



Application to renew a licence

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

Licence Number	L8050/1991/4
Licence Holder	Water Corporation
ABN	28 033 434 917
File Number	2010/003526-1~5
Premises	Jurien Bay Wastewater Treatment Plant Airstrip Road JURIEN BAY WA 6516 Legal description - Victoria Location 11300 (Crown Reserve 40417) Lot 11300 on Deposited Plan 185509
Date of Report	30 October 2023
Decision	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 L8050/1991/3 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;
- correct 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 L8050/1991/4, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 18 July 2023, Water Corporation (licence holder) applied to renew licence L8050/1991/3, as the licence is due to expire on 31 October 2023. The licence was granted to the licence holder for the premises located at Airstrip Road, Jurien Road (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 – (a) on which sewage is treated (excluding septic tanks); or (b) from which treated sewage is discharged onto land or into waters.	300 cubic metres per day
Category 61: Liquid waste facility – premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	150 cubic metres per day

The Jurien Bay WWTP is a secondary treatment facility with a design capacity to treat 300 cubic metres per day of sewage. The facility also accepts 150 cubic metres per day of D300 non-toxic salts into the infiltration pond.

The WWTP treats wastewater to a secondary standard and includes the following treatment processes:

- Preliminary (1, 1B) treatment (two primary (facultative) ponds);
- Secondary (2, 2B) treatment (two secondary (maturation) ponds);
- Treated wastewater infiltration (three infiltration ponds); and
- Sludge treatment and dewatering.

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 has been one non-compliance identified at the Premises by the department in the last five years relating to an Annual Environment Report. 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

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

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 a 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 resulting from emissions and/or discharges from this premises.

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 condition	New condition / table (if relevant)	Description and rationale
1 - 15	Waste acceptance Waste processing Infrastructure and equipment Emissions and discharges Monitoring	1 - 15	Transfer of existing conditions. Condition 4(b) relating to treatment of stormwater prior to discharge has been removed as it's a redundant condition.

Current condition / table	Summary of condition	New condition / table (if relevant)	Description and rationale
16	Groundwater Monitoring	N/A	The Subterranean Fauna Assessment required by condition 16 was submitted to DWER on 12 October 2023. Condition removed as this has now been completed.
17 - 22	Records and reporting Notification	17 - 22	The following conditions have been removed as they are redundant: <ul style="list-style-type: none"> • Failure or malfunction of pollution control equipment has been removed as it duplicates reporting requirement under Section 72 of the EPA Act (duty to notify CEO of discharged of waste); • requirement to submit an AACR as this is required under condition 18 • Breach of any limit as revised to current licensing format under condition 23.
Schedule 2: Notification and Forms	N1	N/A	Removed Notification Form N1 as form is redundant.

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 1 September 2023.	None received	N/A
Local Government Authority advised of application on 13 September 2023.	The Shire of Dandaragan replied on 18 September 2023 confirming the premises is exempt from requiring development approval under the Shire of Dandaragan Local Planning Scheme No. 7 (LPS7) as an excluded public works and is therefore deemed consistent with LPS7. The Shire also supported the renewal of the licence and supports the reuse of treated water on public open spaces throughout Jurien Bay.	The Delegated Officer noted the Shires comments.
Applicant was advised on 5 October 2023 and provided comments on 23 October 2023.	See comments in Appendix 1.	See Delegated Officer responses in Appendix 1.

Appendix 1: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
Premises details on front page of licence	Remove 'Water Resource Recovery Facility' (WRRF). Jurien Bay WWTP is not a WRRF as treated wastewater is not recovered or reused.	Noted. Revert to Jurien Bay Wastewater Treatment plant.
Licence history	Retain licence history as appeared in previous version of the licence (L8050/1991/3). It is helpful to retain documented changes to the licence for version and document control.	Noted. Licence history has been included in L8050/1991/4.
Condition 2 – Table 2 Process limits and/or specifications	Management and processing obligations and requirements from Table 3 should be moved to waste processing (Table 2). Management has no relationship to infrastructure specifications.	<p>This licence renewal is administrative in nature. An amendment to conditions cannot be undertaken as a review and further risk assessment of the conditions of licence is required. As outlined in the decision summary of this decision report the renewal has been issued without conducting further risk assessment.</p> <p>However, the licence holder may apply for an amendment to the licence in accordance with Part V of the EP Act. An application for an amendment to licence can be located on the Departments website.</p>
Condition 3 – Table 3	Infrastructure and equipment requirements. Management has no relationship to infrastructure specifications.	Noted and as above.
Condition 8 - Table 4 Authorised discharge points	Remove the words in the description 'though infiltration' as it is implied as in the description for wastewater.	Corrected.
Condition 16	Remove condition as this has been completed and submitted to DWER on 17 October 2023.	Confirmed and removed.
Condition 18(b)	Amend date to 1 October to be consistent with AER.	Noted and adjusted.
Condition 19(c)	Amend monitoring programs undertaken in accordance with condition 15 of this licence. No monitoring programs are required under conditions 13 to 15.	This is now condition 18(c) and it has been corrected to read 'groundwater concentration monitored in accordance with condition 15 of this licence'.
Condition 21	Fix error and amend date to 1 October biennially.	Corrected error and amended reporting date to 1 October annually.
Condition 23(a)	Remove point (a) as condition was not complied with.	Noted. No change required as this is a standard condition.