



Application to renew a licence

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

| | |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Licence Number | L7331/1996/10 |
| Licence Holder | Shire of Carnarvon |
| ABN | 89 534 312 469 |
| File Number | DER2014/001261-1~1 |
| Premises | Carnarvon Water Storage Ponds - Treated Sewage Effluent Lot 1320 on Plan 193061 and Portion of Lot 1205 on Plan 240108 Babbage Island Road, CARNARVON WA 6701 as depicted in Schedule 1 of the Licence. |
| Date of Report | 25 October 2023 |
| Decision | To grant a licence |

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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 L7331/1996/9 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;
- include all infrastructure into condition 1, *Table 1: infrastructure and equipment requirements*;
- correct clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls, production throughputs and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L7331/1996/10, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 24 July 2023, the Shire of Carnarvon (licence holder) applied to renew licence L7331/1996/9, as the licence is due to expire on 25 October 2023. The licence was granted to the licence holder for the premises located at the Carnarvon Water Storage Ponds (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 capacity |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Category 54 – Sewage facility | 1,000 cubic meters (m ³) or more per day |

The main activities occurring on the Premises include receiving 303 Mega liters of treated wastewater per year from the Carnarvon Wastewater Treatment Plant which is stored in two High Density Polyethylene (HDPE) lined ponds. The treated final effluent is then chlorinated and irrigated on parks and sports grounds managed by the Shire of Carnarvon.

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 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 has informed the department that it has planning approval for the Premises plus Department of Health approval for the irrigation activity.

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 emissions and/or discharges from the premises in question.

Table 2 summarises the changes from the expiring licence and conversion 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 |
|---------------------------|------------------------------|----------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| - | | | Update licence to current layout and format |
| Section 1.2 | General conditions | - | Removed, no longer relevant |
| 1.3.1 | Exceedance investigation | - | Removed, no longer relevant |
| 1.3.2 | Waste acceptance | 2 – Types of waste authorised to be accepted onto the | Updated to latest DWER standard condition and review of treated sewage effluent volume received |

| Current condition / table | Summary of current condition | New condition / table (if relevant) | Description and rationale |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------|
| | | premises | each day. |
| 1.3.3 | Waste Processing | 3 – Waste processing | |
| 1.3.4 | Containment infrastructure | 1 and 4 – Infrastructure and equipment | |
| Emissions | <ul style="list-style-type: none"> • 2.1 General • 2.2 Point source emission to air • 2.3 Point source emissions to surface water • 2.4 Point source emissions to groundwater • 2.6 Noise | | Removed as conditions are either redundant or no longer relevant to the premises operation. |
| 2.5.1 2.5.2 | <ul style="list-style-type: none"> • 2.5 Fugitive emissions | 5 and 6 – Fugitive emissions | Edit existing conditions for odour and dust emissions. |
| - | | Condition 7 and Table 4 | Requires the licence holder to record the total amount of waste accepted at the premises. |
| Information | Reporting and Notification | Records and reporting Conditions 8-10 | Updated to the Department's latest requirements. |
| Definitions | - | - | Definitions removed: AS/NZS 5667.10, discharge, emission, NATA and NATA accredited. |
| Forms | - | - | Removed Notification Form N1, to be consistent with current licence format. |

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 14/09/2023. | No submissions were received by closing date of 06/10/2023. | N/A |
| Applicant was provided with draft documents on 6 September 2023 & Revised version on 12 September 2023 | The revised version quantified the production capacity from 100 m ³ /day to 1,000m ³ /day and adjusted Condition 2 effluent volumes from 246m ³ /day to 830m ³ /day. | The Delegated Officer was provided sufficient evidence to justify the changes in production capacity and effluent volumes from historical records collected by the licence holder. Licence was adjusted to reflect these changes. |