

Model conditions review

How model conditions are used and the review process



Sewerage and Water Environmental Advisory Panel

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What to expect from today

1. What are model conditions?
2. Using model conditions to inform your application
3. Model condition review process
4. Condition writing principles
5. Splitting out the common conditions
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8. Consultation



What are model conditions?

Model conditions:

- ✓ are prototype conditions that may be applied to site-specific (or amendment) EA applications.
- ✓ provide guidance on environmental risk management expectations for certain activities.
- ✓ help to ensure consistency across the state.

- × **are not mandatory.** A condition will not be placed on an EA if it's irrelevant to the operation. Additional site-specific conditions may apply to address site-specific risks.
- × **are not standard conditions.** ERA standards have been developed for lower risk ERAs suitable for the standard application process and include eligibility criteria and standard conditions.

Using model conditions to inform your application

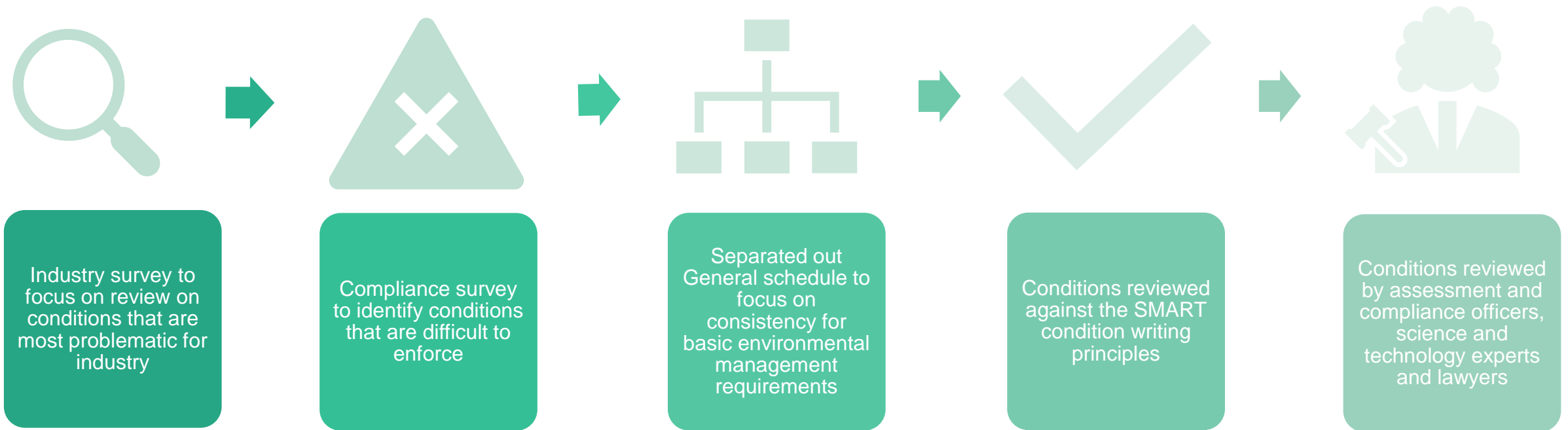
Model conditions can be used:

- to predict the core conditions likely to be imposed on your EA
- to inform discussion at pre-lodgement meetings
- tailor the content of your application (e.g. propose environmental protection commitments to inform the department's decisions when setting release limits)



Model condition review process

- DES has undertaken a review of all of the model condition to ensure they are enforceable, consistent, and contemporary.



Condition writing principles

S

Specific

- Short clear conditions that use plain language
- Requirements of the condition are clear

M

Measureable

- It is simple to demonstrate compliance with the condition
- The condition is final and does not require something else outside of the condition to demonstrate compliance

A

Achievable

- It is possible for the operator to comply with the condition

R

Relevant

- The condition is necessary or desirable
- The administering authority has the appropriate head of power to impose the condition

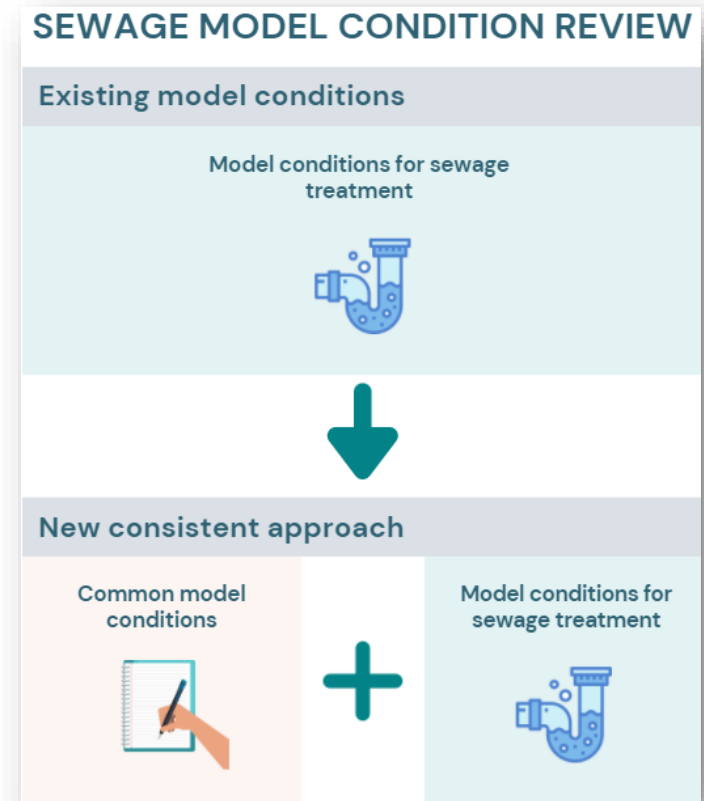
T

Time bound

- It is clear when certain actions need to be taken

Splitting out the common conditions

- As part of the review process, DES has split out the conditions that are common to all activities into a separate set of conditions: the **Common model conditions**.
- The **Common model conditions** were provided to industry for comment in December 2021.
- Model conditions for specific activities (e.g., sewage treatment ERA 63) would be applied in addition to the **Common model conditions**.



Model conditions for sewage treatment

Key changes:

- Reviewed to ensure conditions are enforceable, consistent, unambiguous, and concise.
- Additional receiving environment monitoring requirements that may be applied depending on the activity.
- Improvements to the third-party release conditions.
- Removal of the 'intent and how to comply' guidance.



Consultation

- We are seeking industry comment on the [Model conditions for sewage treatment](#).
- We will provide the revised model conditions with these slides, along with a feedback table, for your review and comment.
- Please note - the [Common model conditions](#) were provided to industry for comment in December 2021.

