 - 20	Transfer of existing conditions.
3.3.1	Monitoring of emissions to surface waters	21	Transfer of existing condition.
3.4	Monitoring of emissions to groundwater	N/A	Redundant condition – removed from licence.
3.5	Monitoring of emissions to land	22	Transfer of existing conditions.
3.6	Monitoring of inputs and outputs	23	Transfer of existing conditions.
3.7	Process monitoring	N/A	Redundant condition – removed from licence.
3.8 – 3.9	Ambient environmental quality and meteorological monitoring	N/A	Redundant condition – removed from licence.
4.1	Improvements	N/A	Redundant condition – removed from licence.
5.1.1	Records	26 & 27	Revised to current licensing format.
5.1.2	Person left in charge of premises	N/A	Redundant condition – removed from licence.
5.1.3	AACR	25	Revised to current licensing format.
5.1.4	Complaints	24	Revised to current licensing format.
5.2.1	AER	28	Transfer of existing condition with changes to table – items relating to summary of any failure and compliance are redundant and have been removed from licence. Inclusions in Table 10 refer to quantity limit as per condition 1 and summary of emission limit exceedances as per condition 1 and 8.
5.2.2	AER additional info required	29	Transfer of existing conditions.
5.2.3	Non annual reporting requirements	N/A	Redundant condition – removed from licence.
5.3.1	Notification	30	Transfer of existing condition with changes to table - items removed relate to breach of any limit and any failure of malfunction as it's a duplication of S72 of the EP Act. Calibration report requirement has

Current condition	Summary of current condition	New condition / table (if relevant)	Description and rationale
			also been included under condition 28 (AER).
	Schedule 1: Maps	Schedule 1: Maps	Updated maps provided by licence holder.

## 6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 2.

**Table 2: Consultation**

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 9 September 2022.	No comments received	N/A
Local Government Authority advised of application on 26 August 2022.	The City of Nedlands replied on 21 September confirming that 'as advised by our planning section this site is reserved under the Metropolitan Region Scheme for 'Public purposes – Water Authority of WA'. The proposed licence is consistent with the use of the land for the purpose for which it is reserved. No planning approval is needed in accordance with the MRS Clause 16(1)(a). No issues with the renewal of the licence from a planning perspective'.	N/A
The licence holder was provided with draft documents on 23 September 2022	Licence holder provided comments and suggested corrections on 14 October 2022. See Appendix 1.	See Appendix 1.

## Appendix 1: Summary of licence holder's comments on draft conditions

Condition	Summary of licence holder comment	Delegated Officer's response
2(a), 2(c), 4 & 21	Relevant references required	Noted and updated.
4 – Table 3	More accurate reflection of number and type of screens	Updated
	Current wording incorrectly implies the purpose of the SBT's is return sludge to the start of the treatment process	Updated
	Containment infrastructure used to store and treat waste material. No specified requirements suggested.	Updated
7	Correct reference required (for Table 4).	Noted and updated.
9 – Table 5	The units in the draft licence have been changed from g/s to mg/s as requested however, the corresponding values have not been updated.	Noted and updated.
19	Correct reference required (for Table 6).	Noted and updated.
21 – Table 7	SW1 and SW2 are two different discharge points and MSW2 cannot be used to sample both. Proposed sampling location, parameters, frequency etc. for SW1 is accurate. Suggest – sampling location for SW2 be 'not specified' as discharges to the Perth Main Drain are rare (>10 years) and ad hoc sampling is appropriate. Suggest frequency be "when discharging". All other requirements are acceptable.	Noted and updated.
	pH monitoring frequency - consistency with previous licence.	Updated
	Total phosphorous monitoring - consistency with previous licence.	Updated

Condition	Summary of licence holder comment	Delegated Officer's response
22 & 23	The wording of the condition appears to be split across two conditions. Suggest amalgamating conditions.	Corrected
23 – Table 8	MSW2 - effluent discharge pumping station sample point is incorrect. ML3 is the correct location from where these samples are taken.	Noted and updated
24 – Table 9	Inlets flows are calculated across two inlet flow meters. These meters are depicted and labelled M1 and M2 in Figure 4 (Schedule 1).	Noted
	Onsite & offsite irrigation areas - requirements to monitor these locations are already subject to condition 23 – Table 23.	Conditions aligned
26(a)	AACR - Request report due dates are consistent with other Water Corporation licences.	Updated
29	AER - Request report due dates are consistent with other Water Corporation licences.	Updated
31 – Table 11	The requirements to notify the CEO of calibration is condition 15, not condition 19.	Corrected
Definitions - Table 12	Emergency overflow basin definition: means the unlined basin dedicated for the purpose of containing unplanned overflows from the Subiaco WRRF as depicted and labelled "Emergency Compensation Basin" in the Map of Site Layout (Figure 2) in Schedule 1.	Updated
	Odour boundary is the correct term.	Updated
	Perth Main Drain definition: means the gravity pipe that conveys stormwater from catchments upstream of the premises, and discharges offshore of Swanbourne Beach. It is isolated from the Emergency Compensation Basin via a series of interlocks, which may be opened during emergency scenarios to prevent the Emergency Compensation Basin from overflowing. Depicted and labelled "Perth Main Drain" in Figure 2 and Figure 3 (Schedule 1).	Updated



Condition	Summary of licence holder comment	Delegated Officer's response
	Swanbourne Ocean Outlet definition: mean the sewer pressure main that conveys treated wastewater from the Subiaco WRRF and discharges it to the Indian Ocean, approximately 1.1 km offshore. Depicted and labelled "Swanbourne Ocean Outlet" in Figure 2 and Figure 3 (Schedule 1).	Updated
Schedule 1 – Maps.	Images are poor resolution. Can this be improved for the final version of the licence?.	LH provided new maps which have been included in the new licence.