



Application to renew a licence

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

Licence Number	L6870/1993/13
Licence Holder	Shire of East Pilbara
File Number	DWER2014/001424-1~2
Premises	Newman Wastewater Treatment Plant Great Northern Highway NEWMAN WA 6873 Legal description - Reserve 45776, Lot 568 on Plan 400579 As depicted by the coordinates in Schedule 2
Date of Report	28 July 2023
Decision	To grant a licence

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SENIOR INDUSTRY REGULATION OFFICER
REGULATORY SERVICES
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 L6870/1993/13 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:

- revise and replace several existing conditions with current standard condition sets including general monitoring and reporting requirements.
- transfer all relevant existing regulatory controls and conditions to the new licence.
- include conditions considered necessary for the effective administration of the licence (i.e., record keeping and reporting requirements); and
- incorporate the reduced reporting (Environmental Report) licence amendment issued 16 May 2022.

As a result of the above, the Delegated Officer decided to grant Licence L6870/1993/13, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 4 May 2023 the Shire of East Pilbara (licence holder) applied to renew licence L6870/1993/12, as the licence is due to expire on 29 July 2023. The licence was granted to the licence holder for the premises located at Crown Reserve 45776, off Great Northern Highway, Newman (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: Sewage facility – Premises on which sewage is treated or from which treated sewage is discharged onto land or into waters.	2000m ³ per day

The current WWTP was constructed by BHP in 1981 to treat raw wastewater and produce so-called 'Class A' recycled water for irrigation throughout Newman. This recycled water is used for low exposure risk irrigation on fully grassed areas and/or garden beds at night, as per the Department of Health licence.

The ownership of the water reuse network was transferred to the Shire of East Pilbara (SoEP) in 1986 and in 1990 the ownership of the WWTP was transferred to the Water Corporation. In 1996, the SoEP reacquired the WWTP to allow the town to retain operation of its existing recycled water irrigation system for Newman.

Currently, any excess treated wastewater not taken up by the re-use scheme, overflows to a nearby wetland located within a BHP mining lease. The licence amendment issued by the Department in September 2020 included a condition to cease discharge of treated wastewater to this wetland by 2027.

A Works Approval application (W6680/2022/1) to undertake major upgrades to all the facility infrastructure is currently under assessment to ensure improved and efficient operation of the WWTP, protection of the surrounding receiving environment, and maintenance of a safe supply of recycled water to Newman for community amenity.

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 no incidents or complaints identified at the Premises by the department in the last five years. There have been no enforcement actions against the occupier in the last five years regarding this licence.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises. The current premises is situated on Crown Reserve (45776) on Lot 144 of Plan 192902. The SoEP has been given approval from the Department of Planning, Land and Heritage (DPLH) to enlarge the site of the existing premises. The amalgamated lot is now Lot 568 and covers an area of 5.02 ha.

4.3 Categories of the licence

The requested category and the corresponding maximum design 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.

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 licence. Most licenses 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 / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
1	Management of WWTP infrastructure	1	Direct transfer of conditions.
2	Operation of second clarifier	2	
3 & 4	Plant failure or maintenance – use of Emergency Storage Facility	4 & 5	
5, Table 1	Discharges/ emissions to land	6	Condition transferred with minimal change to wording (including removal of Table 1 reference), to clarify all treated wastewater is being discharged off the premises.
6, Table 1	Discharge of treated wastewater - controls / limits	7, Table 1	Conditions transferred with changes to reference point description for the off-site wetland discharge area.
7	Time limit on off-site discharge to wetland/ Emergency Discharge Point	8	
8	Odour emissions	9	Direct transfer of conditions.
9	Disposal of sludge	10	
10	Monitoring – apply Australian Standard	11	General monitoring standard condition set applied to reference relevant Australian standards for water sampling and NATA accreditation requirements.
11	Submission to NATA accredited laboratory and test method specification		
12	Flow meter maintenance	3	Transfer of existing condition with minor wording changes.
N/A	Monitoring inputs & outputs	12, Table 2	New condition to specify requirements for sewage inflow and treated wastewater outflow monitoring to determine off-site discharge volumes & associated loadings calculations, noting there is no direct metering of the off-site discharge to the Emergency Discharge Point.
13, 15 & 16	Reporting in AER – i. monthly cumulative flow; ii. treated wastewater discharge monitoring; and iii. discharge loadings calculations	17, Table 5	Added standard Environmental Report condition to include required cumulative flow, discharge monitoring and loadings calculations reporting. Applied the reduced reporting requirement resulting from the licence amendment May 2022.
14, Table 2	Monitoring discharge	13, Table 3	Revised condition wording and table to standard emissions monitoring format. Includes change from quarterly to monthly sampling requirement to align with testing requirements of the Department of Health Recycled Water Scheme Approval
17, Table 3	Ambient groundwater monitoring	14, Table 4	Direct transfer of condition.
18	Complaints records	15	Direct transfer of condition.

Current condition / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
19	Annual Audit Compliance Report (AACR)	16	Direct transfer of condition with update to submission date to align with environmental reporting.
20 & 21	Records & reporting – standard books conditions	19 & 20	Direct transfer of conditions.
22	Notification requirements for emergency discharge to wetland as defined in Condition 6	18	Direct transfer of condition with minor update to description of discharge point & cross-referenced condition.
Definitions	N/A	N/A	Update to definitions to include relevant Australian Standards applicable to monitoring and other relevant terms used in the licence with respect to infrastructure and discharges.
Schedule 1	Figure 1: Premises boundary map	N/A	Updated with treated wastewater sampling point added.
	Figure 2: Premises layout / infrastructure labelling		No change.
	Figure 3: Groundwater monitoring bore locations		
	Figure 4: Discharge points & discharge flow meter location		Updated plan to show location of discharge flow meter, treated wastewater pipelines and off-site discharge to Recycled Water Scheme (direction only indicated via pipeline) & adjacent Emergency Discharge Point.
-	Premise coordinates	Schedule 2	Include new table describing the premises boundary coordinates.

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 26 May 2023.	No submissions were received following the advertising closing on 17 June 2023.	N/A
Applicant was provided with draft documents on 26 June 2023.	<p>The licence holder reviewed the drafts and provided the following comments on 7 July 2023;</p> <ul style="list-style-type: none"> The Inflow meter is located at the facility inlet and data is captured in the control room by a USB device. There is no outflow meter but is proposed in the new works 	<p>The Delegated officer considered the comments provided by the licence holder and agreed to;</p> <p>Amend conditions 12, Table 2, to identify the inflow and outflow meter locations.</p> <p>Definitions and conditions 1 to 20 edited to correctly describe and identify the wetland emergency</p>

Consultation method	Comments received	Delegated Officer's response
	<p>approval (W6680/2022/1) awaiting DWER approval.</p> <ul style="list-style-type: none"> • Emergency Discharge Point located at the nearby wetland to be correctly referenced as acknowledged by third parties. • The revised Figure 4 was provided for inclusion into the licence. 	<p>discharge point identified in Schedule 1 Figure 4.</p> <p>Schedule 1 Figure 4 amended to include the new figure provided the licence holder.</p> <p>The Delegated Officer update the definitions plus inserted Schedule 2 with a new table that describes the Premises boundary coordinates.</p>