



Application for Licence Amendment

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

Licence Number	L7994/2003/4
Licence Holder	Shire of Brookton
File Number	DEC6572/1~4
Premises	Brookton Wastewater treatment plant Lot 448 Robinson Road, BROOKTON WA 6306 Legal description – Lot 448 on Plan 192654
Date of Report	2 October 2023
Decision	Revised licence granted

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an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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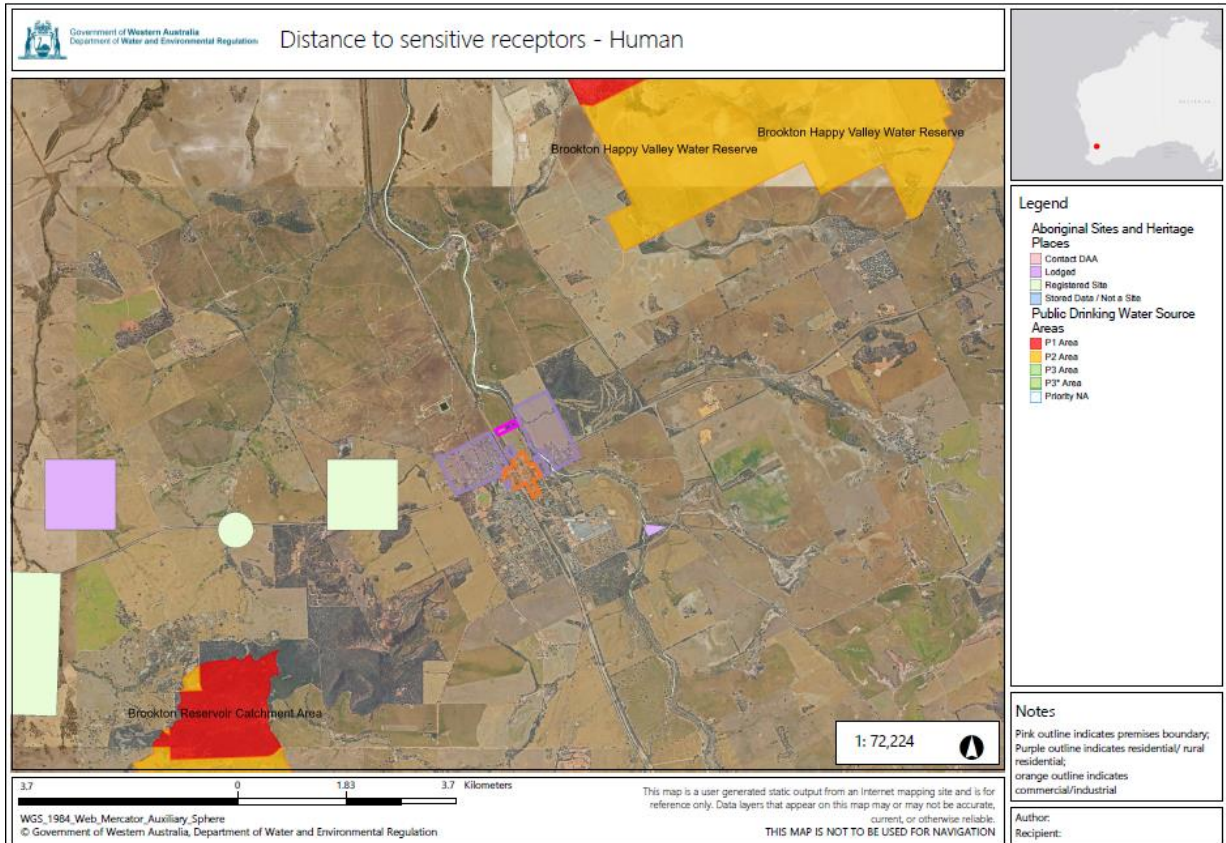


Figure 1: Distance to sensitive receptors – Human6

1. Decision summary

Licence L7994/2003/3 is held by the Shire of Brookton (Licence Holder) for the Brookton Wastewater Treatment Plant (the Premises), located at Lot 448 Robinson Road, BROOKTON WA 6306.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Revised Licence L7994/2003/4 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The Revised Licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary

On 08 March 2023, the Licence Holder submitted an application to the department to amend Licence L7994/2003/4 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Update the licence to a modern format;
- Remove reference to the clarifier and polishing tank from the containment infrastructure table; and
- Removal of *E.coli* and its associated target from the monitoring suite.

No structural changes are proposed to the system or the operations as part of this amendment application. No changes to the operational throughput have been requested as part of this amendment application.

2.3 Consolidation of Licence

As part of this amendment package the department has consolidated the licence by incorporating changes made under the Amendment Notices as summarised in Table 1.

Table 1: Licenses consolidated in this amendment

Instrument	Issued	Summary of approval
L7994/2003/4	29/04/2016	Department initiated amendment to extend licence duration
L7994/2003/4	11/02/2019	Amendment Notice 1 – removal of treated water re-use monitoring and associated conditions
L7994/2003/4	2/10/2023	Licence amendment – Removal of clarifier and polishing tank from the licence, and the removal of <i>E.coli</i> limitation. This licence amendment also includes a consolidation of all previous amendment notices and administrative updates to the licence format.

The obligations of the Licence Holder have not changed in consolidating the licence. The department has not undertaken any additional risk assessment of the Premises related to previous Amendment Notices.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- deleted the redundant AACR form set out in schedule 2 of the previous licence and advise the Licensee to obtain the form from the department’s website;
- revised licence condition’s numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in Section 5.1. Previously issued Amendment Notices will remain on the department’s website for future reference and will act as a record of the department’s decision making.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this Amendment Report are detailed in Table 2 below. Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Pathogens (<i>E.coli</i>)	Discharge of treated wastewater to storage dam/pond	Direct exposure	Offsite storage pond is fenced off and includes signage indicating the danger to public.

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder’s from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 3 and Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Approximate istance from prescribed activity
Residential Premises	100 m west of the premises boundary; 107 m, 127 m and 226 m south-west of boundary; and 604 m and 747 m south-east of premises boundary
Commercial premises	374 m south south-east of premises boundary
Aboriginal Sites and Heritage Places - Avon River: Registered Site - The Cutting, Brookton: Registered Site - Brookton Highway: Registered Site - Sugar Loaf: Lodged Site - Brookton Reserve 289: Lodged Site	25 m east of premises boundary 1.46 km west of premises boundary 3.7 km south-west of premises boundary 5.4 km west of premises boundary 2.35 km south-east of premises boundary
Public Drinking Water Source Supply - Brookton Happy Valley Water Reserve - P2 area - P1 area - Brookton Reservoir Catchment Area - P1 area - P2 area	2.8 km north-east of premises boundary 4.6 km north-east of premises boundary 4.32 km south-west of premises boundary 5.37 km south-west of premises boundary
Contaminated Sites - Possibly Contaminated, investigation required. - Decontaminated - Report not substantiated	Within the premises boundary Immediately to the north of premises boundary Immediately to the south of premises boundary
Environmental receptors	Distance from prescribed activity
Waterways Conservation Act Management Areas Avon River Management Area	Within the premises boundary
Surface water lines Avon River South - Minor	25 m east of the premises boundary
RIWI Act – Surface Water Areas and Irrigation Districts Avon River Catchment Area	Within the premises boundary
Threatened Ecological Communities Buffer Zones Eucalypt woodlands of the Western Australian Wheatbelt – Priority 3	Within premises boundary and immediately surrounding the premises boundary.
Threatened and Priority Fauna Birds: - Peregrine falcon (<i>Falco peregrinus</i>) –	28 recorded sightings of 5 species of threatened or priority fauna within a 1 km radius of the premises

<p>OS</p> <p>Mammals:</p> <ul style="list-style-type: none"> - Numbat (<i>Myrmecobis fasciatus</i>) – EN - Red-tailed phascogale (<i>Phascogale calura</i>) -CD - Bilby (<i>Macrotis lagotis</i>) – VU <p>Reptile:</p> <p>Southern death adder (<i>Acanthophis antarcticus</i>) – P3</p>	
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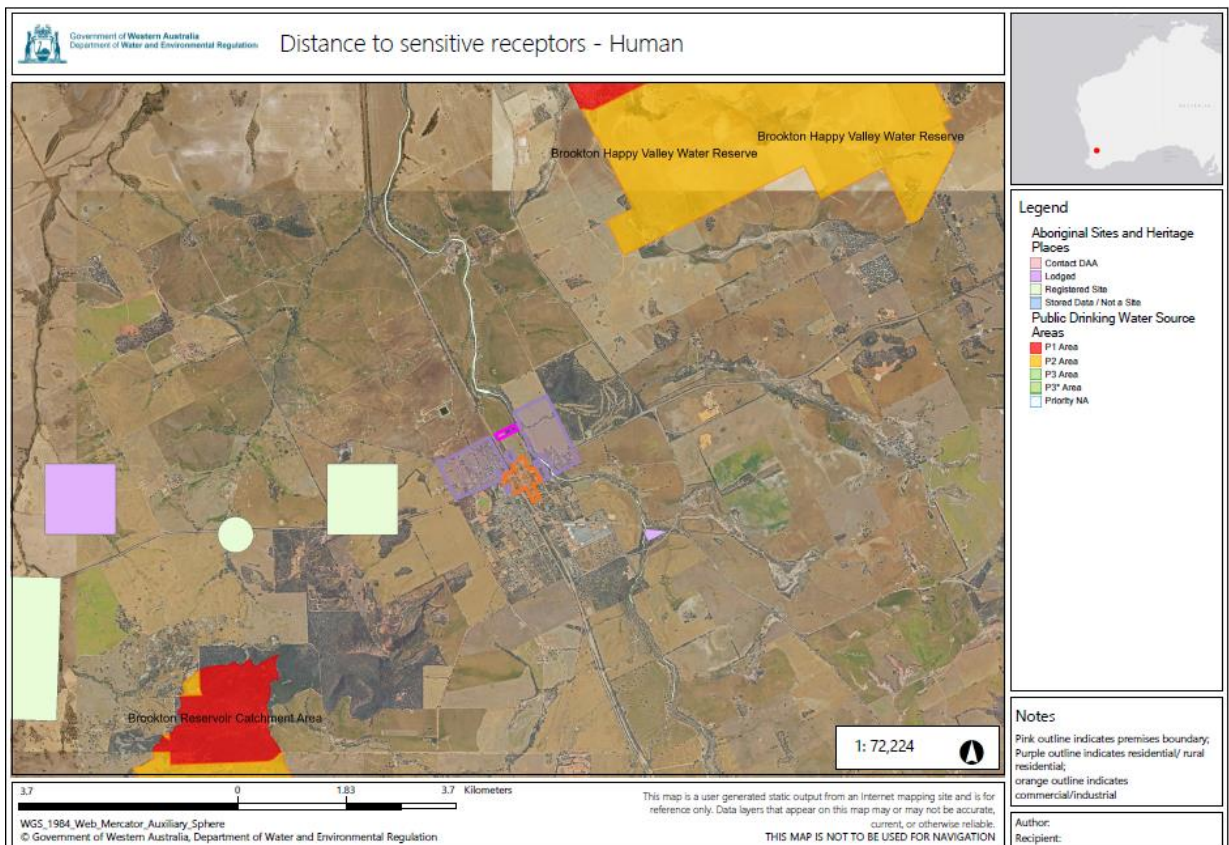


Figure 1: Distance to sensitive receptors – Human

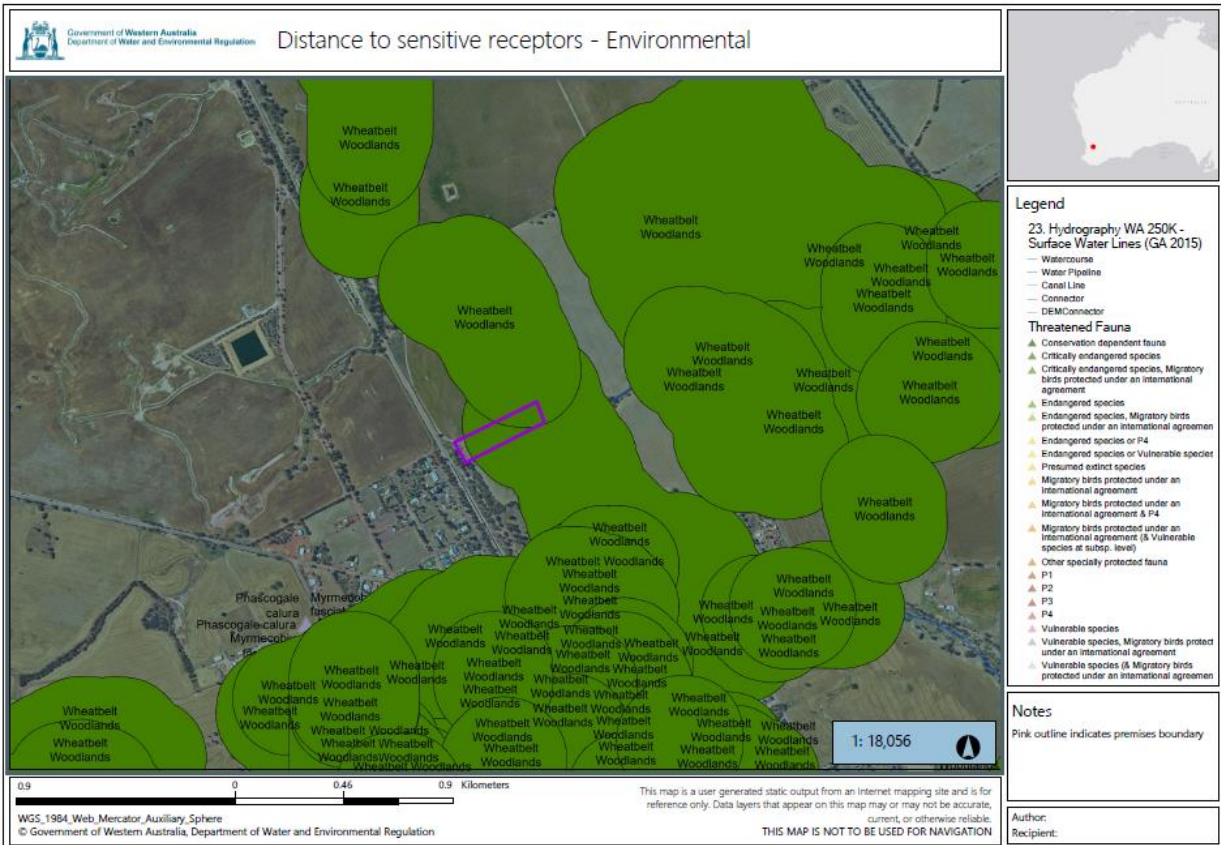


Figure 2: Distance to sensitive receptors - Environment

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L7994/2003/4 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. operating a waste water treatment plant.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Operation								
Removal of e-coli limitation from monitoring	Pathogens (<i>E.coli</i>)	Direct exposure	Members of the public	Section 3.1	C= Slight L= Possible Low Risk	Y	-	The Delegated Officer considers the removal of e-coli limitation from the licence poses low risk to the sensitive receptors and was likely an oversight from the last amendment. They have therefore removed the limitation from the licence however, the requirement to monitor for e-coli will remain on the licence.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Department of Health (DoH) advised of proposal 31/05/2023	DoH responded 21/06/2023 with no concerns regarding the proposed amendment.	N/A
Licence Holder was provided with draft amendment on 22 August 2023	Comments received 14 September 2023 indicating no objections to amendments.	N/A

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 6: Summary of licence amendments

Condition no.	Proposed amendments
5, Table 3	Removal of polishing tank and clarifier from containment infrastructure
15, Table 4	Removal of reference to irrigation. Clarify that storage pond is offsite.
16, Table 5	Clarify that storage pond is offsite and remove limitation for <i>e-coli</i>
Schedule 1	Figure 1 updated premises map

Table 7: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Expiry Date: 12 February 2019	Expiry Date: 12 February 2026	In accordance with the Notice of Amendment of Licence Expiry Dates (29/04/2016)
N/A	Prescribed Premises Category table	Prescribed Premises Category table	Revised to current licensing format.
1.1.1 1.1.2	Introduction, Interpretation and definitions	N/A Interpretation section and Definitions	Redundant condition. Revised to current licensing format.

Existing condition	Condition summary	Revised licence condition	Conversion notes
1.1.3	Australian or other standard	N/A Interpretation section, Definitions	Redundant condition. Revised to current licensing format.
1.1.4	Reference to code of practice	N/A Interpretation section, Definitions	Redundant condition. Revised to current licensing format.
1.2.1	Emissions	N/A	Redundant condition. Revised to current licensing format.
1.2.2	Pollution control and monitoring	Condition 1	Revised numbering
1.2.3	Storage of environmentally hazardous materials	N/A	Redundant condition. Adequately regulated by the Dangerous Goods Safety Act 2004. Deleted from licence.
1.2.4	Recovery and removal of spills	N/A	Redundant condition. Adequately covered by EP (Unauthorised Discharges) Regulations 2004. Deleted from licence.
1.2.5	Prevention of contamination and containment of contaminated stormwater	Condition 9	New numbering
1.3.1	Investigate exceedances of targets or limits	Condition 2	New numbering
1.3.2 Table 1.3.1	Waste acceptance	Condition 3 Table 1	New numbering
1.3.3 Table 1.3.2	Waste processing	Condition 4 Table 2	New numbering
1.3.4 Table 1.3.3	Containment infrastructure	Condition 5 Table 3	New numbering
1.3.5	Wastewater treatment ponds management	Condition 7	New numbering
1.3.6	Wastewater treatment vessel management	Condition 8	New numbering
1.3.7	Security	Condition 6	New numbering

Existing condition	Condition summary	Revised licence condition	Conversion notes
2.1.1	Record and investigate exceedances of limits or targets	N/A	Redundant condition. Deleted from licence.
2.7.1	Odour emissions	Condition 10	New numbering
3.1.1	General monitoring – sampling standards	Condition 11	New numbering
3.1.2	Monitoring timing	Condition 12	New numbering
3.1.3 and 3.1.4	Monitoring equipment calibration	Condition 13 and 14	New numbering
3.6.1 Table 3.6.1	Monitoring of inputs and outputs	Condition 15 Table 4	New numbering
3.7.1 Table 3.7.1	Process monitoring	Condition 16 Table 5	New numbering
4.1.1 and 4.1.2 Table 4.1.1	Improvement program	N/A	Removed from licence – no longer relevant
5.1.1 to 5.1.4	Records	Condition 17 to 20	New numbering and update to wording format
5.2.1 Table 5.2.1	Annual Environmental Report	Condition 22 Table 6	New numbering and update to wording format with new reporting dates to align with amendment notice dated 16 May 2022
5.2.2	Annual Environmental Report	Condition 21	New numbering
5.2.3 Table 5.2.2	Non-annual reporting requirements	Condition 24 Table 8	New numbering
5.3.1 Table 5.3.1	Notification requirements	Condition 25 Table 9	New numbering
Schedule 1: Maps	Premises map	Schedule 1: Maps	New naming convention, updated map
Schedule 2 Reporting & notifications	Annual Audit Compliance Report Form N1 Notification	N/A	Redundant attachment. Deleted from Licence Forms accessed at www.dwer.wa.gov.au

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)						
Application type						
Works approval	<input type="checkbox"/>					
Licence	<input type="checkbox"/>	Relevant works approval number:	Licence	<input type="checkbox"/>	Relevant works approval number:	
		Has the works approval been complied with?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?			Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Date Report received:				
Renewal	<input type="checkbox"/>	Current licence number:	Renewal			
Amendment to works approval	<input type="checkbox"/>	Current works approval number:	Amendment to works approval			
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	Amendment to licence			
		Relevant works approval number:		N/A	Relevant works approval number:	
Registration	<input type="checkbox"/>	Current works approval number:	Registration	<input type="checkbox"/>	Current works approval number:	
Date application received		08/03/2023				
Applicant and Premises details						
Applicant name/s (full legal name/s)		Shire of Brookton				
Premises name		Brookton Wastewater Treatment Plant				
Premises location		Lot 448 Robinson Road, BROOKTON WA 6306 Lot 4076, DP 106994, Youraling Road				
Local Government Authority		Shire of Brookton				
Application documents						
HPCM file reference number:		DEC6572/1~4				
Key application documents (additional						

to application form):		
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	<p><i>Licence amendment</i></p> <p>Clarification of activities in processing and storage of treated primary and secondary treated effluent; Processing through oxidation pond and storage of effluent in dam with evaporation.</p> <p>Removal of E.coli limitation in conditions.</p> <p>RFI will likely be required as there is no information presented detailing why the removal of e.coli is requested, nor does it detail the 'clarification of activities'</p> <p>Note: this amendment will need to include an amalgamation of a medium sized amendment notice issued in 2019.</p>	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or 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	120 cubic metres per day	<i>Require RFI as they have listed the wrong units. 25,000 kL/annum</i>
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:

Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A for amendments
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why?
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: Licence / permit not required.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Name: Avon River Catchment Area Type: Proclaimed Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: Swan Avon
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/landuse compatible with the PDWSA (refer to <u>WQPN 25</u>)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> .
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Environmental Protection (Controlled Waste) Regulations

Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Classification: possibly contaminated – investigation required (PC–IR)</p> <p>Date of classification: 24/11/2004</p>