

Licence

Licence number L9435/2024/1

Licence holder Cuballing Farms Pty Ltd

Registered business address Thorton Ground Floor

184 Adelaide Terrace EAST PERTH WA 6004

ACN 608 122 176

DWER file number DER2024/000162

Duration 12/08/2024 to 11/08/2044

Premises details 'Cuballing Pork' Piggery

4327 Williams-Kondinin Road WARDERING WA 6311

Legal description -

Lot 4151 on Plan 84697 and Lot 4152 on Plan 112065

As shown in the premises map in Schedule 1

Prescribed premises category description (Schedule 1, Environmental Protection Regulations 1987)	Assessed design capacity
Category 2: Intensive piggery: premises on which pigs are fed, watered and housed in pens.	Not more than 4,216 pigs at any one time (2,887 SPUs equivalent)

This licence is granted to the licence holder, subject to the attached conditions, on 12 August 2024, by:

MANAGER, PROCESS INDUSTRIES STATE-WIDE DELIVERY

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

Licence history

Date	Ref number	Summary of changes
12/08/2024	L9435/2024/1	Licence granted for existing piggery (4,216 pigs capacity)

Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean 'including but not limited to', and similar, as appropriate;
- (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:
 - (i) if dated, refers to that particular version; and
 - (ii) if not dated, refers to the latest version and therefore may be subject to change over time:
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

Licence conditions

The licence holder must ensure the following conditions are complied with:

Premises operation

Infrastructure and equipment

1. The licence holder must ensure the site infrastructure and equipment listed in Table 1 is maintained in accordance with the corresponding design requirements in that table.

Table 1: Infrastructure and equipment requirements

	Infrastructure and equipment	Description and design requirements	Infrastructure location
1	Conventional indoor pig sheds: (i) Dry sow shed (original); (ii) Farrowing shed (original); (iii) Farrowing shed 1; (iv) Farrowing shed 2; (v) Farrowing shed 3	 (a) All sheds must be maintained: (i) with concrete pits underneath to enable effluent to be disposed via manual flushing or a pull plug system; (ii) with concrete and/or partially slatted floors; (iii) a flooring and drainage system that prevents the discharge of effluent to the environment; (b) All underfloor pits must direct effluent to the transfer trench or directly to the holding ponds via PVC and/or concrete pipes; 	"Dry sow shed", "Original farrowing shed", "Farrowing shed 1", "Farrowing shed 2", "Farrowing shed 3", as shown in Schedule 1: Map of infrastructure
2	Effluent transfer trench	(a) Trench must be maintained with an impermeable barrier of at least 300 mm of clay or other suitable compactable soil or a synthetic liner able to achieve a permeability of 1x10 ⁻⁹ m/s or less;	"Effluent transfer trench", as shown in Schedule 1: Map of infrastructure

	Infrastructure and equipment	Description and design requirements	Infrastructure location
		 (b) Trench must be maintained for temporary holding and transfer of all effluent from the conventional sheds and be of suitable capacity allowing for: (i) a minimum top of embankment freeboard of 300 mm at all times; (ii) Overtopping does not occur; 	
3	2 x Effluent holding ponds	 (a) Ponds must be maintained with an impermeable barrier of at least 300 mm of clay or other suitable compactable soil or a synthetic liner able to achieve a permeability of 1x10⁻⁹ m/s or less; (b) Ponds must be maintained for holding all effluent from the maximum number of pigs that can be held within the conventional sheds and be of suitable capacity allowing for: (i) A minimum top of embankment freeboard of 500 mm at all times; (ii) Overtopping does not occur; 	"Effluent holding ponds", as shown in Schedule 1: Map of infrastructure
4	17 x deep litter shelters: (i) 13 x (24 x 10 m) shelters (ii) 2 x (12 x 6 m) shelters (iii) 1 x (23 x 8 m) shelter for quarantine purposes	 (a) All shelters must be maintained with: (i) concrete flooring with sufficient bunding that prevents runoff of effluent to the environment; (ii) a raised base that prevents overland water running into the shelter; (b) Quarantine shelter must only be used for isolating incoming pigs (short-term holding only); 	"Shelters 1-13", "Small shelters", "Quarantine shelter", as shown in Schedule 1: Map of infrastructure
5	Compost area	(a) Currently, an unlined paddock area for the storage and composting of manure and mortalities;(b) To be superseded by the hardstand pad required to be constructed by condition 2.	"Compost area", as shown in Schedule 1: Map of infrastructure

Improvement works

2. The licence holder must comply with the improvement requirements set out in Table 2.

Table 2: Improvement works

	Improvement	Design and construction requirement	Completion date
1	Construction works – compost hardstand pad and runoff pond	 (a) Must construct a compost hardstand pad with a minimum floor area of 7,000 m²; (b) Pad must comprise: (i) compacted in situ soils; or (ii) at least 300 mm of clay or other suitable compactable soil; or (iii) a synthetic liner; that is able to achieve a permeability of 1x10-9 m/s or less; (c) Permeability and compaction must be demonstrated by geotechnical testing conducted by a qualified 	Prior to break of season for 2025

	Improvement	Design and construction requirement	Completion date
		professional engineer and in accordance with AS 1289; (d) Area must be bunded to ensure manure leachates and contaminated surface runoff is contained within the pad area; (e) Pad must be sloped to facilitate drainage of leachates and surface runoff to a containment pond; (f) Must construct a runoff containment pond at the lowest point of the pad with a minimum storage capacity of 5,080 m³.	
2	Geotechnical investigation – effluent transfer trench	 (a) Must conduct a geotechnical investigation of the effluent transfer trench, including: (i) an assessment of the geology in which the trench is situated; and (ii) the presence/absence of groundwater beneath the trench; (b) Must submit a geotechnical report with the results of the investigation. 	Prior to stocking the newly constructed farrowing shed

Improvement works – compliance reporting

- **3.** The licence holder must, within 30 days of completing the improvements specified in condition 2:
 - (a) undertake an audit of their compliance with the requirements of condition 2; and
 - (b) prepare and submit to the CEO a report on that compliance.
- **4.** The report required by condition 3, must include as a minimum:
 - (a) certification whether the items of infrastructure or components thereof, as specified for item 1, have been constructed in accordance with the relevant requirements specified for that item;
 - (b) as constructed plans and a detailed site plan for each item of infrastructure or component of infrastructure specified for item 1;
 - (c) results of geotechnical testing required by item 1(c);
 - (d) a copy of the geotechnical report required by item 2(b); and
 - (e) be signed by a person authorised to represent the licence holder and contains the printed name and position of that person.
- **5.** Subject to condition 4(a), where an item of infrastructure or component of infrastructure has been certified as not being constructed, or does not comply with the corresponding requirements, or contains material defects, the licence holder must:
 - (a) correct the non-compliant or defective works, prior to re-certifying in accordance with condition 4(a); or
 - (b) provide to the CEO a description of, and explanation for, any departures from the requirements specified in Table 2 that do not require rectification and do not constitute a material defect along with the report required by condition 3.

Operational requirements

6. The licence holder must ensure the premises infrastructure listed in Table 3 is operated in accordance with the requirements set out in that table.

Table 3: Infrastructure operational requirements

	Site	Operational requirement	
	infrastructure	Operational requirement	
1	Conventional indoor pig sheds	Ocking density Stocking density for each shed module must not exceed the following at any one time: (i) Dry show shed (original) – 48 sows, 10 boars; (ii) Farrowing shed (original) – 21 sows; (iii) Farrowing shed 1 – 72 sows; (iv) Farrowing shed 2 – 96 sows; (v) Farrowing shed 3 – 48 sows; en cleaning Sheds must be washed down or swept daily to ensure clean lanes, pens and handling areas; Effluent stored in underfloor pits must be released prior to reaching 75% capacity via the pull-plug system; Effluent from underfloor pits must be: (i) released to the effluent transfer trench via enclosed PVC or concrete pipes; or (ii) pumped directly to the effluent holding ponds; Following the release of effluent from the underfloor pits, clean water must be used to partially refill the pits to dislodge manure stuck to the floor; ortalities Deceased animals, afterbirth and foreign materials must be removed from sheds or pens by the end of the working day in which they were discovered;	
2	Effluent transfer trench	 (a) Must be operated to ensure stormwater runoff, including roof runoff, is excluded from entering the trench; (b) An operational freeboard of 300 mm must be maintained at all times; (c) Must be desludged once every 7 years, or where sludge takes up more than 75% of the design capacity of the trench, whichever is sooner; (d) Removed pond sludge must be: (i) mixed immediately with spent bedding at the compost hardstand pad; and/or (ii) directly taken off-site by a licensed controlled waste carrier; 	
3	Effluent holding ponds	 (a) Must be operated to ensure stormwater runoff, including roof runoff, is excluded from entering the ponds; (b) An operational freeboard of 300 mm must be maintained at all times; (c) Stormwater runoff must be prevented from causing erosion of the inner and outer pond embankments; (d) Woody vegetation, such as trees and brush, must be prevented from growing on embankment surfaces; 	
4	Deep litter shelters	 (a) Stocking numbers for each individual shelter must not exceed the following at any one time: (i) Shelters 1 to 11 – 80 sows; (ii) Shelter 12 – 48 sows; (iii) Shelter 13 – 60 gilts and 60 growers; (iv) Small shelters – 75 weaners; (v) Quarantine shelter – 240 growers; (b) Spent bedding must be replaced within each shelter at least once every 7 weeks; (c) Spent bedding removed from shelters must be: (i) directly taken to the compost area; and/or 	

	Site infrastructure	Operational requirement	
		 (ii) directly removed off-site for further processing or disposal, to a premises that is licensed to accept that kind of waste, such as a licensed composting facility or licensed solid waste facility; (d) Deceased pigs and foreign materials must be removed from shelters by the end of the working day in which they were discovered; (e) Following post mortem (if required), deceased pigs removed from shelters must be: (i) directly taken to the compost area; or (ii) directly taken off-site for further processing or disposal, to a premises that is licensed to accept that kind of waste, such as a licensed composting facility or licensed solid waste facility; 	
2	Compost area	Maintenance (a) Must be maintained to ensure all leachate and surface water runoff is excluded from entering the area; Management of pond sludge (b) Following pond desludging, the pond sludge must be conformably mixed with spent bedding, prior to being managed in accordance with condition 7; Manure and mortalities composting (c) Composting of manure and mortalities must only occur within the compost area; (d) Only low risk organic materials may be brought onto the premises for use in the treatment process.	

Decomissioning works

- 7. The licence holder must:
 - (a) decommission the farrowing shed, original effluent holding ponds, and the fibreglass tank, within 3 months of stocking the newly constructed farrowing shed (Farrowing shed 3); and
 - (b) provide to the CEO within 30 days of completion, evidence to confirm this infrastructure has been decommissioned.

Emissions

Manure and mortalities management

- 8. The licence holder must ensure manure (including spent bedding and pond sludge), is:
 - (a) managed as an unprocessed material by removing off-site to a licensed composting or organics recycling facility or a licensed solid waste facility; and/or
 - (b) processed (i.e., pasteurised), to significantly reduce the number pathogens, by:
 - (i) maintaining the core of the windrow mass at 55°C or higher for 15 consecutive days or longer; and
 - (ii) turning the windrow at least 5 times during the 15-day period, with the outer material being effectively turned to the inside of the windrow mass to ensure the whole mass is subjected to the required temperature and process;

and/or

- (c) composted, to produce a composted product, by:
 - (i) processing in accordance with the requirements of condition 8(b);
 - (ii) ensuring there is a declining trend of the peak temperature of the compost pile after turning with suitable moisture content; and
 - (iii) achieving the biological stability requirements specified in condition 10(c).

- **9.** For manure to be considered processed manure, the licence holder must:
 - (a) conduct monitoring and keep accurate records to demonstrate the processing requirements in condition 8(b) have been met, including daily monitoring of temperature during the pasteurisation phase; and
 - (b) conduct quality sampling and testing in accordance with Table 4, and keep accurate records, to demonstrate the material meets the following requirements for indicator pathogens and plant propagules:
 - (i) Salmonella spp.: absent in 50 g (dry weight equivalent);
 - (ii) faecal coliforms: <1,000 MPN or CFU/g (dry weight equivalent); and
 - (iii) nil germination of viable plant propagules after 21 days;

otherwise, it must be considered to be unprocessed material and be managed in accordance with condition 8(a).

Table 4: Processed manure monitoring requirements

Parameter	Sampling method	Analytical method	Testing frequency
Faecal coliforms, Salmonella spp.	AS 4454 – Appendix A	AS 4454 – Appendix D	At least one sample per 500 tonnes of processed
Viable plant propagules		AS 4454 – Appendix M	or composted manure

- **10.** For manure to be considered a composted product, the licence holder must:
 - (a) conduct, and keep accurate records, to demonstrate evidence of meeting the processing requirements specified in condition 8(c), including:
 - (i) daily monitoring of temperature and moisture content before and during the pasteurisation phase;
 - (ii) weekly monitoring of temperature and moisture content after the pasteurisation phase has been completed:

and

- (b) conduct quality sampling and testing in accordance with Table 4, and keep accurate records, to demonstrate the material meets the following requirements for indicator pathogens and plant propagules:
 - (i) Salmonella spp.: absent in 50 g (dry weight equivalent);
 - (ii) faecal coliforms: <1,000 MPN or CFU/g (dry weight equivalent); and
 - (iii) nil germination of viable plant propagules after 21 days;

and

- (c) conduct testing and keep accurate records to demonstrate the material passes the threshold level specified in Table N3.2 of AS 4454 for at least two tests from Group A; otherwise, it must be considered to be unprocessed material and be managed in accordance with condition 8(a).
- 11. The licence holder must ensure mortalities are:
 - (a) processed (i.e., pastuerised), to significantly reduce the numbers of pathogens; and/or
 - (b) taken off-site to a licensed rendering facility or a licensed composting or organics recycling facility.
- **12.** For mortalities processed in accordance with condition 11(a), the licence holder must ensure:
 - (a) the core of the mass is maintained at 55°C or higher for at least 3 consecutive days;
 - (b) the whole mass is turned at least once 3 months after the last carcasses were added within each bay;
 - (c) after turning, the mass is allowed to cure for a period of at least 4 months; and
 - (d) accurate records are kept demonstrating how the requirements of clauses (a), (b) and (c) of this condition have been met.

13. The licence holder may manage processed manure, composted manure, and mortalities compost by removing from the premises for off-site reuse.

Records of off-site removal

14. The licence holder must keep accurate records of the volumes of all manure (unprocessed, processed, and composted), and mortalities compost, removed from the premises in accordance with conditions 8(a) and 13.

Monitoring

15. The licence holder must monitor and record inputs and outputs in accordance with Table 5.

Table 5: Monitoring and recording of inputs and outputs

Input / Output	Parameter	Units	Frequency
Pigs received and dispatched at the premises	Pigs	Number, specified for	Aggregated total monthly summary
Mortalities		each pig class	
Raw or unprocessed manure removed from the premises in accordance with condition 8(a)	Raw or unprocessed manure (spent bedding and dried pond sludge, or a mixture of the two), details of the receiving premises	Cubic metres or tonnes	Each load removed from the premises, by type
Low risk organic materials brought onto the premises	Organic material type		Each load brought onto the premises, by type
Processed manure and composted manure removed from the premises	Processed manure, composted manure		Aggregated total annual summary

Complaints management

- 16. The licence holder must investigate any complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the department or another party) about any alleged emissions from the premises.
- **17.** Following receipt of a complaint directly from a complainant about any alleged emissions from the premises, the licence holder must:
 - (a) respond to the complainant within 72 hours of receipt of the complaint; and
 - (b) within 10 calendar days of receipt of the complaint, provide a summary of the outcomes of any investigation(s) conducted in response to the complaint, including any corrective and preventative action(s) taken in response to the complaint, unless such communication is not requested by the complainant.

Records and reporting

Record-keeping

- 18. The licence holder must record the following information in relation to complaints received by the licence holder (whether directly from a complainant or forwarded to them by the department or another party) about any alleged emissions from the premises:
 - (a) the name and contact details of the complainant (if provided);
 - (b) the time and date of the complaint;
 - (c) the complete details of the complaint and any other concerns or other issues raised;
 - (d) the complete details of any activities being undertaken, where, and the weather and wind conditions at the time of the complaint;

- (e) the complete details and dates of any investigation(s) conducted in response to the complaint;
- (f) a summary of the findings of any investigation(s) conducted in response to the complaint, including details of the person(s) responsible for the investigation(s);
- (g) a summary of any corrective and preventative action(s) taken in response to the complaint;
- (h) a summary of the time taken to respond to the complaint; and
- (i) a summary of all communications with the complainant.
- **19.** 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;
 - (b) any maintenance of infrastructure that is performed in the course of complying with condition 1:
 - (c) process monitoring and quality testing records for processed manure required by condition 9(a);
 - (d) process monitoring, quality and biological stability testing records for composted manure required by condition 10;
 - (e) processing records for mortalities composting required by condition 12(d);
 - (f) records of manure removed off-site required by condition 14;
 - (g) records of inputs and outputs in accordance with condition 15; and
 - (h) complaints received under condition 18.
- **20.** The books specified under condition 19 must:
 - (a) be legible;
 - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
 - (c) be retained by the licence holder for the duration of the licence; and
 - (d) be available to be produced to an inspector or the CEO as required.

Notification requirements

- **21.** The licence holder must notify the CEO, within 24 hours of a mass mortalities event and/or an emergency animal disease (EAD) incident, including:
 - (a) the number of pigs that have died;
 - (b) the proposed plan for on-site handling and management of all carcasses; and
 - (c) the proposed disposal method and site.

Annual reporting requirements

- 22. The licence holder must:
 - (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
 - (b) prepare and submit to the CEO, by no later than 1 March in each year, an Annual Audit Compliance Report in the approved form.
- 23. The licence holder must submit to the CEO, by no later than 1 March in each year, an environmental report containing the information listed in Table 6 for the preceding annual period.

Table 6: Annual environmental report

Condition or table	Parameter
-	Summary of any environmental incidents that have occurred during the annual period and any action taken
Condition 9	Process monitoring and testing records for processed manure
Condition 10	Process monitoring and testing and biological stability testing records for

Condition or table	Parameter
	composted manure
Condition 12	Process monitoring records for mortalities compost
Condition 14	Records of manure taken off-site
Table 5	Records of inputs and outputs
Condition 18	Complaints summary
Condition 21	Summary of any notifications
Condition 22	Compliance

Definitions

In this licence, the terms in Table 7 have the meanings defined.

Table 7: Definitions

Term	Definition
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website)
annual period	means a 12-month period commencing from 1 January until 31 December in that same year
AS 1289	means the most recent version and relevant parts of the Australian Standard AS 1289 <i>Methods of testing soils for engineering purposes</i>
AS 4454	means the most recent version and relevant parts of the Australian Standard AS 4454 Composts, soil conditioners and mulches
averaging period	means the time over which a limit or target is measured or a monitoring result is obtained
books	has the same meaning given to that term under the EP Act
break of season	means the first significant rainfall event of the winter growing season (also known as the 'autumn break')
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department administering the Environmental Protection Act 1986 Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
composted manure	means organic material that has been aerobically composted where the temperature is shown to decline and stablise to the extent the product can be safely used on land and can come into direct contact with plants without negative effects. For the purpose of this licence, composted manure means manure that meets the processing and testing requirements and maturation levels specified in condition 10
CFU	colony forming units – a measure of viable colonogenic cell numbers in CFU/mL
condition	means a condition to which this licence is subject under s.62 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
EAD	Emergency Animal Disease; means a disease that is: (a) exotic to Australia; (b) a variant of an endemic disease; (c) a serious infectious disease of unknown or uncertain cause; or (d) a severe outbreak of a known endemic disease; and that is considered to be of national significance with serious social or trade implications
EP Act	means the Environmental Protection Act 1986 (WA)
freeboard	means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point
licence	means this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained

Term	Definition
	within
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
licensed composting facility	means a premises that holds a current and valid licence granted by the CEO under section 57 of the EP Act for a compost manufacturing and soil blending facility (category 67A)
licensed solid waste facility	means a premises that holds a current and valid licence granted by the CEO under section 57 of the EP Act for a solid waste facility (category 61A)
low risk organic material	means green waste derived from controlled collections and landscaping sources (e.g. grass, leaves, plants, branches, etc.), untreated timber (e.g. sawdust, wood shavings, timber off-cuts, etc.) and natural fibrous organics (e.g. peat, seed hulls/husks, straw, bagasse and other natural organic fibrous organics)
manure	means faeces and urine. For the purpose of this licence, manure also means spent bedding and pond sludge
mortalities compost	means the product of the partial decomposition of carcasses, which have been managed within bays or windrows. For the purpose of this licence, mortalities compost means mortalities that have been processed in accordance with the requirements specified in condition 12
MPN	most probable number – a statistical method used to estimate the viable numbers of bacteria in a sample
pasteurisation	means a process whereby organic materials are treated to significantly reduce the numbers of plant and animal pathogens, and plant propagules
pig class	refers to the different classes of pigs, depending on sex, age, weight and/or purpose within a piggery, including males (gilts, boars), females (dry sows, lactating sows), and progeny (suckers, weaners, growers, finishers and heavy finishers)
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
processed manure	means manure that has been processed to significantly reduce the number of pathogens and plant propagules. For the purpose of this licence, processed manure means manure that meets the processing and testing requirements specified in condition 9
qualified professional engineer	means a person who: (a) holds a tertiary academic qualification specialising in geotechnical or civil engineering; and (b) has a minimum of 3 years of experience working in the area of geotechnical or civil engineering; or is otherwise approved by the CEO to act in this capacity
Standard Pig Unit (SPU)	has the same meaning given to that term under the <i>National Environmental Guidelines for Indoor Piggeries (NEGIP)</i> , Australian Pork Ltd, May 2018, being a pig equivalent to a grower pig (average weight 40 kg) based on volatile solids production in manure

END OF CONDITIONS

Schedule 1: Maps

Premises map

The boundary of the prescribed premises is shown in the map below (red line), in addition to the location of the main piggery infrastructure and quarantine shelter.



Schedule 1: Maps

Map of infrastructure

The location of key piggery infrastructure is shown in the map below.

