



Application to renew a licence

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

Licence Number	L9273/2020/2
Licence Holder	Water Corporation
ABN	28 033 434 917
File Number	DER2020/000626~1
Premises	Mount Barker Water Resource Recovery Facility Lot 610 on Plan 187856 and Lot 575 on Plan 175884 Crown Reserve 26367 MOUNT BARKER WA 6324 As defined by the coordinates in Schedule 2 of licence
Date of Report	30/10/2023
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 L9273/2020/1 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:

- 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 L9273/2020/2 subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 29/8/2023 Water Corporation (licence holder) applied to renew licence L9273/2020/1 as the licence is due to expire on 31/10/2023. The licence was granted to the licence holder for the premises located at Lot 610 on Plan 187856 and Lot 575 on Plan 175884 Crown Reserve 26367 Mount Barker (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.	1,280 cubic metres per day

The main activities occurring on the Premises include the treatment of sewage. Discharges of treated wastewater to land are managed by treating wastewater before transfer of up to 80 ML per year to the Omrah Vineyard storage dam prior to onsite irrigation.

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 [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](http://www.wa.gov.au).

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

Under Section 137 of the *Water Services Act 2012*, the Water Corporation is a public works 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. 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 emissions and/or discharges from the premises.

There are no changes to the expiring licence as it was last amended on 11/02/2021.

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 1.

Table 1: Consultation

Consultation method	Comments received	Delegated Officer's response
<i>Application advertised on the department's website on 22/09/2023 with submissions closing on 13/10/2023.</i>	<i>No comments received</i>	NA
<i>Applicant was provided with draft documents on 03/10/2023 and comments were received on 25/10/2023</i>	<i>Comments from the applicant include;</i> <ol style="list-style-type: none"><i>1. An annual average design capacity should be applied to the licence.</i><i>2. Condition 12 and 13, change reporting date to 1 October annually.</i><i>3. Table 4 reword final effluent point for better clarity, and,</i><i>4. Changes to the decision report text for clarity.</i>	<i>DWER accepted all changes except for recording assessed design capacity as annually.</i> <i>The assessed design capacity is aligned with Environmental Protection Regulations 1987 which records production or design capacity for category 54 as daily.</i>