



## Application to renew a licence

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

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<b>Licence Number</b>	L6786/1991/12
<b>Licence Holder</b>	Water Corporation
<b>File Number</b>	DER2016/000759-1
<b>Premises</b>	<p>Albany Water Resource Recovery Facility &amp; Tree Farm 1 100 Timewell Road, Lot 1 on Plan 44295 MCKAIL WA 6330</p> <p>Legal description Albany Water Resource Recovery Facility Lot 1 on Diagram 44295 MCKAIL WA 6330 Tree Farm 1 35790 Albany Highway, Lot 10 on Plan 84694, Lot 2 on Plan 43845, Lot 749 on Plan 100633, Lot 815 on Plan 101284, Lot 4822 on Plan 157224 and Lot 3325 on Plan 79932 DROME WA 6330 As defined by the Premises maps attached to the issued licence</p>
<b>Date of Report</b>	29/09/2023
<b>Decision</b>	To grant a licence

Senior Environmental Officer, Industry Regulation  
Officer delegated 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 L6786/1991/12 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:

- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements); and
- correct clerical mistakes and unintentional errors.

As a result of the above, the Delegated Officer decided to grant Licence L6786/1991/2012, subject to conditions set out in the attached licence.

## 2. Scope of assessment

### 2.1 Application summary

On 2 June 2023 Water Corporation (licence holder) applied to renew licence L6786/1991/11, as the licence is due to expire on 1 October 2023. The licence was granted to the licence holder for the premises located at 100 Timewell Road, MCKAIL WA 6330 (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> )	design capacity
Category 23: 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.	8,500 m <sup>3</sup> per day
Category 61: Liquid waste facility: premises on which liquid waste produced on other premises (other than sewage waste) is stored, reprocessed, treated or irrigated.	102 tonnes per annual period.

The Albany Water Resource Recovery Facility, located at Timewell Road, treats sewage from the City of Albany using an Intermittent Decanted Extended Aeration (IDEA) wastewater treatment system. Treated sewage is stored within ponds 1, 2A and 2B, prior to being transferred via pipeline to the separately located Tree farm 1 on Gunn Road.

Tree farm 1, located on Gunn Road, receives treated sewage from the Albany WRRF. Treated sewage is stored in two storage dams before being filtered, chlorinated and irrigated to 275 ha of Australian blue gum species at Tree farm 1 or transferred for direct discharge to Tree farm 2.

Ministerial Statement No. 779, which applies to this Premises, includes irrigation at Tree farm 1 at a maximum rate of 6 megalitres per day. All conditions previously applied to the proposal under Ministerial Statement No. 675, published 5 April 2005, have been removed by Ministerial Statement No. 779.

Tree farm 2 is a separate property that comprised of 130.3 ha of Australian blue gum species, not part of the prescribed premises under Licence L6786/1991/11 or part of the proposal authorised by Ministerial Statement No. 779.

### 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

In the last five years the Department has worked with Water Corporation to address incidents of non-compliance. All compliance concerns have now been addressed.

#### 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

Under Section 137 of the *Water Services Act 2012*, the Water Corporation is a Section 6 entity under the *Planning Development Act 2005* and is therefore exempt from development approval requirements under Local Planning Schemes.

### 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 licence. Most licence conditions are issued as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm because of emissions and/or discharges from the premises.

Table 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 / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
1 and table 1	Construction	NA	Removed conditions referencing construction as

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			newly constructed infrastructure has been completed and these conditions are now completed and therefore redundant.
4	Compliance with Noise Regulations	Removed	Doubling up of the Noise Regulations.
19 – 20	Compliance – construction	NA	Removed conditions referencing compliance relating to construction as newly constructed infrastructure has been completed and these conditions are now completed and therefore redundant.
25	Provision of an irrigation management plan	NA	Removed as completed and therefore redundant.

## 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 Officer's response
Application advertised on the department's website on 30 June 2023	None received	N/A
Local Government Authority advised of application on 26 July 2023.	No submission received by 17 August 2023	N/A
Abbotts Liquid Salvage advised of application on 26 July 2023.	No submission received by 17 August 2023	N/A
Torbay Catchment Group advised of application on 26 July 2023.	No submission received by 17 August 2023	N/A
OSIB Pty Ltd. advised of application on 26 July 2023.	No submission received by 17 August 2023	N/A
Applicant was provided with draft documents on 24 August 2023 with submission closing on 14 September 2023	<p>The Licence holder responded on 14 September 2023 with the following comments;</p> <ul style="list-style-type: none"> <li>Change the name of Albany WWTP to Albany Water Resource Recovery Facility plus iterations,</li> </ul>	The Delegated Officer has reviewed these comments and determined them to make the conditions of the licence more accurate and therefore has proceeded with all the changes as stated in the dot points in Column 2.

Consultation method	Comments received	Delegated Officer's response
	<ul style="list-style-type: none"> <li>• Change condition 18 and 19 report due date from 1 September each year to 1 October each year,</li> <li>• Change condition 18 Table 15 and align mislabelled table requirements for Table 11, Table 12 and Table 13 for condition 13 for the annual period,</li> <li>• Change pH analysis method in Table 8, Table 11 and Table 13 to allow for in field and/or NATA accredited monitoring, and,</li> <li>• Remove AS/NZS 5667.9 from Table 11 as marine monitoring is not applicable at this premises.</li> </ul>	