



Licence Number	L9092/2017/1	
Licence Holder	Water Corporation	
ABN	28 003 434 917	
Registered business address	629 Newcastle Street LEEDERVILLE WA 6007	
File Number	DER2017/001571	
Duration	13/10/2017	12/10/2022
Date of issue	13/10/2017	
Prescribed Premises	Category 61	
Premises	Wiluna Wastewater Treatment Plant Forrest Street Wiluna WA 6646 Lot 510 on Deposited Plan 54565 Crown Reserve 50295 Certificate of Title Volume 3158 Folio 751	

This Licence is granted to the Licence Holder, subject to the following conditions, on 13/10/2017, by:

[REDACTED]

[REDACTED]

Stephen Checker

MANAGER LICENSING (WASTE INDUSTRIES)

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

Explanatory notes

These explanatory notes do not form part of this Licence.

Defined terms

Definition of terms used in this Licence can be found at the start of this Licence. Terms which are defined have the first letter of each word capitalised throughout this Licence.

Department of Water and Environmental Regulation

The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986 (WA)* (EP Act). The Department also monitors and audits compliance with licences, takes enforcement action and develops and implements licensing and industry regulation policy.

Licence

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased, or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered, or permitted to be altered, from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987 (WA)* (EP Regulations).

This Licence does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Licence Holder to ensure that any action or activity referred to in this Licence is permitted by, and is carried out in compliance with, other statutory requirements.

The Licence Holder must comply with the Licence. Contravening a Licence Condition is an offence under s.58 of the EP Act.

Responsibilities of a Licence Holder

Separate to the requirements of this Licence, general obligations of Licence Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Licence Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under section 61; and
- restrictions on making certain changes to Prescribed Premises unless the changes are in accordance with a works approval, Licence, closure notice or environmental protection notice (s.53).

Strict penalties apply for offences under the EP Act.

Reporting of incidents

The Licence Holder has a duty to report to DWER all discharges of waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

Offences and defences

The EP Act and its regulations set out a number of offences, including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Licence Holder commits an offence if Emissions are caused, or altered from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a Closure Notice or an Environmental Protection Notice.

Defences to certain offences may be available to a Licence Holder and these are set out in the EP Act. Section 74A(b)(iv) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Licence Holder can prove that an Emission or Discharge occurred in accordance with a Licence.

This Licence specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of Specified Emissions and Discharges, in order for the defence to offence provision to be available.

Authorised Emissions and Discharges

The Specified and General Emissions and Discharges from Primary Activities conducted on the Prescribed Premises are authorised to be conducted in accordance with the Conditions of this Licence.

Emissions and Discharges caused from other activities not related to the Primary Activities at the Premises have not been Conditioned in this Licence. Emissions and Discharges from other activities at the Premises are subject to the general provisions of the EP Act.

Amendment of licence

The Licence Holder can apply to amend the Conditions of this Licence under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Licence at any time on the initiative of the CEO without an application being made.

Amendment Notices constitute written notice of the amendment in accordance with s.59B(9) of the EP Act.

Duration of Licence

The Licence will remain in force for the duration set out on the first page of this Licence or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

Suspension or revocation

The CEO may suspend or revoke this Licence in accordance with s.59A of the EP Act.

Fees

The Licence Holder must pay an annual licence fee. Late payment of annual licence fees may result in the licence ceasing to have effect. A licence that has ceased to have effect due to non-payment of annual licence fees continues to exist; however, it ceases to provide a defence to an offence under s.74A of the EP Act.

Late fees are a component of annual licence fees and should a Licence Holder fail to pay late fees within the time specified the licence will similarly cease to have effect.

Definitions and interpretation

Definitions

In this Licence, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
Annual Period	means a 12 month period commencing from 1 January until 31 December.
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info-der@dwer.wa.gov.au
Compliance Report	means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
Department Request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to: <ul style="list-style-type: none">(a) compliance with the EP Act or this Licence;(b) the Books or other sources of information maintained in accordance with this Licence; or(c) the Books or other sources of information relating to Emissions from the Premises.
Discharge	has the same meaning given to that term under the EP Act.

DWER	Department of Water and Environmental Regulation.
Emission	has the same meaning given to that term under the EP Act.
Environmental Harm	has the same meaning given to that term under the EP Act.
EP Act	means the <i>Environmental Protection Act 1986 (WA)</i> .
EP Regulations	means the <i>Environmental Protection Regulations 1987 (WA)</i> .
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
ICB	Intermediate Bulk Container (1000 litre)
Licence	refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.
Licence Holder	refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at the front of this Licence.
Material Environmental Harm	has the same meaning given to that term under the EP Act.
Pollution	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Licence applies, as specified at the front of this Licence and as shown on the map in Schedule 1 to this Licence.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Primary Activities	refers to the Prescribed Premises activities listed on the front of this Licence as described in Schedule 2, at the locations shown in Schedule 1.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
Waste	has the same meaning given to that term under the EP Act.

Interpretation

In this Licence:

- (a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a Condition, each row in a table constitutes a separate Condition;
- (d) any reference to an Australian or other standard, guideline or code of practice in this Licence means the version of the standard, guideline or code of practice in force at the time of granting of this Licence and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Licence; and
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

Conditions

Emissions

1. The Licence Holder must not cause any Emissions from the Primary Activities on the Premises except for specified Emissions and general Emissions described in Column 1 of Table 2 subject to the exclusions, limitations or requirements specified in Column 2 of Table 2.

Table 2: Authorised Emissions table

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
Specified Emissions	
Liquid waste discharge to evaporation ponds.	Subject to compliance with Conditions 2 to 4
General Emissions (excluding Specified Emissions)	
<p>Emissions which:</p> <ul style="list-style-type: none"> • arise from the Primary Activities set out in Schedule 2; or 	<p>Emissions excluded from General Emissions are:</p> <ul style="list-style-type: none"> • Unreasonable Emissions; or • Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or • Discharges of Waste in circumstances likely to cause Pollution; or • Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or • Emissions or Discharges which do not comply with an Approved Policy; or • Emissions or Discharges which do not comply with a prescribed standard; or • Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or • Emissions or Discharges the subject

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
	of offences under regulations prescribed under the EP Act, including materials discharged under the Environmental Protection (Unauthorised Discharges) Regulations 2004.

Acceptance and Management

2. The License Holder shall only accept waste on to the Premises if:
- it is of a type listed in Table 3;
 - the quantity accepted is below any quantity limit listed in Table 3; and
 - it meets any specification listed in Table 3.

Table 3: Waste acceptance

Waste type	Waste Code	Quantity Limit	Specification ¹
Liquid waste	D300 (Non-toxic salts)	2000 tonnes per annual period	Liquid waste receipt in tankers from Water Corporation's Wiluna Water Treatment Plant.

Note 1: Additional requirements for the acceptance of controlled waste are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

3. The Licence Holder shall ensure that where waste does not meet the waste acceptance criteria set out in condition 2 is removed from the Premises as soon as possible.
4. The Licence Holder shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 4 and in accordance with any process limits described in that Table.

Table 4: Waste processing

Waste type	Process	Process limits
Liquid waste-backwash (brine) water from Wiluna Water Treatment Plant	Receipt in tankers	<ul style="list-style-type: none"> Not more than 2000 tonnes per year, of D300 waste to be discharged into the infiltration Pond 2. No processing of waste is permitted onsite.

5. The Licensee shall ensure that waste material is only stored within the infrastructure detailed in Table 5.

Table 5: Containment infrastructure

Containment area/infrastructure	Material	Infrastructure requirements
Infiltration pond 2	D300 (Non-toxic salts)	(a) Sized to the nominal dimensions of 77m (length) x 36m (width) x 2m (depth), a surface area of 3486m ² ; and (b) Designed to achieve a maximum infiltration rate of: 0.864mm/day

Record-keeping

6. The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
 - (a) the calculation of fees payable in respect of this Licence; and
 - (b) complaints received under Condition 7 of this Licence.
 In addition, the Books must:
 - (c) be legible;
 - (d) if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - (e) be retained for at least 3 years from the date the Books were made; and
 - (f) be available to be produced to an Inspector or the CEO.

7. The Licence Holder must record the number and details of any complaints received by the Licence Holder relating to its obligations under this Licence and its compliance with Part V of the EP Act at the Premises, and any action taken by the Licence Holder in response to the complaint. Details of complaints must include:
 - (a) an accurate record of the concerns or issues raised, for example a copy of any written complaint or a written note of any verbal complaints made;
 - (b) the name and contact details of the complainant, if provided by the complainant;
 - (c) the date of the complaint; and
 - (d) the details and dates of the actions taken by the Licence Holder in response to the complaints.

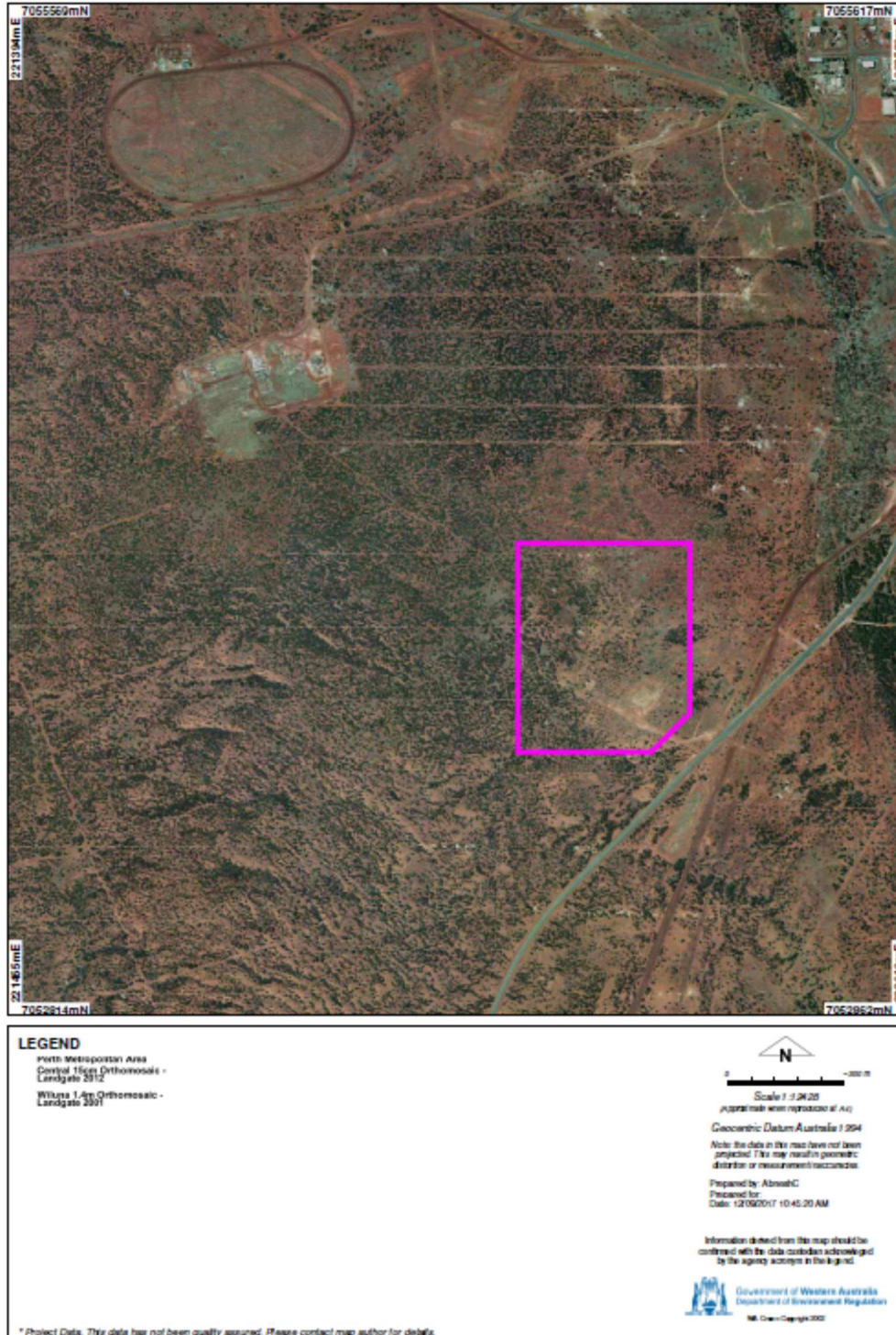
8. The Licence Holder must submit to the CEO, no later than 31 January, a Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period.

9. The Licence Holder must comply with a Department Request, within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

Schedule 1: Maps

Premises map

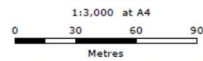
The Premises are shown in the map below. The red line depicts the Premises boundary.





1: File: S:\AA_EIA_GIS\1_Projects\Other\AER Receptor Mapping\ArcMap\Mapbook.mxd

LEGEND



Coordinate System: GCS GDA 1994
Vertical Datum: AHD

AUTHOR: CHAUDHCO | DATE: 18/08/2017

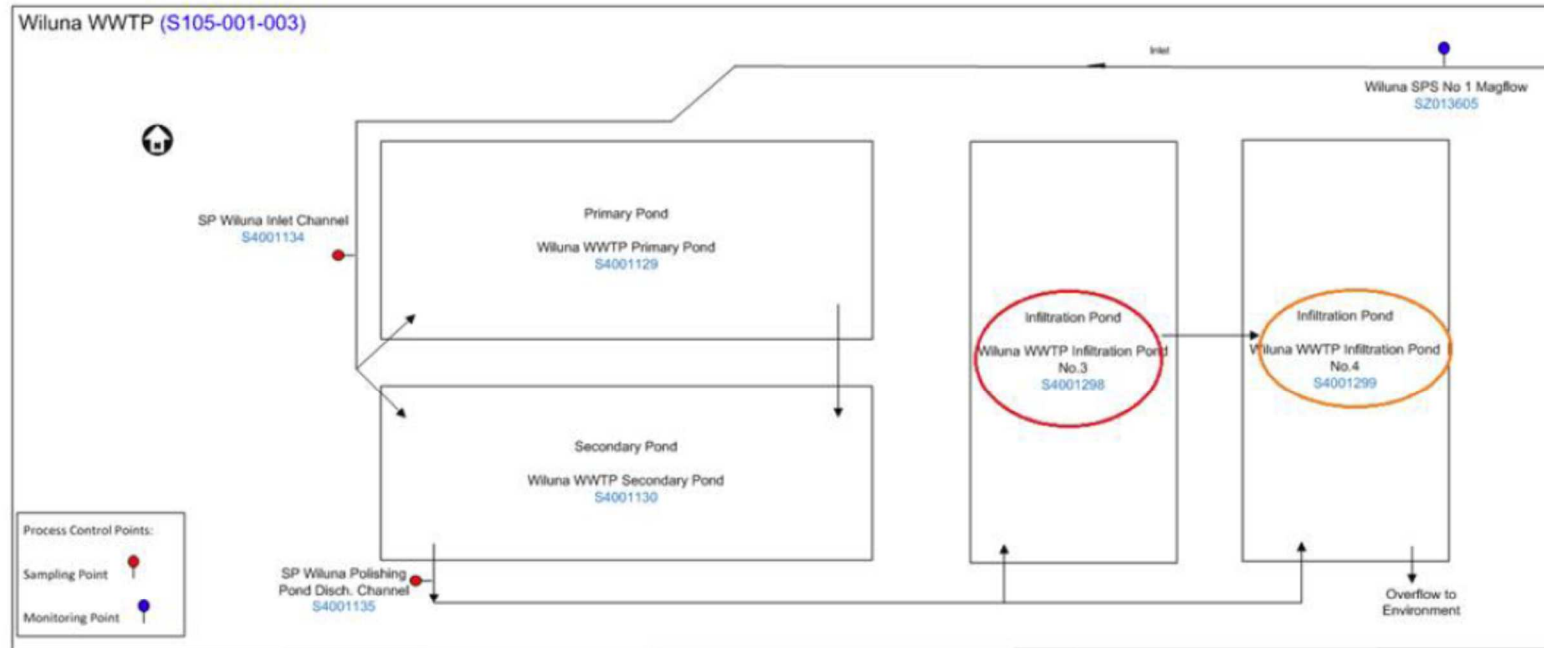
BRANCH: SEAA

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WILUNA

Schematics- Wiluna WWTP



Pond dimensions * (measurements at TWL):

Pond	Base length (m)	Base width (m)	Depth (m)	Slope	Volume (m ³)	Pond Area @1/2 Depth (m ²)
Primary Pond	75.82	36.00	1.35	3	3102	3199
Secondary Pond	75.28	36.00	1.26	3	2902	3145
Infiltration Pond 3	77.0	36.00	~2	~3	6900	3486
Infiltration Pond 4	77.0	36.00	~2	~3	6900	3486

*Drawing Ref: HP74-002-001 and HP74-003-004

PCT Note:

- ** Infiltration Pond No.3 is referred too as Infiltration Pond 1
- ** Infiltration Pond No.4 is referred too as Infiltration Pond 2

Schedule 2: Primary Activities

At the time of assessment, Emissions and Discharges from the following Primary Activities were considered in the determination of the risk and related Conditions for the Premises.

The Primary Activities are listed in Table 5:

Table 5: Primary Activities

Primary Activity	Premises production or design capacity
Category 61 - Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	2000 tonnes per annual period

Infrastructure and equipment

The Primary Activity infrastructure and equipment situated on the Premises is listed in Table 6.

Table 6: Infrastructure and equipment

Infrastructure and equipment	Plan reference
Overflow pipe	Schedule 1 Premises Map/ Schematics
Fencing around the WWTP	
Infiltration Pond 2	

Site layout

The Primary Activity infrastructure and equipment is set out on the Premises in accordance with the site layout specified on the Premises map in Schedule 1.



Application for Licence

Division 3, Part V *Environmental Protection Act 1986*

Licence Number	L9092/2017/1
Applicant	Water Corporation
ABN	28 003 434 917
File Number	DER2017/001571
Premises	Wiluna Wastewater Treatment Plant Forrest Street Wiluna WA 6646 Lot 510 on Deposited Plan 54565 Crown Reserve 50295 Certificate of Title Volume 3158 Folio 751)
Date of Report	13 October 2017
Status of Report	Final

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1. Definitions of terms and acronyms

In this Decision Report, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CS Act	<i>Contaminated Sites Act 2003 (WA)</i>
Decision Report	refers to this document.
Delegated Officer	an officer under section 20 of the EP Act.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the <i>Public Sector Management Act 1994</i> and is responsible for the administration of the <i>Environmental Protection Act 1986</i> along with other legislation.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Licence Holder	Water Corporation
m ³	cubic metres
Minister	the Minister responsible for the EP Act and associated regulations
MS	Ministerial Statement
mtpa	million tonnes per annum

NEPM	National Environmental Protection Measure
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
Occupier	has the same meaning given to that term under the EP Act.
PM	Particulate Matter
PM ₁₀	used to describe particulate matter that is smaller than 10 microns (µm) in diameter
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report
Primary Activities	as defined in Schedule 2 of the Revised Licence
Review	this Licence review
Revised Licence	the amended Licence issued under Part V, Division 3 of the EP Act following the finalisation of this Review.
Risk Event	As described in <i>Guidance Statement: Risk Assessment</i>
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>
µg/m ³	micrograms per cubic metre
µg/L	micrograms per litre

2. Purpose and scope of assessment

2.1 Application details

An application for Licence (**Application**) was received from Water Corporation (**Applicant**) on 4 September to operate a 2000 tonne liquid waste facility (category 61) within Lot 510 on Deposited Plan 54565, Forrest Street, Wiluna (**the Premises**).

This **Decision Report** presents an assessment of potential environmental and public health risks from emissions and discharges from the operation of the Premises. As a result of this review, a Licence has been issued (**Issued Licence**) (Attachment 1).

Table 2 lists the documents submitted during the assessment process.

Table 2: Documents and information submitted during the assessment process

Document/information description	Date received
Licence application form	4 September 2017
Email with map and further supporting information relating to the infiltration pond	13 September 2017

3. Background

Water Corporation is applying for a Licence to operate a Category 61 facility to allow for the acceptance and disposal of back wash water (brine) into infiltration pond 2 at the Wiluna Wastewater Treatment Plant (WWTP) which currently operates under Registration R2051.

Water Corporation operates a water treatment plant (WTP) at Wiluna to provide portable water to the community. Backwash water from the WTP is discharged to evaporation basins on site. Information provided with the application states that these evaporation ponds have reached capacity due to heavy rainfalls events in recent months. In order to restore some holding capacity at the WTP and to avoid discharge of backwash water to the surrounding area that is regarded as environmentally sensitive, Water Corporation therefore is proposing as a temporary measure to remove and dispose 2000 tonnes of backwash at the Wiluna WWTP.

Table 3 lists the prescribed premises categories that have been applied for.

Table 3: Prescribed Premises Categories

Classification of Premises	Description	Approved Premises production or design capacity or throughput
Category 61	Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	2000 tonnes per year

4. Overview of Premises

4.1 Operational aspects

The Wiluna WWTP is registered in accordance with the *Environmental Protection Regulations 1987* (EP Regulations) as a Category 85 prescribed premises (Sewage facility). The premises receive and treats sewage on site. The premises consist of a primary pond, a secondary pond and 2 infiltration ponds (Infiltration Pond 1 and 2). Infiltration Pond 2 contains an overflow pipe.

The application details the following:

- Based on low throughput (33kL/day) and high evaporation rates, wastewater is not currently disposed to the environment via the infiltration ponds;
- The Total dissolved solids (TDS) of the water currently in the evaporation ponds at WTP is approximately 8089mg/L;
- The water is classified as non- toxic salts (D300- controlled waste code in accordance with the *Environmental Protection (Controlled Waste) Regulations 2004*) with metals largely below the level of detection;
- The WINS bore data available for that site shows a Standing Water Level of 3.050m to 8.840m;
- TDS in the groundwater ranges from 575mg/L to 10271mg/L; and
- The salinity of the groundwater quality below the WWTP is described as ranging between 500-7000ppm.

4.2 Infrastructure

The Wiluna Waste Water Treatment Plant facility infrastructure, as it relates to Category 61, activity, is detailed in Table 4 and with reference to the Site Plan (attached in the Issued Licence).

Table 4 lists infrastructure associated with each prescribed premises category.

Table 4: Wiluna Wastewater Treatment Plant facility Category 61 infrastructure

	Infrastructure	Site Plan Reference
	Prescribed Activity Category 61	
Acceptance and disposal of back wash water (brine) into infiltration pond 2 at the Wiluna Wastewater Treatment Plant (WWTP)		
1	fencing around the WWTP	Schedule 1- Schematics
2	Infiltration Pond 2: <ul style="list-style-type: none"> • Sized to the nominal dimensions of 77m (length) x 36m (width) x 2m (depth), a surface area of 3486m²; • Designed to achieve an infiltration rate of: 0.864mm/day; and • Overflow pipe 	

4.3 Exclusions to the Premises

The category 85 activities currently carried out on site are not captured by the assessment as they are below threshold and hold a registration (R2051/2008/1).

Table 5 below lists infrastructure that has not been included in the scope of this assessment.

	Infrastructure	Site Plan Reference
	Prescribed Activity Category 85	
Acceptance and treatment sewage at the Wiluna Wastewater Treatment Plant (WWTP)		
1	Primary Pond	Schedule 1- Maps/ Schematics
2	Secondary Pond	
3	Infiltration Pond	

5. Legislative context

Table 5 summarises approvals relevant to the assessment.

Table 5: Relevant approvals and tenure

Legislation	Number	Subsidiary	Approval
Water Services Act 2012	Section 137	Water Corporation	<p>Water Corporation is exempt from the requirement (under the <i>Planning and Development Act 2005</i>) to obtain development approvals for Public Water Works under a Local Planning Scheme. To ensure compliance with the PD Act, the Water Corporation will, however, consult with the Shire of Wiluna to ensure the operations comply with:</p> <ol style="list-style-type: none"> a) Having regard to the purpose and intent of any Local Planning Scheme; and b) Having regard to orderly and proper planning, and the preservation of the amenity, of the relevant area.

5.1 Contaminated sites

Lot 510 on Deposited Plan 54565, Forrest Street, Wiluna is listed on DER's contaminated sites database as being possibly contaminated.

5.2 Part V of the EP Act

5.2.1 Applicable regulations, standards and guidelines

The overarching legislative framework of this assessment is the EP Act and EP Regulations.

The guidance statements which inform this assessment are:

- *Guidance Statement: Regulatory Principles (July 2015)*

- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Land Use Planning (February 2017)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guidance Statement: Publication of Annual Audit Compliance Reports (May 2016)*
- *Guidance Statement: Decision Making (November 2016)*
- *Guidance Statement: Risk Assessments (November 2016)*
- *Guidance Statement: Environmental Siting (November 2016)*

5.2.2 Works approval and licence history

Table 6 summarises the licence history for the premises.

Table 6: Licence history

Instrument	Issued	Nature and extent of works approval, licence or amendment
R2051/2008/1	22/01/2009	Registration to operate a wastewater treatment plant (category 85).
L9092/2017/1	DRAFT	Licence application to operate a liquid waste facility (category 61).

6. Consultation

The application was advertised in the West Australian newspaper and on the DWER website on 18 September 2017. No comments were received.

7. Location and siting

7.1 Siting context

7.2 Residential and sensitive Premises

The distances to residential and sensitive receptors are detailed in Table 7.

Table 7: Receptors and distance from activity boundary

Sensitive Land Uses	Distance from Prescribed Activity
Residential Premises	The closest residential area is located approximately 1.3km away from the facility.

Table 8 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 8: Environmental receptors and distance from activity boundary

Environmental receptors	Distance from Prescribed Premises
Salt Lake Basin- a dry salt encrusted lake. considered a potential ground water recharge area	629m North East from the facility

7.3 Groundwater and water sources

The distances to groundwater and water sources are shown in Table 9.

Table 9: Groundwater and water sources

Groundwater and water sources	Distance from Premises	Environmental value
Public drinking water source areas	7 km east of the facility	Town water supplies from a high permeability calcrete aquifer
Groundwater	Depth to groundwater is approximately 3.050m – 8.840m (based on available groundwater monitoring WINS bore data). No bores located within 1km of Premises (based on available GIS dataset –WIN Groundwater Sites).	Water is not used for potable or industrial use.

7.4 Soil type

The application identifies a soil profile that consists within the Salinaland Plains Zone. The sandplains have red clayey sandy topsoil and red-brown hardpan shallow loams. Red sandy earths and red deep sand are also found on sandy banks.

8. Risk assessment

8.1 Determination of emission, pathway and receptor

In undertaking its risk assessment, DWER will identify all potential emissions pathways and potential receptors to establish whether there is a Risk Event which requires detailed risk assessment.

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. Where there is no actual or likely pathway and/or no receptor, the emission will be screened out and will not be considered as a Risk Event. In addition, where an emission has an actual or likely pathway and a receptor which may be adversely impacted, but that emission is regulated through other mechanisms such as Part IV of the EP Act, that emission will not be risk assessed further and will be screened out through Table 10.

The identification of the sources, pathways and receptors to determine Risk Events are set out in Table 10 below.

Table 10: Identification of emissions, pathway and receptors *during operation*

Risk Events					Continue to detailed risk assessment	Reasoning
Sources/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts		
Category 61 – Liquid waste facility	Unloading and disposal of backwash water into infiltration pond 2	Noise: movement of delivery vehicles	Residential premises located 1.3km from the facility	Air / wind dispersion	Amenity impacts causing nuisance	No No receptor present. The Delegated Officer has considered the separation distance between the source and receptors as a guide to inform the risk of noise emissions. The Delegated Officer also considers that the Licence Holder has an ongoing requirement to comply with the Prescribed standard for noise emissions, as set out in the Environmental Protection (Noise) Regulation 1997.

		Dust: movement of delivery vehicles	Residences premises located 1.3km from the facility vegetation adjacent to premises (Sparse Mulga and other acacia shrub)	Air / wind dispersion	Health and amenity impacts - Potential suppression of photosynthetic and respiratory functions	No	<p>No receptor present.</p> <p>The Delegated Officer has considered the separation distance between the source and receptors as a guide to inform the risk of dust emissions.</p> <p>The Delegated Officer also considers that the provisions of Section 49 of the Environmental Protection Act 1986 are sufficient to regulate dust emissions during operation; therefore the risk is considered low and does not require any further regulatory controls.</p>
	Seepage	Infiltration of backwash water resulting in contamination of groundwater	Groundwater	Direct discharge into soil and groundwater	Soil and groundwater contamination inhibiting vegetation growth and impacts to groundwater dependant ecosystems	No	<p>The Delegated Officer has considered the following information regarding the risk of discharging backwash water into infiltration pond 2:</p> <ul style="list-style-type: none"> •TDS of the backwash water (8089mg/L); •TDS of the groundwater (575mg/L to 10271mg/L); •The Salinity of the groundwater below the WWTP (500-7000ppm); <p>And considers that the risk of backwash (brine) contaminating the ground water is quite low due to the comparable TDS of the brine as well as the salinity of the aquifer. Groundwater monitoring is not required as the applicant has stated that removing 2ML of back wash water from the Wiluna Water treatment plant and disposing into infiltration pond 2 at the Wiluna Wastewater Treatment plant is only a temporary measure.</p>

9. Determination of Licence conditions

The conditions in the issued Licence in Attachment 1 have been determined in accordance with the *Guidance Statement: Setting Conditions*.

The *Guidance Statement: Licence Duration* has been applied and the issued licence expires in 5 years from date of issue.

Table 11 provides a summary of the conditions to be applied to this licence.

Table 11: Summary of conditions to be applied

Condition Ref	Grounds
Environmental Compliance Condition 1	Environmental compliance is a valid, risk-based condition to ensure appropriate linkage between the licence and the EP Act.
Acceptance and Management 2, 3 and 4	These conditions are valid, risk-based and consistent with the EP Act.
Infrastructure and Equipment 5	These conditions are valid, risk-based and contain appropriate controls.
Information 6, 7, 8, and 9	These conditions are valid and are necessary administration and reporting requirements to ensure compliance.

DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the licence under the EP Act.

10. Applicant's comments

The Applicant was provided with the draft decision report and draft licence on 6 October 2017. Comments received from the applicant have been considered by the Delegated Officer as shown in Appendix 2.

11. Conclusion

This assessment of the risks of activities on the Premises has been undertaken with due consideration of a number of factors, including the documents and policies specified in this Decision Report (summarised in Appendix 1).

Based on this assessment, it has been determined that the Issued Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.



Stephen Checker
Manager Licensing (Waste Industries)

Delegated Officer
under section 20 of the *Environmental Protection Act 1986*

Appendix 1: Key documents

	Document title	In text ref	Availability
1.	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
2.	DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	DER 2015b	
3.	DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	DER 2016a	
4.	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2016b	
5.	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2016c	
6.	Licence application form and supporting information		DWER records A1516943
7.	E-Mail- Further supporting information provided- (13/09/2017)		DWER records A1530255

Appendix 2: Summary of applicant’s comments on risk assessment and draft conditions

Condition	Summary of Licence Holder comment	DWER response
Front Cover Page	Minor Typographical changes	Typographical changes adopted
6b	Minor Typographical changes	Typographical changes adopted
6	Meaning of Auditable Books	Any records associated with the facility’s waste acceptance in the format that can be audited, i.e. reports and data required in this licence e.g calculation of fees payable, complaints received, waste accepted on site ecetra.
Table 4, Item 2- Decision Document	Typographical error in referring to infiltration pond	Corrected
Condition 8	Compliance report explanation	Refer to Definitions and interpretation section in the licence

Attachment 1: Issued Licence L9092/2017/1
