



Application to renew a licence

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

Licence Number	L5973/1992/12
Licence Holder	Water Corporation
File Number	2010/002285-1
Premises	Pinjarra Water Resource Recovery Facility Adelaide Road, Oakley WA 6324 Legal description - Lot 19 on Diagram 44739 Certificate of Title Volume 1355 Folio 624 As defined by the Premises map attached to the issued licence
Date of Report	31 October 2023
Decision	To grant a licence

Senior Environmental Officer, Industry Regulation
An 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 L5973/1992/11 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;
- transfer existing regulatory controls and conditions to the new licence;
- revise licence conditions as detailed in Table 3 in this decision report;
- remove redundant conditions;
- incorporate licence amendment/s issued prior to the replacement licence;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- replace the word “shall” in the former condition set, with the word “must” in the new condition set; and
- update the premises map.

As a result of the above, the Delegated Officer decided to grant Licence L5973/1992/12 subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 31 July 2023 the Water Corporation (licence holder) applied to renew licence L5973/1992/11 as the licence is due to expire on 31 October 2023. This licence was granted for the premises located at Lot 19 on Diagram 44739 Adelaide Road, Oakley WA.

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.	1840 cubic metres per day

The premises is known as the Pinjarra Water Resource Recovery Facility (PWRRF) The PWRRF was established in 1992 and is currently designed to treat up to 1840 kL of sewage per day. The treatment system includes two primary treatment ponds with a screenings removal facility and a secondary facultative pond. All treated wastewater is discharged via the final effluent pump station to the adjacent Alcoa alumina refinery for reuse in processing.

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: Industry Regulation, Licensing position – COVID 19 response, October 2022* (currently being updated to address licences that expire beyond 30 June 2023).

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 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

4.2 Prescribed premises details

The requested prescribed premises category and the corresponding production/design capacity is consistent with the category and production/design capacity previously assessed by the Department. The Delegated Officer has verified that there are no proposed changes to the previously assessed activities.

4.3 Planning approval

The licence holder has informed the Department that it has planning approval for the activities on the Premises.

4.4 Compliance and enforcement actions

There have been 6 incidents recorded for the premises by the Department in the last five years. It has been assessed that no enforcement action has been required for these incidents and all have been closed. There are no reasons not to issue a new licence.

4.5 Consultation

The Delegated Officer undertook consultation for the application to renew the licence as per Table 2.

Table 2: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 28 August 2023	No comments received	Noted
Shire of Murray advised of application on 28 August 2023	<p>Comments received on 5 September 2023:</p> <ul style="list-style-type: none"> ▪ There seems to have been more than usual wastewater discharges from this site in the last few years, particularly after heavy rains and/or wet winters. Could a review be undertaken to assess whether there is sufficient capacity / maintenance to prevent these large approximately annual overflows; ▪ The sewage facility is in a highly sensitive environmental area due to high groundwater, sandy soil, Peel-Harvey Estuary catchment, sewage sensitive and conservation wetland area and overflows/discharges should be rare; ▪ If overflows are due to excessive volumes received during winter, the DWER licence states that wastewater discharges should be to the Alcoa process runoff pond. It may be preferable for overflows to be discharged directly to the Alcoa alumina refinery for reuse in processing, rather than into the environment; 	<p>The activity assessed by the Department incorporates the discharge of all treated wastewater from the WWTP to the adjacent Alcoa alumina refinery for reuse in processing. In summary, the licence conditions require the licence holder to prevent discharge of wastewater to the environment and monitor/report on unplanned wastewater discharges.</p> <p>The Department has investigated 6 incidents of treated wastewater discharge to the environment reported by the licence holder during 2021 and 2022. These incidents were assessed as not requiring further enforcement action. The Delegated Officer has determined that these incidents do not require a review of the risk assessment for the premises and do not prevent the renewal of the licence.</p>
Applicant was provided with the draft licence and draft decision report	<p>Summary of comments received 20/10/2023:</p> <ol style="list-style-type: none"> 1. In response to the Shire of Murray's comments on the licence renewal application, the Licence Holder advised the following - Water Corporation has had many discharge 	<p>The Delegated Officer response to each specific comment is provided below:</p> <ol style="list-style-type: none"> 1. Comment 1 from the Licence Holder is addressed above.

Consultation method	Comments received	Delegated Officer's response
on 5 October 2023	<p>events within the past 5 years during winter months. Please refer to Pinjarra WWTP AERs and automated WebEOC notifications for further detail.</p> <ol style="list-style-type: none"> 2. Remove condition 2 a) in the draft licence. Pinjarra WRRF is a small plant located approximately 2.4 km from any residential receptor and is surrounded by the Alcoa Alumina Refinery and odour is considered low risk. Therefore it is requested that condition 2 a) is removed. 3. Amend condition 9 in the draft licence to the following text - The licence holder shall notify the CEO as soon as practicable of any failure or malfunction of pollution control equipment or any incident which has caused, is causing or may cause pollution. Proposed wording is less specific and covers greater than just the treated wastewater pump station failure. 4. Amend condition 13 to require submission of the Annual Audit Compliance Report (AACR) by 1 October yearly. To align with the recent changes to move all Water Corp AACR and AER WWTP reporting dates to 1 October. 	<ol style="list-style-type: none"> 2. The Delegated Officer has undertaken an administrative licence renewal which does not include a review of risk events and associated changes to licence conditions. Therefore condition 2 a) is retained. The licence holder can apply to amend the licence condition post renewal of the licence. 3. Condition 9 has been retained which specifically requires notification to the Department following any failure of the treated wastewater pump station, which results in discharge of treated wastewater to the surrounding environment. In addition, the licence holder must comply with section 72 of the <i>Environmental Protection Act 1986</i> (duty to notify the CEO of discharges of waste). As this condition has not the exact wording of section 72, removal requires a risk assessment, which is out of scope of this renewal. 4. Condition 13 has been revised as requested, amending the AACR submission date from 1 September to 1 October annually.
	<p>Additional comment received on 23/10/2023:</p> <p>The licence holder requested amendment of the premises name from Pinjarra Wastewater Treatment Plant (WWTP) to Pinjarra Water Resource Recovery Facility (WRRF) to align with Water Corporation's updated naming conventions.</p>	<p>Request accepted as an administrative change to the licence document. The premises name has also been updated in this decision report.</p>

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 the emissions and/or discharges from the premises in question.

Table 3 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 3: Licence conditions changes, description and rationale

Current condition / schedule	New condition / schedule	Description and rationale
Definitions list	Table 1 Definitions	Terms and definitions list has been updated in accordance with current standard. Non-standard terms have been transferred into the new licence.
Condition 1	N/A	Condition removed – redundant condition
Condition 2	Condition 14	Summary of changes: <ul style="list-style-type: none"> ▪ condition format and wording updated in accordance with current standard; ▪ reporting date and frequency of reporting updated in accordance with the licence amendment notice dated 16 May 2022; ▪ component d) from existing condition removed as it is redundant - given that changes to operations must be proposed to the Department in advance of changes. Added additional requirement to provide a summary of any unplanned discharge of waste and any action taken which is a typical requirement for annual reports.
Condition 3	Condition 13	Condition revised in accordance with the current standard condition for Annual Audit Compliance reports. Submission date revised from 1 September to 1 October annually as requested by the licence holder.
Not applicable	Condition 3	Added authorised discharge point condition in accordance with current standards.
Condition 4	N/A	Condition removed as it is redundant. Monitoring parameter units are specified in new conditions 5 and 6.
Condition 5	Condition 10	Condition wording updated in accordance with current standard
Condition 6	Condition 11 d) and 12 d)	Condition replaced with current standard conditions in relation to complaints – i.e. Conditions 11(d) and 12 (d) in the new licence.
Condition 7	Condition 1	Condition format and wording updated in accordance with current standard
Condition 8	Condition 5	Condition amended to align with current standard. Added note in relation to treated wastewater

Current condition / schedule	New condition / schedule	Description and rationale
		analysis, to allow in-field analysis for pH.
Condition 9	Condition 4	Minor amendment to condition wording. Moved reference to cumulative monthly monitoring of wastewater discharge to new condition 5.
Condition 10	Condition 9	Minor change to condition wording.
Condition 11	Condition 6	Condition revised to align with current standard for environmental monitoring conditions.
Condition 12	Condition 7	Minor change to condition wording.
Condition 13	Condition 8	Condition wording updated in accordance with current standard.
Condition 14	Condition 2	Change to condition number only
Schedule 1 – Premises map	Schedule 1 – Premises map	The licence holder submitted an updated premises map with minor changes and which meets the current standard.
Schedule 2 – Annual Audit Compliance Report form	Not applicable	Schedule 2 incorporating the Annual Audit Compliance Report (AACR) form has been removed as this version of the form is superseded. The new AACR form is available on the DWER website as noted in the definitions section of the renewed licence.