



Application to renew a licence

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

Licence Number	L6071/1991/11
Licence Holder	Water Corporation
File Number	DEC352/1
Premises	Kellerberrin Water Resource Recovery Facility Rason Street KELLERBERRIN WA 6410 Legal description - Part of Lot 1 on Diagram 29615 and Lot 2 on Diagram 68517 As shown in Schedule 1 of the licence
Date of Report	30 November 2022
Decision	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 L6071/1991/11 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 relevant 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 L6071/1991/11, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 29 September 2022 Water Corporation (licence holder) applied to renew licence L6071/1991/10, as the licence is due to expire on 30 November 2022. The licence was granted to the licence holder for the premises located at Rason Street, Kellerberrin (Premises).

The licence relates to the prescribed premises category as described 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.	210 cubic metres per day

The Kellerberrin Water Resource Recovery Facility (formerly Kellerberrin Wastewater Treatment Plant) is a sewage treatment facility authorised to receive and treat up to 210 m³ per day of sewage. The plant does not directly discharge to land or water. The Shire of Kellerberrin takes 100% of the treated wastewater from the Kellerberrin WWTP for irrigating public space. Secondary treated wastewater from one of two ponds operated in parallel, is monitored for water quality and the volume discharged to the adjacent Shire storage dam. The storage dam is not part of the prescribed premises. The reuse of treated wastewater offsite is regulated by the Department of Health.

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 2022)*.

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 two incidents identified at the Premises by the department in the last five years the most recent being in June 2022, with notifications provided by the licence holder and submitted to the department via Pollution Watch. Both incidents are related to single discharge (overflow) events where high rainfall has resulted in capacity limits to store and pump treated wastewater for reuse, being exceeded. These incidents do not prevent the issue of a licence to the Licence Holder for this Premises and there have been no enforcement actions taken against the occupier in the last 5 years regarding the licence.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

4.3 Categories of the licence

The requested category and the corresponding maximum production capacity for the renewal of the licence are consistent with the category for which the licence holder currently holds a licence and which was previously assessed (i.e. for receiving and processing up to 210 cubic metres per day of sewage).

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 2 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 2: 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.

Current condition	Summary of current condition	New condition / table (if relevant)	Description and rationale
1.2.1	Exceedance of limit/target	1	Transfer of existing condition.
1.2.2	Waste acceptance	2	Transfer of existing condition.
1.2.3	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.
1.2.4	Containment infrastructure	4	Transfer of existing condition – reference to requirements specified in Table 3 has been included and corrections made to accurately reflect premises infrastructure.
1.2.5	Management of wastewater treatment ponds	5	Transfer of existing condition.
1.2.6	Security measures	6	Transfer of existing condition.
2.1.1	General monitoring	7	Transfer of existing conditions with minor corrections.
2.2.1	Monitoring of inputs and outputs	8	Transfer of existing conditions with minor corrections.
2.3.1	Process monitoring	9	Transfer of existing condition with addition of two standard water quality parameters to discharge monitoring (currently included in licence holder monitoring and reporting).
3.1.1	Records	12 & 13	Revised to current licensing format.
3.1.2	AACR	11	Revised to current licensing format and with minor change to submission date as requested by licence holder.
3.1.3	Complaints	10	Revised to current licensing format.
3.2.1	AER/ now Environmental Report	14	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.
3.2.2	ER additional info required	15	Transfer of existing conditions.
3.2.3	Non annual reporting requirements	N/A	Redundant condition – removed from licence.
3.3.1	Notification requirements	16	Transfer of existing condition with changes to table - items removed relate to breach of any limit and any failure or malfunction as it's a duplication of S72 of the EP Act.
	Schedule 1: Maps	Premises map	Figure 1
		Site layout and process diagram	Figure 2 - as submitted with the application
	Schedule 2: Premises boundary coordinates	N/A	N/A

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 3.

Table 3: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 28 October 2022.	No comments received	N/A
Local Government Authority advised of application on 13 October 2022.	No comments received	N/A
Applicant was provided with draft documents on 4 November 2022	No comments received	N/A