



# Report and recommendations of the Environmental Protection Authority



**Wastewater Treatment Plant Stage 1  
at Chugg Street, Walpole,  
Shire of Manjimup  
— inquiry under s46 of the  
*Environmental Protection Act 1986*  
to amend Ministerial Statement 493**

**Water Corporation**

Report 1497

January 2014

ENVIRONMENTAL PROTECTION AUTHORITY  
REPORT AND RECOMMENDATIONS TO THE MINISTER FOR  
ENVIRONMENT

**WASTEWATER TREATMENT PLANT, STAGE 1 AT CHUGG STREET,  
WALPOLE, SHIRE OF MANJIMUP – INQUIRY UNDER SECTION 46 OF  
THE *ENVIRONMENTAL PROTECTION ACT 1986* TO CHANGE  
IMPLEMENTATION CONDITIONS OF MINISTERIAL STATEMENT 493  
(ASSESSMENT NO. 1978)**

The Minister for Environment has requested that the Environmental Protection Authority (EPA) inquire into and report on the Water Corporation's proposed changes to the environmental conditions for the Wastewater Treatment Plant, Stage 1 at Chugg Street, Walpole, Shire of Manjimup.

The following is the EPA's Report and Recommendations (No. 1497) to the Minister pursuant to section 46(6) of the *Environmental Protection Act 1986*.

**Background**

The proponent, the Water Corporation, obtained authorisation to implement the Wastewater Treatment Plant, Stage 1 proposal at Chugg Street, Walpole, Shire of Manjimup (Walpole WWTP) under the *Environmental Protection Act 1986* (EP Act) in February 1999, following assessment of the Consultative Environmental Review Walpole Wastewater Treatment Scheme Stage 1 at Site C (Bowman Bishaw Gorham 1998) (Assessment Number 1154). The implementation authorisation and conditions are specified in Ministerial Statement 493 dated 2 February 1999.

Ministerial Statement 493 provides that the Water Corporation may construct and operate a 1,000 equivalent persons capacity wastewater treatment plant to serve the Walpole town site and its environs. The tree lot that is currently used for treated wastewater disposal did not form part of the assessment but was included as part of the proponent's commitments for the project.

The Water Corporation wrote to the Minister for Environment seeking the removal of implementation conditions 1 to 6 and proponent commitments 1 to 15 under s46(1) of the EP Act on the basis that the current conditions and

commitments are: fully implemented; no longer relevant; or can be regulated under the environmental licence.

### **Consideration of the proposed change to conditions**

The key environmental factors considered during the EPA's original assessment of the wastewater treatment plant in 1998 and documented in Bulletin 909 were:

- (a) vegetation communities;
- (b) wetlands;
- (c) odour;
- (d) surface water quality – water courses and the Walpole Nornalup Inlets; and
- (e) groundwater quality.

The primary concern at the time of assessment was the potential impacts of the proposed discharges from the wastewater treatment plant on the nearby water courses and the Walpole and Nornalup Inlets, particularly in terms of increased nutrient loads.

Following this assessment, the Minister for Environment issued Ministerial Statement 493 in 1999 under Part IV of the EP Act, which was comprised of six standard ministerial conditions relating to the administration of the environmental approval, including reporting and compliance auditing.

Schedule 1 of the Statement contained a description of the proposal, including details of the quantity and quality of the treated effluent to be discharged to an infiltration trench in the first instance and then later a tree lot.

Schedule 2 of the Statement contained 15 Environmental Management Commitments which the proponent had proposed to implement as part of designing, constructing, operating and maintaining the wastewater treatment plant to minimise impacts to the environment. Many of the commitments were intended to minimise nutrient and other contaminant loads to adjacent waterways.

In addition, since 2003 the emissions and discharges from the wastewater treatment plant have also been regulated under a licence issued under Part V of the EP Act.

The current licence, which was issued in October 2012, contains nine specific conditions to regulate:

- the quality and quantity of wastewater that can be discharged to the irrigated tree-lot;
- the monitoring of effluent discharge including sampling locations, parameters to analysed (for example, nitrogen, phosphorus, Biological Oxygen Demand and Suspended Solids) and sampling frequency.

These monitoring conditions cover the wastewater treatment plant, the storage dam, groundwater bores and adjacent watercourses;

- the annual environmental reporting; and
- the annual audit compliance reporting.

Against this background, the EPA enquired into the request to remove all the conditions and proponent commitments in Ministerial Statement 493 and has concluded that:

- the key environmental factor remains the potential for wastewater discharge to directly impact on downstream waterways and indirectly impact on adjacent vegetation through groundwater infiltration,
- the conditions and commitments relating to the regulation, monitoring and reporting of the quality and quantity of treated wastewater discharge are currently adequately addressed through the more contemporary conditions in the Part V Licence L8021/2003/4; and
- the conditions and commitments that relate to other environmental factors such as maintaining the health of vegetation communities, reducing impacts to wetlands communities, minimising odour, and controlling dieback and weeds are either fully implemented or no longer relevant as they related to the design and construction of the wastewater treatment plant; or there is limited evidence after more than 10 years operation to demonstrate the wastewater treatment plant has had a significant effect on the environment.

Table 1 provides a more detailed assessment and evaluation of the proposed changes to conditions and commitments of Ministerial Statement 496.

In addition, as part of the enquiry, the Department of Environment Regulation advised that where necessary the requirements of proponent commitments 2, 3, 4, 9, 10, 13, 14 and 15 (see Table 1) can be addressed through: amendments to the Part V Licence L8021/2003/4; a new Part V Licence for the irrigation tree lot; and the development of a Decommissioning and Post Closure Management Plan within a suitable timeframe.

In summary, the EPA considers that the conditions and proponent commitments contained in Ministerial Statement 493 should be removed to reduce regulatory duplication as the quantity and quality of treated wastewater discharge is adequately regulated under the current licence and the DER is able to amend the licence in the future should other emissions and discharge require regulation.

### **EPA Conclusion(s) and Recommendation(s)**

The EPA concludes that in relation to Ministerial Statement 493 it is appropriate to remove implementation conditions 1 to 6 and proponent commitments 1 to 15.

Having inquired into this matter, and after consultation with the DER, the EPA submits the following recommendations to the Minister for Environment:

1. That it is appropriate to remove implementation conditions 1 to 6 and proponent commitments 1 to 15 of Ministerial Statement 493; and
2. That after complying with section 46(8) of the *Environmental Protection Act 1986*, the Minister issues a statement of decision to change implementation conditions 1 to 6 and proponent commitments 1 to 15 of Ministerial Statement 493 in the manner provided for in the attached recommended statement.

MIN2013-0417

Attachment 1

EXISTING CONDITION/COMMITMENT	ASSESSMENT AND EVALUATION OF PROPOSED CHANGE
<b>Condition 1:</b> Implementation	<i>Delete condition</i> - This condition relates to the construction of the plant, which has been completed and the operation of the plant which is currently regulated under Licence L8021/2003/4. The condition no longer applies and may be managed by the Department of Environmental Regulation (DER).
<b>Condition 2:</b> Proponent Commitments	<i>Delete condition</i> - This condition refers to the implementation of the proponent commitments (1-15) which are addressed separately. As the intention is to remove all commitments, this condition is no longer required.
<b>Condition 3:</b> Performance Review	<i>Delete condition</i> - This condition requires the submission of a performance review every six years after commencement of construction. The Environmental Protection Authority (EPA) no longer requires performance reviews therefore this condition is no longer required.
<b>Condition 4:</b> Proponent	<i>Delete condition</i> - The nomination of the proponent has been fulfilled as part of section 38 of the <i>Environmental Protection Act 1986</i> (the EP Act). This condition duplicates existing requirements of the EP Act.
<b>Condition 5:</b> Commencement	<i>Delete condition</i> - This condition requires evidence of the commencement of the project. This project was confirmed to have commenced during an inspection in March 2000 and as such this condition is no longer required.
<b>Condition 6:</b> Compliance Auditing	<i>Delete condition</i> - This condition requires the submission of periodic Performance and Compliance Reports. The Department of Environmental Regulation (DER) Licence L8021/2003/4 requires annual audit compliance reports and as such this condition duplicates requirements of other legislation, and can be managed by the DER as needed and is therefore no longer required.
<b>Commitment 1:</b> Wetlands	<i>Delete commitment</i> - This commitment relates to the minimisation of the existing shallow groundwater flow and required the plant to be designed and constructed to incorporate specifications requiring that rainfall from hard surfaces was redirected to the ground. The plant has been constructed and the EPA considers this commitment to have been met and as such it is no longer required.
<b>Commitment 2:</b> Water Quality	<i>Delete commitment</i> - This commitment requires the maintenance of optimum process efficiency for nutrient removal and effluent disposal. This commitment is currently covered by the conditions of Licence L8021/2003/4.

Attachment 1

EXISTING CONDITION/COMMITMENT	ASSESSMENT AND EVALUATION OF PROPOSED CHANGE
<b>Commitment 3:</b> Water Quality	<i>Delete commitment</i> - This commitment requires the monitoring and reporting of surface water and groundwater quality on the western margin of TP Creek and within TP Creek. As the plant now discharges to the tree lot this commitment is longer relevant.
<b>Commitment 4:</b> Odour	<i>Delete commitment</i> - This commitment requires the control of odour to maintain the amenity of nearby residents. To date, there have been no recent complaints relating to odour. This condition should be deleted. The DER may amend Licence L8021/2003/4 if odour is considered an environmental issue in the future.
<b>Commitment 5:</b> Vegetation Communities	<i>Delete commitment</i> - This commitment relates to the implementation of a dieback management program during the construction of the plant. As the plant has been constructed and is now operational and the EPA considers this commitment to have been met for construction this commitment is no longer required.
<b>Commitment 6:</b> Weed Control	<i>Delete commitment</i> - This commitment relates to the prevention of the introduction of weeds, native species rehabilitation stock and the development of a land use management program, predicated on the installation of a screening buffer should this be necessary. A screening buffer has not been required and as such this commitment should be deleted.
<b>Commitment 7:</b> Tree Lot	<i>Delete commitment</i> - This commitment relates to the proponent identifying a tree lot for use. This commitment has been completed and the tree lot is now in use and as such this commitment is no longer required and should be deleted.
<b>Commitment 8:</b> Tree Lot	<i>Delete commitment</i> - This commitment relates to the requirement to commence disposal from the plant to the tree lot within five years. This commitment was completed in 2005 and the tree lot is now in use and as such this commitment is no longer required.
<b>Commitment 9:</b> Incident Management	<i>Delete commitment</i> - This commitment requires the preparation of incident management plans prior to commissioning to manage incidents (including overflows, shutdowns, power failures etc.). The EPA considers this commitment to have been met prior to commissioning; as such this commitment is no longer required.
<b>Commitment 10:</b> Biosolid Management	<i>Delete commitment</i> - This commitment requires the disposal of dried sludge to an approved site. The Water Corporation currently disposes of dried sludge to an approved site under current legislation. This commitment is no longer required.

<b>EXISTING CONDITION/COMMITMENT</b>	<b>ASSESSMENT AND EVALUATION OF PROPOSED CHANGE</b>
<b>Commitment 11:</b> Vegetation Communities	<i>Delete commitment</i> - This commitment requires the prevention of degradation of vegetation within the Walpole-Nornalup National Park. The Vegetation Monitoring Infiltration Trench Area Wastewater Treatment Project Walpole (Arthur Weston, Consulting Botanist, 2006) was completed. This commitment also related to the use of the infiltration trench which is now only used in emergencies and there is low potential risk of impact to the environment. The EPA considers this commitment complete and it is no longer required.
<b>Commitment 12:</b> Vegetation Communities	<i>Delete commitment</i> - This commitment requires the prevention of deterioration of vegetation downslope from the infiltration trench by way of a vegetation survey and monitoring program. As the infiltration trench is only used in emergencies there is low potential risk of impact to the environment. The EPA considers this commitment to have been completed with a precommissioning, operational and final vegetation monitoring report finalised in 2006 and is no longer required.
<b>Commitment 13:</b> Environmental Management System	<i>Delete commitment</i> - This commitment requires the implementation of systems and procedures to ensure that commitments are met. The Water Corporation's Environmental Policy commits to an ongoing EMS. As it is recommended to delete all commitments, this commitment is no longer required.
<b>Commitment 14:</b> Decommissioning	<i>Delete commitment</i> - This commitment requires the development and implantation of a decommissioning management plan for the plant and associated infrastructure, including the sub-surface infiltration trench. Licence L8021/2003/4 can be amended when needed to include decommissioning and post closure management requirements to meet the intent of this commitment. This commitment is no longer required.
<b>Commitment 15:</b> Infiltration Trench	<i>Delete commitment</i> - This commitment requires the infiltration trench to be designed and operated so that individual sections can be deactivated. The EPA considers the design aspect of this commitment to be completed. The use of the infiltration trench which is now only used in emergencies there is low potential risk of impact to the environment. This commitment is no longer required.