



## Application to renew a licence

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

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<b>Licence Number</b>	L6072/1991/12
<b>Licence Holder</b>	Water Corporation
<b>ABN</b>	28 003 434 917
<b>File Number</b>	DEC9149/1 – FA272329
<b>Premises</b>	Merredin Waster Resource Recovery Facility (WRRF) 13 Whitehead Court MERREDIN WA 6415  Being Lot 501 on Diagram 83829 Shown in Schedule 1
<b>Date of Report</b>	11 December 2023
<b>Decision</b>	To grant a licence

Neville Welsh

SENIOR INDUSTRY REGULATION OFFICER  
REGULATORY SERVICES

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 L6072 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;
- revised licence conditions;
- corrected clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L6072/1991/12, subject to conditions set out in the attached licence.

## 2. Scope of assessment

### 2.1 Application summary

On 7 September 2023 Water Corporation (licence holder) applied to renew licence L6072, as the licence is due to expire on 12 December 2023. The licence was granted to the licence holder for the premises located at Lot 501 on Diagram 83829, Whitehead Court, Merredin WA 6415 (Premises).

The licence relates to prescribed premises categories 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: <i>Sewage facility: premises</i> – (a) On which sewage is treated (excluding septic tanks); or (b) From which treated sewage is discharged onto land or into waters	Not more than 750 cubic metres per day

The Merredin Water Resource Recovery Facility (WRRF) is located approximately one kilometre west of the Merredin town site. This facility utilises a pond system to treat wastewater up to 750m<sup>3</sup> per day which consists of a series of six oxidation ponds, a UV disinfection system and a pump station. Treated wastewater is discharged to the Shire of Merredin's storage facility for re-use. Treated wastewater may at times be directed to the Old Shire Dam storage and can be pumped back to pond 6 or released into Cohn Creek during high rainfall events.

## 3. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises 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 three incidents in the last five years. These included a minimal pond overtopping level, desludging operation resulting in wastewater mixing in the incorrect ponds, plus a small discharge of treated wastewater on to private land from the plants diversion chamber. The incidents were assessed by the Department and considered low environmental impact. Actions were initiated and solutions implemented by the licence holder.

No enforcement actions were 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 categories and the corresponding maximum production capacities for the renewal of the licence are consistent with the categories for which the licence holder currently holds a licence, and which was previously assessed.

### 4.4 Planning approval

The licence holder is a corporation and hold a licence under Part V of the EP Act. No construction of new infrastructure is proposed, and the renewal would be as per existing licence.

## 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 because of the emissions and/or discharges from the premises in question.

Table 2 below summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for these changes.

**Table 2: Summary of licence amendments**

Existing condition	Condition summary	Revised licence condition	Amendment notes
N/A	Terminology	N/A	'Licensee' updated to 'Licence Holder' throughout document.
N/A	Front Page	N/A	'Not more than' added to production or design capacity.
N/A	Interpretation	N/A	Section added in line with current formatting.
N/A	Contents and Introduction	N/A	Redundant text removed. Revised to current licensing format.
N/A	Instrument log	Licence history	Section added in line with current formatting.

Existing condition	Condition summary	Revised licence condition	Amendment notes
1.1.1 1.1.2	Interpretation and definitions	N/A Definitions Table 2	Definitions are redundant conditions, revised to current licensing format and moved to Table 11.
1.1.3 to 1.1.4	Australian or other standard	N/A	Redundant condition removed from Licence - condition intent incorporated into other conditions or covered under subsidiary legislation to the EP Act.
1.2.1 – 1.2.5	Maintaining equipment	N/A	Redundant condition removed from Licence
1.3.1			Redundant condition removed from Licence
1.3.2 Table 1.3.1		1 Table 1	Condition retained
1.3.3 Table 1.3.2		2 Table 2	Condition retained
1.3.4 Table 1.3.3		3 Table 3	Condition retained
1.3.5 – 1.3.6		4 & 5	Condition retained
2.3.1 Table 2.3.1	Emission points	6 Table 4	Condition retained
2.7.1			Redundant condition removed from Licence as it is a general provision of the EP Act 1986.
3.1.1 – 3.1.5		7 - 9	Conditions retained
3.6.1 Table 3.6.1		10 Table 5	Condition retained
3.7.1 Table 3.7.1		11 Table 6	Condition retained
3.8.1 Table 3.8.1		12 Table 7	Condition 3.8.1 revised by deleting words (and record and investigate results that do not meet any target specified).
5.1.1	Records and reporting	13	Condition wording updated in line with current formatting.
5.1.2			Redundant condition removed from Licence
5.1.3	AACR	14	Reference and format updated.
5.1.4	Complaints	15	Reference and format updated.

Existing condition	Condition summary	Revised licence condition	Amendment notes
5.2.1 Table 5.2.1	AER	16 Table 8	Reference to condition Annual Environmental Report submission deleted from Licence.
5.2.2	AER	17	Reference and format updated.
5.2.3 Table 5.2.2	Reporting	18 Table 9	Reference and format updated.
5.3.1 Table 5.31	Reporting	19 Table 10	Condition retained and Table is rectified for conditions changes
N/A Schedule 1	Maps	N/A Schedule 1	Updated maps in line with current formatting.
N/A Schedule 2		N/A	Deleted Schedule 2: Prescribed Premises Category

## 6. Consultation

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

**Table 3: Consultation**

Consultation method	Comments received	Delegated response	Officer's
Application advertised on the department's website on 6 October 2023 till 27/October 2023.	No submissions received.	N/A	
Applicant was provided with draft documents on 13 October 2023 and comments received on 6 November 2023. The Applicants comments are in the adjoining column.	<p>The licence holder comments were;</p> <ol style="list-style-type: none"> <li>1. Treated WW flume sampling point (S5000490) - Add reference 'A' to represent point A in Condition 11, Table 6 and on the "<i>Process schematic and process monitoring locations</i>" figure.</li> <li>2. Treated WW flume sampling point (S5010925) - Add reference 'B' to represent point B in Condition 11, Table 6 and on the "<i>Process schematic and process monitoring locations</i>" figure.</li> <li>3. Update – PCT (process control table)</li> </ol>	<p>The Delegated Officer reviewed the comments by the Applicant and agreed to amend the licence to incorporate points 1, 2, &amp; 3.</p> <p>The assessed design capacity was also edited to remove "not more than" from the front page of the licence table as the assessed design capacity of cubic metres per day is not limiting.</p>	