Government of Western Australia
Department of Environment Regulation

# Licence

| | |
|---|---|
| **Licence Number** | L8961/2016/1 |
| **Licence Holder** | Shire of Kojonup (ABN 61 822 625 995) |
| **Registered business address** | 93 Albany Highway<br>KOJONUP WA 6395 |
| **Duration** | 08/08/2016 to 31/07/2036 |
| **Prescribed Premises** | Category 55 - Livestock saleyard or holding pen: Premises on which live animals are held pending their sale, shipment or slaughter |
| **Premises** | Shire of Kojonup Saleyards<br>Lot 1 on Diagram 29828 and Lot 3 on Diagram 32301 KOJONUP WA 6395<br><br>Certificate of Title Volume 1309 Folio 726 and Certificate of Title Volume 1305 Folio 932 |

This ***Licence*** is granted to the ***Licensee***, subject to the following ***Conditions***, on 1 August 2016, by:

Date signed: 1 August 2016

Jonathan Bailes
Manager Licensing (Process Industries)
*an officer delegated under section 20 of the Environmental Protection Act 1986* (WA)

# Conditions

## Environmental compliance

**1.** The ***Licensee*** must comply with the ***EP Act*** and all regulations prescribed under the ***EP Act*** applicable to the ***Premises***, including:

(a) the duties of an occupier under s 61;

(b) the duty to notify the ***CEO*** of ***Discharges*** of ***waste*** under s 72; and

(c) not causing, or doing anything that is likely to cause, an offence under the ***EP Act***;

except where the ***Licensee*** does something in accordance with a ***Condition*** which expressly states that a defence under s 74A of the ***EP Act*** may be available.

## Notification of *Material Change*

**2.** The ***Licensee*** must notify the ***CEO*** of any ***Material Change*** within 14 days of a ***Material Change*** occurring and such notification (which the ***CEO*** will make publicly available) must:

(a) be in writing;

(b) include details of the changes, including duration, infrastructure details (if any); and

(c) include risk analysis of the changes, including proposed controls to mitigate risks.

Nothing in this ***Condition*** constitutes a defence to offences under the ***EP Act***.

**3.** The ***Licensee*** must provide to the ***CEO*** any additional information the ***CEO*** may reasonably require to assess the ***Material Change*** under ***Condition*** 4 and in order for the ***CEO*** to determine if an amendment to the ***Licence*** is required.

**4.** The ***Licensee*** must cease carrying out, or modify, a ***Material Change*** in the manner and at the time required by the ***CEO*** if:

(a) the ***CEO*** forms the view, acting reasonably, that the ***Material Change*** has or may have an unacceptable impact on public health, amenity or the environment; and

(b) the ***CEO*** has provided written notice (which the ***CEO*** will make publicly available) to the ***Licensee*** specifying the grounds for the ***CEO***'s views.

Nothing in this ***Condition*** prevents the ***Licensee*** subsequently submitting an amendment in relation to the ***Material Change***.

## Infrastructure and Equipment

**5.** The ***Licensee*** must maintain and operate the infrastructure and equipment specified in column 2 of Table 1 in accordance with the requirements specified in column 3 of Table 1.

**6.** The ***Licensee*** must ensure that the infrastructure and equipment specified in Table 1 are maintained in good working order.

**Table 1: Infrastructure and Equipment Controls Table**

| | Site Infrastructure | Description |
|---|---|---|
| 1 | Livestock saleyard pens | Compacted gravel or concrete pens and raceways.<br>Fenced.<br>Inspected before and after each livestock sale, and after each instance of incidental use. |
| 2 | Truck wash | Concrete wash ramp draining to concrete sump.<br>Coarse screen and concrete solids hopper draining to truck wash concrete sump.<br>Sump pump to settling ponds.<br>Inspected weekly.<br>Sludge from the concrete sump removed at least every 14 days and stored on the hardstand ***waste*** storage area or removed from the ***Premises***. |
| 3 | Settling ponds | Two settling ponds constructed with 300mm thick compacted clay liner.<br>West pond 77.76m$^3$ capacity; east pond 99.63m$^3$ capacity.<br>750mm operational freeboard.<br>***Discharge*** point to Kojonup WWTP.<br>Raised embankments to divert clean stormwater away.<br>Inspected weekly.<br>Sludge removed from the ponds stored on the hardstand ***waste*** storage area or removed from the ***Premises***. |
| 4 | Hardstand ***waste*** storage area | Kerbed bitumen area draining to truck wash concrete sump.<br>Inspected weekly. |

## Specified Action

**7.** The ***Licensee*** must ensure that the ***Premises*** does not hold more than 8,000 animals at any one time.

**8.** The ***Licensee*** must ensure that the ***Premises*** does not hold more than 24,000 animals in any ***Annual Period***.

**9.** The ***Licensee*** must ensure that the ***Premises*** is not used for sales between 1 June and 31 August in any ***Annual Period***.

**10.** The ***Licensee*** must ensure that all collected manure and truck wash sludge is stored on the hardstand ***waste*** storage area.

**11.** The ***Licensee*** must ensure that the livestock saleyard pens are inspected prior to each sale and dampened if required unless dampened by a previous or current rainfall event.

**12.** The ***Licensee*** must ensure that manure is removed from the livestock saleyard pens within 48 hours of use and stored in the hardstand ***waste*** storage area or removed from the ***Premises***.

**13.** The ***Licensee*** must ensure that ***waste*** stored in the hardstand ***waste*** storage area is removed from the ***Premises*** within 28 days.

**14.** The ***Licensee*** must ensure that carcasses are removed from the ***Premises*** within 24 hours.

## Emissions

**15.** The ***Licensee*** must not cause any ***emissions*** from 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.

If the ***Licensee*** proves that it has acted in accordance with this ***Condition***, it may be a defence under s 74A of the ***EP Act*** to proceedings for offences under the ***EP Act*** (including offences under s 56).

**Table 2: *Emission*s Table**

| **Column 1** | **Column 2** |
|---|---|
| ***Emission* Type** | **Exclusions/Limitations/Requirements** |
| **Specified *Emission*s** | |
| Fugitive dust | Subject to compliance with ***Condition*** 11 |
| **General *Emission*s (excluding Specified *Emission*s)** | |
| ***Emission***s which:<br>• arise from the activities on the ***Premises*** arising from matters set out in, or incidental to the matters set out in, the ***General description*** in Schedule 2; or<br>• arise from a ***Material Change*** (except where ***Condition*** 4 applies). | ***Emission***s excluded from General ***Emission***s are:<br>• ***Unreasonable emissions***; or<br>• ***emissions*** that result in, or are likely to result in, ***Pollution***, ***Material environmental harm*** or ***Serious environmental harm***; or<br>• ***Discharge***s of ***Waste*** in circumstances likely to cause ***Pollution***; or<br>• ***emissions*** that result, or are likely to result in, the ***Discharge*** or abandonment of ***Waste*** in water to which the public has access; or<br>• ***emissions*** or ***Discharges*** which do not comply with an Approved Policy; or<br>• ***emissions*** or ***Discharge***s which do not comply with prescribed standard; or<br>• ***emissions*** or ***Discharges*** which do not comply with the ***Conditions*** in an ***Implementation Agreement or Decision***; or<br>• ***emissions*** or ***Discharges*** the subject of offences under regulations prescribed under the ***EP Act***, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004*. |

## Information

**16.** The ***Licensee*** must maintain accurate and auditable records in relation to:

(a) the calculation of fees payable in respect of this ***Licence***;

(b) any ***Material Change***;

(c) the date of each use and the number of animals held at the ***Premises*** each use; and

(d) weekly ***Premises*** inspections.

**17.** If an ***emission*** type referred under ***Condition*** 115 occurs on the ***Premises***, then the ***Licensee*** must:

(a) investigate why the ***emission*** occurred;

(b) take all reasonable steps to prevent the ***emission*** occurring again;

(c) record the details of the investigation and all steps taken; and

(d) provide a copy of the record to the ***CEO*** within 21 days of the date ***Licensee*** became aware that the ***emission*** had occurred.

**18.** The ***Licensee*** must record the number and details of any complaints received by the ***Licensee*** relating to ***emissions*** and ***Discharges*** from the ***Premises***, and any action taken by the ***Licensee*** 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 ***Licensee*** in response to the complaints.

**19.** The ***Licensee*** must submit to the ***CEO*** within 90 days after the ***Anniversary Date***, a ***Compliance Report*** indicating the extent to which the ***Licensee*** has complied with the ***Condition***s in this ***Licence*** for the ***Annual Period***.

**20.** The ***Licensee*** must comply with a ***CEO Request***, within 7 days from the date of the ***CEO Request*** or such other period specified in the ***CEO Request***.

# Definitions and Interpretation

## Definitions

In this ***Licence***, the following terms have the following meanings:

***Anniversary Date*** means 30th June of the year following issue of the ***Licence***.

***Annual Period*** means a 12 month period commencing 1 July in any year to 30 June in the subsequent year.

***CEO*** for the purposes of notification means:

Chief Executive Officer
Department of Environment Regulation
Locked Bag 33
Cloisters Square WA 6850
info@der.wa.gov.au

***CEO Request*** means a request made by the ***CEO*** to the ***Licensee*** in writing, sent to the ***Licensee***'s address for notifications, as described at the front of this ***Licence***, in relation to:

(a) information, records or reports in relation to specific matters in connection with this ***Licence*** including in relation to compliance with any ***Conditions*** and the calculation of fees (whether or not a breach of ***Condition*** or the ***EP Act*** is suspected); or

(b) reporting, records or administrative matters:

(i) which apply to all Licences granted under the ***EP Act***; or

(ii) which apply to specified categories of Licences within which this ***Licence*** falls.

***Compliance Report*** means a report in the format specified by the ***CEO***.

***Condition*** means a ***Condition*** to which this ***Licence*** is subject under s 62 of the ***EP Act***.

***Discharge*** has the same meaning given to that term under the ***EP Act***.

***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 *Environmental Protection Act 1986* (WA).

***General description*** means the description of activities and operations carried out on the ***Premises*** as set out in Schedule 2 of this ***Licence***.

***Implementation Agreement or Decision*** has the same meaning given to that term under the ***EP Act***.

***Licence*** refers to this document, which evidences the grant of ***Licence*** by the ***CEO*** under s 57 of the ***EP Act***, subject to the ***Condition***s.

***Licensee*** 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 Change*** means a change to the activities carried out on the ***Premises*** as described in the ***General description*** set out in Schedule 2 and:

(a) that may result in an increased risk to public health, amenity or the environment; and

(b) includes the types of changes specified in Schedule 2; and

(c) does not include the excluded changes specified in Schedule 2.

***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***.

***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;

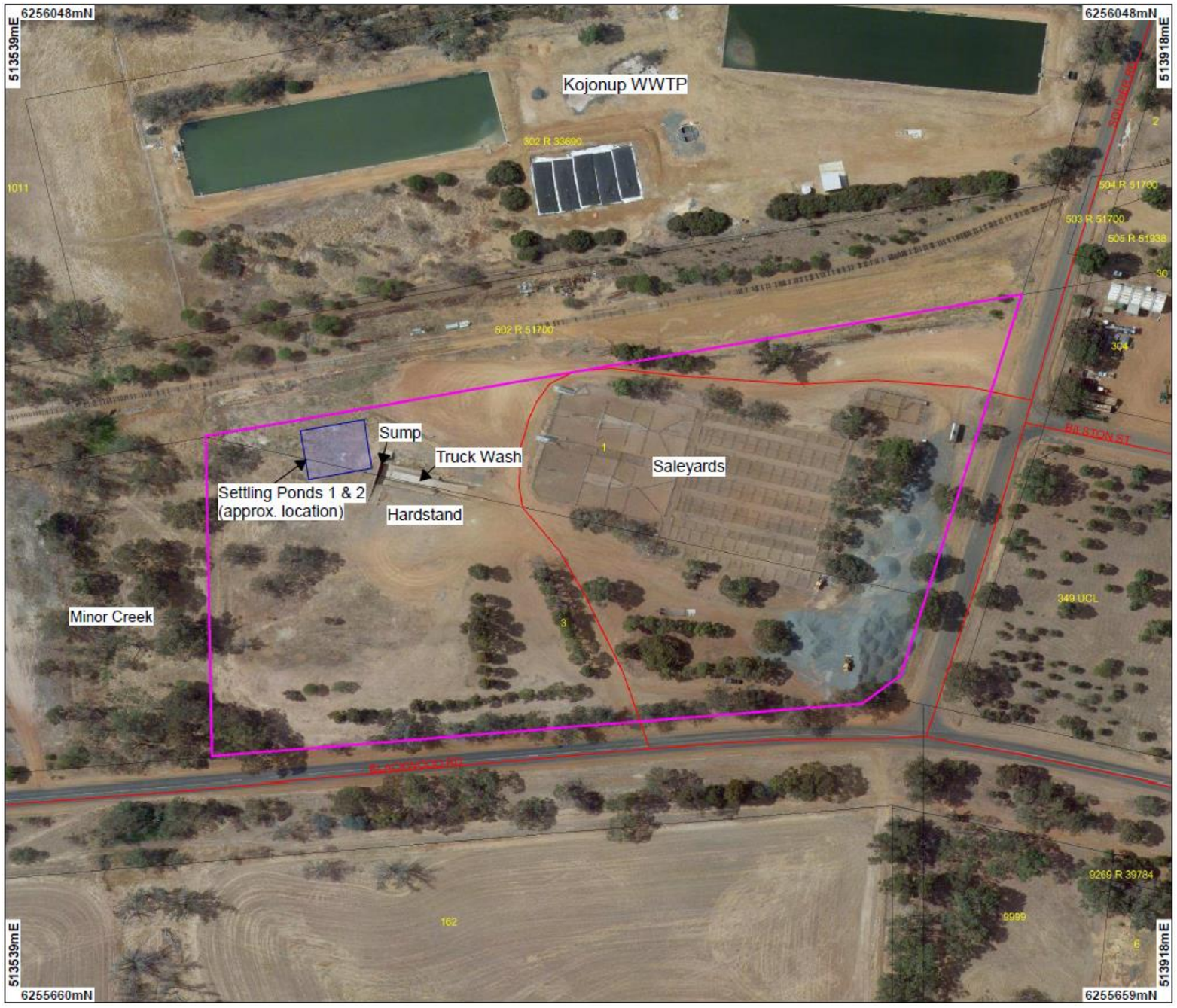
(c) where tables are used in a ***Condition***, each row in a table constitutes a separate ***Condition***; and

(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***.

# Schedule 1:  Plans

## Figure 1. Premises Map

The ***Premises*** is shown in the plan below. The pink line depicts the boundary to the ***Premises***.



# Schedule 2: General description

At the time of assessment, the following activities and operations were considered in the determination of the risk and related ***Condition***s for the ***Premises***.

The ***Licensee*** is carrying out activities at the ***Premises*** which fall within the meaning of Prescribed ***Premises*** under the ***EP Act***. The ***Premises*** constitute a category 55 livestock saleyard or holding pen: ***Premises*** on which live animals are held pending their sale, shipment or slaughter.

The infrastructure and equipment situated on the ***Premises*** are detailed in Table 2:

**Table 3: Infrastructure and equipment situated on the *Premises***

| | **Infrastructure** | **Plan reference** |
|---|---|---|
| 1 | Livestock saleyards | Premises Map |
| 2 | Truck wash bay and hardstand ***waste*** storage area | Premises Map |
| 3 | Settling ponds | Premises Map |

## Site layout

The infrastructure and equipment are set out on the ***Premises*** in accordance with the site layout specified on the map in Schedule 1.

# Application for Licence

**Division 3, Part V *Environmental Protection Act 1986***

| | |
|---|---|
| **Applicant:** | Shire of Kojonup |
| **ABN:** | 61 822 625 995 |
| **Licence Number:** | L8961/2016/1 |
| **Works Approval Number:** | W5760/2014/1 |
| **File Number:** | DER2016/000458 |
| **Premises:** | Shire of Kojonup Saleyards<br>Lot 1 on Diagram 29828 and Lot 3 on Diagram 32301<br>KOJONUP WA 6395<br><br>Certificate of Title Volume 1309 Folio 726 and Certificate of Title Volume 1305 Folio 932 |
| **Date of report:** | Monday, 1 August 2016 |
| **Status of Report** | Final |

## Table of Contents

# Definitions of terms and acronyms

| Term | Definition |
|---|---|
| Assigned noise level | means noise level not to be exceeded at receiving premises, defined by Part 2, Division 1 of the *Environmental Protection (Noise) Regulations* 1997 |
| EP Act | means the *Environmental Protection Act 1986* |
| Noise | means unwanted sound and is defined in the EP Act to include vibration of any frequency, whether transmitted through air or any other physical medium |
| Noise Regulations | *Environmental Protection (Noise) Regulations 1997* |
| PM | Particulate Matter |
| $PM_{10}$ | Used to describe particulate matter that is smaller than 10µm in diameter. |
| Premises | is defined in the EP Act to mean residential, industrial or other premises of any kind whatsoever and includes land, water, and equipment |

# 1. Purpose and Scope of Assessment

An application for a category 55 livestock saleyard or holding pen licence has been received from the Shire of Kojonup (the Shire) for the Kojonup Saleyards, which is an existing premises on the corner of Blackwood and Soldier Roads in Kojonup Western Australia.

# 2. Background

The Kojonup Saleyards have been used since the mid-1960's by independent selling agents conducting livestock sales. Additionally, the yards are used as a temporary holding facility by transporters and farmers in the Kojonup area. The saleyards have a maximum design capacity of 8,000 sheep at any one time and are used up to three times a year for livestock sales. The intermittent use by transporters and farmers occurs throughout the year and may include a small number of cattle. The overall throughput for the Kojonup Saleyards is estimated to be no more than 24,000 animals (predominantly sheep) per year. Table 1 describes the prescribed premises category applicable to the saleyards.

**Table 1: Prescribed premises categories**

| Classification of Premises | Description | Production for Preceding Year | Schedule 1 Category Threshold |
|---|---|---|---|
| Category 55 | Livestock saleyard or holding pen: premises on which live animals are held pending their sale, shipment or slaughter. | 24 000 animals | 10 000 animals or more per year |

# 3. Overview of Kojonup Saleyards

## 3.1 Infrastructure

The Kojonup Saleyards consist of an array of animal holding pens and raceways, two truck loading and unloading ramps, vehicle access tracks, and drainage swales within the premises.

The Kojonup Saleyards also has a truck wash located within the premises boundary. The truck wash is available for use by livestock transporters (i.e. using stock crate trailers) who obtain a key from the Shire of Kojonup, enabling access to the truck wash 24 hours a day. Wastewater from the truck wash is collected in a sump and then screened for suspended solids which are deposited into a reinforced concrete solids discharge hopper. A grate within the hopper allows any draining water to be returned to the wastewater sump at the truck wash. Screened wastewater is then pumped to two settling ponds, which then discharge partially treated (settlement and some aerobic treatment) wastewater by gravity into a private sewer line. The Shire of Kojonup has an Industrial Waste Permit with the Water Corporation to discharge treated wastewater from the settling ponds into the adjacent Kojonup Wastewater Treatment Plant (WWTP).

Adjacent to the truck wash is a bitumen hardstand area that is used for the storage of manure from the saleyards, as well as for the storage and drying of sludge from the screened truck wash wastewater. The hardstand is bunded and graded so that any leachate from the manure and sludge stockpiles drains back to the truck wash wastewater collection sump.

Manure and dried sludge are routinely removed by local users, including farmers, the District High School and the Shire of Kojonup for use as fertiliser and soil conditioner.

Key infrastructure associated with the operation of the saleyards is shown in Table 2 below.

**Table 2: Kojonup Saleyards category 55 infrastructure**

| | **Infrastructure** |
|---|---|
| | **Prescribed Activity Category 55** |
| 1 | Livestock saleyards |
| 2 | Truck wash |
| 3 | Settling ponds |
| 4 | Hardstand waste storage area |

## 3.2 Operational Aspects

The Kojonup Saleyards are predominantly used in the spring and early summer for livestock sales, and throughout the year for informal intermittent use. The Shire of Kojonup estimates that the annual throughput is no more than 24,000 animals, and is in the process of implementing procedures to capture the intermittent use of the saleyards by private users. The intermittent use is expected to account for a small proportion of animals using the saleyards each year, with each use being limited to a small number of animals.

The *Australian Animal Welfare Standards – Land Transport of Livestock* stipulates that prior to transport, sheep are required to be off food and water for a minimum of 12 hours. This minimises the amount of animal waste generated during transit and while the animals are held at the saleyards. The resultant waste pellets are generally well formed and are therefore able to be removed effectively.

Animals are watered during sales but are not fed. Around one-third of animals brought for sale may be penned in the saleyards overnight prior to a sale. The remaining two-thirds are usually penned for the day only. Anecdotal evidence from the Shire suggests that only small volumes of manure are generated during sales, as the sheep are transported 'empty' and are not fed on the premises.

The washing of trucks at the truck wash generates solid waste (sludge) and wastewater high in biological material, in particular, nutrients such as nitrogen and phosphorus.

The pre-treatment process for wastes generated by the truck wash is as follows:

1. Water from the wash-down ramp is collected in the lowest (northern) part of the ramp, which is used as the pump sump;
2. A coarse screen is in place between the ramp and sump;
3. An automatic transfer pump lifts the effluent onto a contra-shear static effluent screen;
4. The effluent screen separates the suspended solids;
5. Suspended solids are deposited into a reinforced concrete hopper, which incorporates a grate from which any drainage is returned to the pump sump. Suspended solids are allowed to dry prior to disposal off-site;
6. The screened effluent is pumped to the settling ponds; and
7. The effluent travels through the settling ponds and discharges into the Kojonup WWTP plant by gravity.

The Shire estimates that the volume of manure generated by the truck wash is approximately 12m$^3$ per month. A sample point and flow meter have been provided on the downstream side

of the settling ponds to monitor water quality and volumes of wastewater discharged to the Kojonup WWTP.

In the event of an animal fatality, carcasses are kept on the premises for no more than 24 hours before being removed off-site and disposed of at an authorised facility.

# 4. Legislative Context

## 4.1 Planning

The Kojonup Saleyards have historically been used as a saleyard and truck wash prior to the publication of the existing Town Planning Scheme No. 3. Under part 5.2.1(a) of this scheme, planning consent is not required for the development of land that is held by the Shire of Kojonup for the purpose for which the land is reserved under the scheme. The purpose of the reserve is to provide for a saleyard and truck wash which are available for public use. As such, planning consent is not required.

## 4.2 Part V of the EP Act

### 4.2.1 Works Approvals

The Kojonup Saleyards is an existing premises that has been located at the current site since the 1960's. The premises was not constructed under a works approval and has not previously held a licence granted by DER.

Works Approval W5760/2014/1 was granted by DER to the Shire of Kojonup in January 2015 for improvements to the wastewater processing infrastructure servicing the premises truck wash. The improvements have been completed, and compliance documentation was received by DER in August 2015.

### 4.2.2 Compliance history check

No prosecutions, statutory compliance notices, or enforcement notices have been issued under the EP Act by DER to the Shire relating to the Kojonup Saleyards.

DER's Incident and Complaints Management System (ICMS) is used to record complaints received and non-compliances requiring investigation. Following a review of ICMS, no records of a complaint received from a member of the public or business relating to the Kojonup Saleyards in the past 24 months were found. An ICMS record was raised in November 2014, when it came to DER's attention that the operation of the saleyards may meet the definition of a prescribed premises (see Appendix 1).

# 5. Consultation

DER referred the application for category 55 operating licence to the Department of Water on 18 April 2016, as the Delegated Officer considered that they have a direct interest in the application.

DER also publically advertised the application in The West newspaper and on the DER website on 18 April 2016. No submissions were received.

The Department of Water advised that stormwater management measures should be implemented at the Kojonup Saleyards site to ensure that solid wastes, wastewater, and leachate are contained and managed appropriately due to the potential for these wastes to

impact surface water quality, soils, and groundwater if not effectively contained and treated prior to discharge. These recommendations are further discussed in section 7.8 relating to infrastructure controls and management controls that are used to mitigate the risk.

# 6. Location and Siting

## 6.1 Siting Context

The Kojonup Saleyards are located on two adjoining lots, being Lot 3 Blackwood Road and Lot 1 Soldier Road, within the Kojonup town site. The premises is located within an existing Water Corporation odour buffer associated with the Kojonup WWTP, and the land is zoned 'Public Purposes' in the Shire of Kojonup's Town Planning Scheme No. 3. The premises is bordered by land zoned 'Public Purposes', 'Rural', 'Industry' and 'Recreation'.

The saleyards are located approximately 50m south of the existing Kojonup WWTP. There is a minor creek line approximately 35m west of the premises boundary and approximately 150m north of the boundary (on the other side of the Kojonup WWTP).

The nearest residence (zoned rural) is located on adjacent land approximately 100m west of the premises boundary. The nearest sensitive receptor (zoned public purposes) is a school located approximately 500m south-east of the premises. There are another 44 residential premises (located in various zones) within a 1km radius of the premises. Recreational spaces are located 50m south, 200m south-west and 480m east of the premises.

There are currently no groundwater bores on site or on adjoining land, and no accurate information is available on the level or condition of the groundwater beneath the site. The nearest Public Drinking Water Source Area (PDWSA) at Katanning is located more than 40km north-east of the site.

## 6.2 Residential and Sensitive Premises

The distances between the nearest residential and sensitive receptors and the premises are shown in Table 3 below.

**Table 3: Receptors and distance from prescribed activity**

| Residential and Sensitive Premises | Distance from Prescribed Activity |
|---|---|
| Sensitive premises (single rural residence) | 100m |
| Sensitive public receptor (school) | 500m |
| Single residential premises in industrial zone | 280m |
| Residential premises (four dwellings) | 350m |
| Single residential premises in rural zone | 470m |
| Single residential premises in rural zone | 530m |
| Single residential premises in rural zone | 500m |
| Single residential premises in special rural zone | 800m |
| Single residential premises in special rural zone | 760m |

| Residential and Sensitive Premises | Distance from Prescribed Activity |
|---|---|
| Single residential premises in special rural zone | 830m |
| Single residential premises in special rural zone | 700m |
| Single residential premises in special rural zone | 630m |
| Single residential premises in special rural zone | 660m |
| Single residential premises in special rural zone | 760m |
| Residential zone (16 residences) | 530m |
| Residential development zone (10 residences) | 535m |
| Single residential premises | 695m |
| Single residential premises | 700m |
| Single residential premises | 820m |
| Separation distance requirements: | The Delegated Officer considers that a separation distance of 1000m is recommended to separate the saleyards from sensitive land uses to preserve the beneficial use of the environment. |

Applications for works approvals or licences for premises which do not meet the recommended separation distances will be considered as having a higher risk to public health and amenity and will require a more detailed risk assessment. If a works approval or licence is granted for these premises; instruments are likely to contain a higher level of regulatory control, such as management or process conditions. Refer to section 7 for DER's risk assessment.

## 6.3 Specified Ecosystems

**Table 4: Specified ecosystems**

| Specified ecosystems | Distance from Prescribed Premises |
|---|---|
| N/A | There are no specified ecosystems located within a 2,000m radius of Kojonup Saleyards. |

## 6.4 Groundwater and water sources

**Table 5: Groundwater and water sources**

| Groundwater and water sources | Distance from Premises | Environmental Value |
|---|---|---|
| Minor creek | Watercourse, minor, non-perennial approximately 35m to the west and 150m north of the premises boundary. | Surface water drainage system with fringing trees (native Wandoo Species) |
| Rural dam | Earthen dam, rural purposes approximately 150m south of the premises boundary. | The surrounding land use is cropping and grazing. |
| Rural dam (Stormwater capture) | Earthen dam, rural purposes approximately 360m southeast of the premises boundary. | N/A. Historically used for storage of treated wastewater from Water Corporations' WWTP prior to irrigating the Shire Oval. Now used predominately for stormwater capture from the industrial area to the south and east of the dam. |
| Rural dam (Showgrounds Dam) | Earthen dam, rural purposes approximately 580m southwest of the premises boundary | N/A. Historically used for storage of treated wastewater from Water Corporations' WWTP prior to irrigating the town ovals. |

## 6.5 Soil Type

Soil types in the Kojonup area are described as a mixture of heavy, rich loams, jarrah gravels, and sandy loam. The saleyards are underlain by clay, which experiences limited infiltration.

## 6.6 Meteorology

### 6.6.1 Wind direction and strength

The average annual wind direction blows from the west for around 18% of the year, from the northwest for around 17% of the year, and from the southwest for around 15% of the year. Wind speeds are less than 20km per hour for the majority of the time throughout the year.

### 6.6.2 Regional climatic aspects

Kojonup experiences a Mediterranean climate with cold, wet winters and hot, dry summers.

### 6.6.3 Rainfall and temperature

Average annual maximum temperatures are around 29.5°C in January and 14.4°C in July. Average annual minimum temperatures are around 13.1°C in January and 5.9°C in July. Average annual rainfall is 531.6mm, with around 46% of this falling in the winter months (June, July, and August).

# 7. Risk Assessment

## 7.1 Emission Sources

Identification of key emissions is set out in Table 6 below.

**Table 6: Identification of key emissions**

| | Activity | Details | Frequency | Potential emissions | Key contributing factors |
|---|---|---|---|---|---|
| 1 | Holding (including loading and unloading) of sheep and / or cattle in the premises saleyards. | Saleyards are used during livestock sales and as a temporary holding facility by livestock transporters and farmers in the Kojonup area. | • Livestock sales events – approximately three times per year; and<br>• Use as a temporary holding facility – intermittent use, small number of animals, a few times per month. | Odour, noise, dust, solid waste (manure and carcasses), leachate. | • Throughputs; and<br>• The time of year livestock is held in the saleyards (winter has a higher potential for generation of leachate; summer has a higher potential for dust generation). |
| 2 | Operation of truck wash and hardstand waste storage area | The truck wash is used by livestock transporters to wash manure and dirt from trucks. A hardstand is located adjacent to the truck wash bay for storage and stockpiling of manure and sludge generated from the saleyards and the truck wash. | Continuous, the truck wash may be used 24-hours per day | Odour, noise, dust, solid waste (manure and sludge), leachate | • Throughputs;<br>• Time of year;<br>• Volumes of manure and sludge stored on hardstand; and<br>• The length of time that manure and sludge are stored on hardstand. |
| 3 | Settling ponds | Two settling ponds are connected (via a sump) to the truck wash bay for storage and treatment of wastewater and leachate generated by the truck wash and hardstand waste storage area. After a minimum six-day holding period, partially treated wastewater from the settling ponds is discharged to the Kojonup WWTP. | Continuous | Odour and leachate | • Throughputs; and<br>• Time of year. |

| | Activity | Details | Frequency | Potential emissions | Key contributing factors |
|---|---|---|---|---|---|
| 4 | Vehicle movements | Use of the truck wash occurs all year round and involves livestock trucks accessing the site to wash down stock crate trailers. During livestock sales, there will be trucks and light vehicles accessing the site. Internal roadways are largely unsealed. | • Continuous, the truck wash may be used 24-hours per day;<br>• Sales, up to three times per year; and<br>• Use as a temporary holding facility – intermittent use, small number of animals, a few times per month. | Noise and dust | • Throughputs / frequency of trucks accessing site;<br>• Time of day; and<br>• Time of year. |

The premises infrastructure causing emissions and their location are identified in Table 7 below.

**Table 7: Emission sources by infrastructure and location**

| | | Emission | | | |
|---|---|---|---|---|---|
| | | **Odour** | **Noise** | **Dust** | **Leachate** |
| **Infrastructure** | Saleyards – Premises Map | ● | ● | ● | ● |
| | Truck wash bay and hardstand area – Premises Map | ● | ● | ● | ● |
| | Settling ponds – Premises Map | ● | | | ● |
| | Vehicle movements – location across premises track and parking areas | | ● | ● | |

## 7.2 Hazard – Pathway – Receptor Identification

**Table 8: Emissions risk to receptor**

| | Emission Type | | | |
|---|---|---|---|---|
| | **Odour** | **Noise** | **Dust** | **Land runoff to surface water and infiltration to groundwater** |
| **Potential Receptor** (see section 6 for receptor details) | Single rural residence – located 100m to the west<br>School – located 500m to the southeast<br>Residential – located 350m to the east | Single rural residence – located 100m to the west<br>School – located 500m to the southeast<br>Residential – located 350m to the east | Single rural residence – located 100m to the west<br>School – located 500m to the southeast<br>Residential – located 350m to the east | Groundwater - the premises is not located within a proclaimed groundwater area.<br>Surface water - nearest surface water body (a tributary of Kojonup Brook, an intermittent stream) is located approximately 35m to the west |

| | Emission Type | | | |
|---|---|---|---|---|
| | **Odour** | **Noise** | **Dust** | **Land runoff to surface water and infiltration to groundwater** |
| **Pathway Assessment**<br>(see section 6.6 for meteorological details) | Air (wind-borne) | Air | Air (wind-borne) | Direct infiltration into soils.<br>Seepage through near-surface soils to surface water.<br>Direct overland flows to surface water.<br>Infiltration down through soils to groundwater. |
| **Potential impact** | Odour has the potential to impact amenity and wellbeing.<br>Individual responses to odour emissions may vary depending on an individual's age, health status, sensitivity, and odour exposure patterns. Perceived odour intensity may increase or decrease on exposure.<br>Community response to an odour can include annoyance, potentially leading to stress, and loss of amenity. Exposure to repeated odour events can create a nuisance effect. | Noise has the potential to impact amenity and wellbeing.<br>Individual responses to noise may vary depending on an individual's age, health status, sensitivity, and noise exposure patterns.<br>The impact will vary depending on the loudness, tonality, frequency, and duration of the noise.<br>Community response to noise can include annoyance, potentially leading to stress, and loss of amenity. Exposure to noise can create a nuisance effect. | Amenity impacts can include visible dust plumes resulting in deposition of material on property, vehicles, and equipment. High concentrations of dust can also smother vegetation.<br>Public health effects can include acute effects such as allergy reactions and asthma, and chronic effects such as reduced respiratory function (particulate matter that is less than 10 micrometres in diameter can be inhaled deep into the lungs). | Ecosystem health:<br>Contaminated wastewater and leachate emissions can result in a potential or actual alteration to the environment. They have to potential to disrupt ecological processes, have an impact on the aesthetic appeal of waters, and cause eutrophication.<br>Potential contamination of soils, surface water, and groundwater with excess nutrients, pathogens, or weeds (from sheep manure). |

## 7.3 Risk Criteria

During the assessment, the risk criteria in table 9 below will be applied to determine a risk rating set out in section 7.9.

**Table 9: Risk criteria**

| Likelihood | Consequence | | | | |
|---|---|---|---|---|---|
| | Insignificant | Minor | Moderate | Major | Severe |
| Almost Certain | Moderate | High | High | Extreme | Extreme |
| Likely | Moderate | Moderate | High | High | Extreme |
| Possible | Low | Moderate | Moderate | High | Extreme |
| Unlikely | Low | Moderate | Moderate | Moderate | High |
| Rare | Low | Low | Moderate | Moderate | High |

| Likelihood | | Consequence | | |
|---|---|---|---|---|
| **The following criteria has been used to determine the likelihood of the risk / opportunity occurring.** | | **The following criteria has been used to determine the consequences of a risk occurring:** | | |
| | | | **Public Health** | **Ecosystem/ Environmental** |
| Almost Certain | The event is expected to occur in most circumstances | Severe | • Loss of life<br>• Exposure to hazard with permanent prolonged adverse health effects expected to large population<br>• Health criteria is significantly exceeded | • Irreversible impact to significant high value or sensitive ecosystem expected<br>• Irreversible and significant impact on a wide scale<br>• Total loss of a threatened species expected<br>• Ecosystem criteria is significantly exceeded |
| Likely | The event will probably occur in most circumstances | Major | • Exposure to hazard with permanent prolonged adverse health effects expected to small population<br>• Significant impact to amenity for extended periods expected to large population<br>• Health criteria is exceeded | • Long-term impact to significant high value or sensitive ecosystem expected<br>• Long-term impact on a wide scale<br>• Adverse impact to a listed species expected<br>• Ecosystem criteria is exceeded |
| Possible | The event could occur at some time | Moderate | • Exposure to hazard with short-term adverse health effects expected requiring treatment<br>• Impact to amenity expected for short periods to large population<br>• Health criteria is at risk of not being met | • Minor and short-term impact to high value or sensitive ecosystem expected<br>• Off-site impacts at a local scale<br>• Ecosystem criteria is at risk of not being met |
| Unlikely | The event is unlikely to occur | Minor | • Exposure to hazard with short-term adverse health effects expected<br>• Impact to amenity expected for short periods to small population<br>• Health criteria are likely to be met | • Moderate to minor impact to ecosystem component (physical, chemical or biological)<br>• Minor off-site impacts at a local scale<br>• Ecosystem criteria are likely to be met |
| Rare | The event may only occur in exceptional circumstances | Insignificant | • No detectable impacts to health<br>• No detectable impacts to amenity<br>• Health criteria met | • None or insignificant impact to ecosystem component (physical, chemical or biological) expected with no effect on ecosystem function<br>• Ecosystem criteria met |

## 7.4 Risk Treatment

DER will treat risks in accordance with the Risk Treatment Matrix below:

**Table 10: Risk Treatment**

| Risk Rating | Acceptability | Treatment |
|---|---|---|
| **Extreme** | Unacceptable. | Risks will not be tolerated. DER will refuse proposals. |
| **High** | Acceptable subject to primary and secondary controls. | Risks will be subject to multiple regulatory controls including primary and secondary controls. This will include both outcome-based and management conditions. |
| **Moderate** | Acceptable, generally subject to primary controls. | Risks will be subject to regulatory controls with a preference for outcome-based conditions where practical and appropriate. |
| **Low** | Acceptable, generally not requiring controls beyond the proponents controls. | Risks are acceptable and will generally not be subject to regulatory controls. |

The emission types have been identified with the pathways and receptors in Table 12 below.

## 7.5 Risk of Odour Impact Analysis

### 7.5.1 General hazard characterisation and impact

Odour emissions may be generated from the saleyards as a result of manure accumulation, storage, and handling, and stockpiling of manure and sludge onsite. Odour may also be generated from the operation of the truck wash and associated settling ponds. The Kojonup Saleyards are used a maximum of three times per year for sheep sales as well as infrequent use by local farmers and transporters as a temporary holding facility. There is the potential for cumulative odour emissions from the adjacent Kojonup WWTP.

### 7.5.2 Criteria for assessment

There are no set threshold or concentration criteria for odour assessment. Under section 49(5) of the EP Act, it is an offence to emit or cause to be emitted, an unreasonable emission from any premises. An unreasonable emission is defined in the EP Act (section 49(1)) as an emission or transmission of noise, odour or electromagnetic radiation which unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person.

### 7.5.3 Assessment of proponent controls

The animals are not held on site for extended periods, generally for a day or two maximum. Manure and sludge are removed at least every 28 days from the premises or as required after livestock sales and after maintenance of the truck wash bay. Should there be an odour issue identified with manure and sludge stockpiles during weekly checks or via receipt of odour complaints, this waste will be removed and taken to the Kojonup Landfill for disposal.

### 7.5.4 Consequence

Odour emissions could conceivably impact amenity for short periods of time to a small population. Adjacent receptors include a single rural residence located 100m to the west, a school located 500m to the south-east and a residential area 350m to the east. The consequence is therefore rated as minor.

### 7.5.5 Likelihood of consequence

Due to the nature of wastes produced and stored on the premises, the likelihood of odour emissions impacting nearby receptors is rated as possible.

### 7.5.6 Risk rating

The risk rating for odour has been assessed as moderate.

## 7.6 Risk of Noise Impact Analysis

### 7.6.1 General hazard characterisation and impact

Noise is generated from the normal operations onsite including noise from the sheep themselves, as well as from vehicles using the truck wash bay and transporting sheep. These types of noise emissions are not excessive and are typical of the area due to the rural nature of surrounding land uses.

### 7.6.2 Criteria for assessment

The Shire of Kojonup has a statutory responsibility to comply with the *Environmental Protection (Noise) Regulations 1997.*

### 7.6.3 Assessment of proponent controls

Noise emissions are not expected to be significant and therefore no controls have been proposed.

### 7.6.4 Consequence

Overall noise levels from the saleyards are likely to be below the assigned noise level defined in the *Environmental Protection (Noise) Regulations 1997*. No complaints have been received regarding noise in the last 24 months. Given the types of noise likely to be encountered and the rural nature of the Kojonup community, the consequence has been assessed as insignificant.

### 7.6.5 Likelihood of consequence

Due to the infrequency of use of the saleyards, the likelihood of noise impacts at the nearest sensitive receptor is unlikely.

### 7.6.6 Risk rating

The risk rating for noise has been assessed as low.

## 7.7 Risk of Dust Impact Analysis

### 7.7.1 General hazard characterisation

Dust emissions can be generated by vehicle movements on the premises (using the saleyards as well as the truck wash) and by movement of animals within the pens. Dust has the potential to impact public amenity and public health. Long-term repeated exposure to dust is much more detrimental than sporadic short-term exposure.

### 7.7.2 Criteria for assessment

Fugitive dust can be assessed against air quality standards set for the protection of health. Amenity impacts can also be assessed as to whether the emission unreasonably interferes with the health, welfare, convenience, or comfort of anyone at the receptor locations.

### 7.7.3 Assessment of proponent controls

The premises is largely unsealed, with vehicle access tracks and yard areas consisting of compacted gravel. Some of the animal raceways within the saleyards are comprised of concrete. Prior to advertised sales, if strong winds are forecast, the saleyards are sprayed with water to minimise dust lift-off.

The truck wash is concreted, with a hardstand area of bitumen surrounded by compacted gravel. The truck wash operations are a wet process, so minimal dust is expected from the washing of trucks on the premises.

### 7.7.4 Consequence

The infrequent use of the saleyards and the activities carried out means that impacts from dust may be experienced for short periods of time to a small population. The consequence rating is, therefore, minor.

### 7.7.5 Likelihood of consequence

The Kojonup Saleyards are used up to a maximum of three times per year for sheep sales as well as for infrequent use by local farmers and transporters as a temporary holding facility. A maximum of 24,000 animals is expected to be held on the premises in any one year, predominantly during the spring and summer months. The truck wash on the premises is used all year round.

Taking into consideration the design capacity of the saleyards, the frequency of livestock sales, the proposed management measures, and meteorological data, significant dust generation beyond the premises boundary is not expected. The likelihood rating is, therefore, unlikely.

### 7.7.6 Risk rating

The risk rating for fugitive dust has been assessed as moderate.

## 7.8 Risk of Contaminated Stormwater, Wastewater, and Leachate

### 7.8.1 General hazard characterisation

There are no point source emissions to land, surface water, or groundwater associated with the operation of the Kojonup Saleyards. Nutrients in sheep manure (such as nitrogen and phosphorus) are highly soluble in water. There is the potential for impacts to surrounding soils, surface water, and groundwater from discharges should stormwater become contaminated from activities on the premises.

Wastewater from the truck wash and associated settling ponds may overflow to the environment if containment infrastructure is not appropriately managed. Leachate from the hardstand waste storage area may also contaminate land or surface water if allowed to escape the containment infrastructure.

### 7.8.2 Criteria for assessment

The *Australian Drinking Water Guidelines* (2011) and the freshwater aquatic ecosystem protection guidelines (ANZECC & ARMCANZ 2000).

### 7.8.3 Assessment of proponent controls

The Shire has the following controls in place for the management of wastewater, leachate, and stormwater.

**Table 11: Proponent controls to minimise infiltration to groundwater and discharge to surface water**

| Infrastructure | Description |
|---|---|
| Saleyards | Use of the saleyards is limited to approximately three times a year. Livestock sales are predominantly held in spring and summer months, during dry weather, minimising the potential for generation of contaminated stormwater. Manure is removed within 48 hours after each use of the saleyards to reduce build-up and risk of contamination of stormwater and groundwater. Manure is stored on a bitumen hardstand area adjacent to the truck wash bay. The saleyards are constructed on gravel hardstand, with some raceways concreted. Limited animal fatalities are experienced. In the event of an animal fatality, carcasses are kept on the premises for no more than 24 hours before being removed and disposed of at an authorised facility. |
| Truck wash and hardstand waste storage area | Concrete lined truck wash bay with wastewater draining to a concrete sump. Adjacent bitumen hardstand waste storage area is kerbed to allow drainage of any leachate and potentially contaminated stormwater back to the truck wash bay sump. |
| Settling ponds | Truck wash wastewater is pumped to two compacted clay lined settling ponds constructed with liner permeability of approximately $1.1x10^{-9}$ metres per second. The ponds have been designed to cater for an Average Recurrent Interval (ARI) rainfall event of 1 in 10 year, 24-hour duration. Combined with expected wastewater flows of $6m^3$ per day, the ponds have a combined operating storage capacity of $177m^3$ with a design freeboard of 750mm. Treated wastewater is held for treatment for a minimum of six days and is then discharged to the Kojonup WWTP. The Shire of Kojonup holds an Industrial Waste Permit (issued by Water Corporation) for the disposal of this waste. |

### 7.8.4 Consequence

The nearest surface water body (an intermittent minor creek, a tributary of Kojonup Brook) is approximately 35m to the west of the premises boundary. Taking into consideration the hazard (contaminated water containing potentially high nutrient loads) and the close proximity to the nearest receptor, a minor impact on the local ecosystem (physical, chemical or biological) may occur from land runoff to surface water. The consequence rating is, therefore, minor.

### 7.8.5 Likelihood of consequence

Stormwater flows from east to west across the site, in line with the general gradient of the land. Any runoff or overflows of liquid waste would, therefore, flow in a westerly direction, towards the minor creek. The premises is not located in an area subject to flooding or inundation and is not in a proclaimed surface water or groundwater area. The soil profile underlying the premises is comprised of a clayey material and allows very little infiltration of stormwater. Taking into consideration the proximity of the operations to the closest receptor and the nature of the operations an impact on the minor creek is considered possible. The likelihood rating is, therefore, possible.

### 7.8.6 Risk rating

The risk rating for contaminated stormwater, wastewater, and leachate has been assessed as moderate.

## 7.9 Summary of Risk Assessment and Acceptability

The risk items identified in section 7 including the application of risk criteria and the acceptability with treatment are summarised in Table 12 below.

**Table 12: Risk rating of emissions**

| | Emission | | Pathway and Receptor | Proponent controls | Impact | Risk Rating (with proponent controls) | Acceptability with treatment (conditions on instrument) |
|---|---|---|---|---|---|---|---|
| | **Type** | **Source** | | | | | |
| 1 | Odour from the operation of the saleyards, truck wash, hardstand area, and settling ponds | Manure, carcasses, wastewater, and leachate | Air, moving with direction of wind | Infrequent use and management controls | Amenity | Minor consequence<br>Possible likelihood<br>**Moderate risk** | Acceptable subject to proponent controls conditioned |
| 2 | Noise during operation of the saleyards and livestock transport | Animals and vehicle movements | Air | None specified | Amenity | Insignificant consequence<br>Unlikely likelihood<br>**Low risk** | Acceptable, generally not controlled |
| 3 | Dust from movement of sheep in the saleyards and vehicle movements | Unsealed areas on the premises | Air, moving with direction of wind | Infrastructure and management controls | Amenity and public health | Minor consequence<br>Unlikely likelihood<br>**Moderate risk** | Acceptable subject to proponent controls conditioned |
| 4 | Land runoff to surface water and infiltration to groundwater of contaminated stormwater and wastewater, and overflow of settling ponds. | Contaminated stormwater, leachate, and wastewater | Stormwater runoff across the premises, overflow from ponds | Infrastructure and management controls | Impacts on water quality and ecosystem health | Minor consequence<br>Possible likelihood<br>**Moderate risk** | Acceptable subject to proponent controls conditioned |

# 8. Determined Regulatory Controls

## 8.1 Summary of Controls

| | | Controls | | | |
|---|---|---|---|---|---|
| | | 8.2 Specified Infrastructure and Equipment Controls | 8.3 Specified Action for Contaminated Stormwater, Wastewater and Leachate Risk | 8.4 Specified Action for Dust Risk | 8.5 Specified Action for Odour Risk |
| **Risk Items (see Section 7.0)** | 1. Odour from the operation of the saleyards, truck wash, hardstand area, and settling ponds | ● | | | ● |
| | 2. Dust from movement of animals in the saleyards and vehicle movements | ● | | ● | |
| | 3. Land runoff to surface water and infiltration to groundwater of contaminated stormwater, wastewater, and overflow of settling ponds | ● | ● | | |

## 8.2 Specified Infrastructure and Equipment Controls

### 8.2.1 Contaminated stormwater, wastewater, and leachate Risk

The following infrastructure and equipment must be maintained and operated onsite for management of contaminated stormwater and wash water:

| | Site Infrastructure | Description |
|---|---|---|
| 1 | Livestock saleyard pens | Compacted gravel or concrete pens and raceways.<br>Fenced.<br>Inspected before and after each livestock sale, and after each instance of incidental use. |
| 2 | Truck wash | Concrete wash ramp draining to concrete sump.<br>Coarse screen and concrete solids hopper draining to truck wash concrete sump.<br>Sump pump to settling ponds.<br>Inspected weekly.<br>Sludge from the concrete sump removed at least every 14 days and stored on the hardstand waste storage area or removed from the premises. |

| | Site Infrastructure | Description |
|---|---|---|
| 3 | Settling ponds | Two settling ponds constructed with 300mm thick compacted clay liner.<br>West pond 77.76m$^3$ capacity; east pond 99.63m$^3$ capacity.<br>750mm operational freeboard.<br>Discharge point to Kojonup WWTP.<br>Raised embankments to divert clean stormwater away.<br>Inspected weekly.<br>Sludge removed from the ponds stored on the hardstand waste storage area or removed from the premises. |
| 4 | Hardstand waste storage area | Kerbed bitumen area draining to truck wash concrete sump.<br>Inspected weekly. |

**Grounds:** The Delegated Officer considers that the provision, operation, and maintenance of the specified infrastructure are necessary to manage the moderate risk of contaminated stormwater, wastewater and leachate impacting the environment. Conditions 5 and 6 have been added to the licence and specify existing infrastructure and controls currently implemented by the Shire.

## 8.3 Specified Action for Contaminated Stormwater, Wastewater and Leachate Risk

- The premises must not hold more than 8,000 animals at any one time.
- The premises must not hold more than 24,000 animals in any calendar year.
- The premises must not be used for sales between 1 June and 31 August.
- All collected manure and truck wash sludge must be stored on the hardstand waste storage area.
- Manure must be removed from the livestock saleyard pens within 48 hours of use and stored in the hardstand waste storage area or removed from the premises.

**Grounds**: The risk of contaminated stormwater impacting the environment has been assessed as moderate. The Shire has limited ability to control stormwater generation and flow on the premises. The main controls are limited to the low frequency of use of the saleyards, the relatively low number of animals held at any one time, and the fact the saleyards are not used for sales in the winter months. The Delegated Officer therefore considers it appropriate to add the operational limits to ensure the site use remains as assessed. Conditions 7, 8, 9, 10 and 12 have been added to the licence and specify existing infrastructure and controls currently implemented by the Shire.

## 8.4 Specified Action for Dust Risk

- The premises must be inspected prior to sales and dampened if required unless dampened by a previous or current rainfall event.

**Grounds:** The moderate risk of dust comes from animals and vehicles using the compacted gravel saleyards area. The majority of large sales occur in the summer months with a higher potential for hot, dry weather and dust generation. The Delegated Officer considers it appropriate to include a condition for the Shire to dampen the saleyards prior to sales if there is the potential for dust generation. Condition 11 has been added to the licence and specifies existing controls currently implemented by the Shire.

## 8.5 Specified Action for Odour Risk

- Manure must be removed from the livestock saleyard pens within 48 hours of use and stored in the hardstand waste storage area or removed from the premises.
- Waste stored in the hardstand waste storage area must be removed from the premises within 28 days.
- Carcasses must be removed from the premises within 24 hours.

**Grounds:** The moderate risk of odour comes from the generation and storage of animal manure and sludge from the truck wash. The Delegated Officer considers that limits on the duration of waste storage are required to ensure that waste does not become odorous. Conditions 13 and 14 have been added to the licence and specify existing controls currently implemented by the Shire.

## 8.6 Information

- The Shire of Kojonup must maintain accurate and auditable records in relation to of the dates and numbers of animals held at the premises each use and weekly premises inspections.

**Grounds:** The Delegated Officer considers that reporting is required to ensure compliance with operational limits set in the licence. Condition 16(c) has been added to the licence.

# 9. Setting Conditions

The conditions in the Issued Licence have been determined in accordance with DER's *Guidance Statement on Setting Conditions*.

DER's *Guidance Statement on Licence Duration* has been applied, and the Issued Licence expires in 20 years from the date of issue.

| Condition Ref | Grounds |
|---|---|
| Environmental Compliance 1 | Environmental compliance is a valid, risk-based condition to ensure appropriate linkage between the licence and the EP Act. |
| Notification of Material Change 2, 3 and 4 | These conditions are valid, risk-based and enable flexibility in operations. |
| Infrastructure and Equipment 5 and 6 | These conditions are valid, risk-based and contain appropriate controls (see section 8.2 of this decision report). |
| Specified Action for Contaminated Stormwater, Wastewater and Leachate Risk 7, 8, 9, 10 and 12. | These conditions are valid, risk-based and contain appropriate controls (see section 8.3 of this decision report). |
| Specified Action for Fugitive Dust Emissions 11 | This condition is valid, risk-based and contains appropriate controls (see section 8.4 of this decision report). |
| Specified Action for Odour Emissions 13 and 14 | These conditions are valid, risk-based and contain appropriate controls (see section 8.5 of this decision report). |
| Emissions 15 | This condition is valid, risk-based and consistent with the EP Act. |
| Information 16, 17, 18, 19, and 20 | These conditions are valid and are necessary administration and reporting requirements to ensure compliance. |

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

# 10. Applicant's Comments on Risk Assessment

The applicant was provided with the draft decision report, and draft issued licence on 21 June 2016. The applicant's response is set out below:

| Applicant comments | DER's consideration of comments |
|---|---|
| The Shire requested that the Department of Environment Regulation reconsider the required inspection frequency of the saleyard pens (initially required to be performed weekly). Given the infrequency of use of the saleyard pens, the Shire considered that a weekly inspection would be too onerous. The Shire requested alternative wording of licence condition 6 (Table 1, Item 1) such that inspections of the saleyard pens be conducted before and after each sale, and after each casual use. | The Delegated Officer has considered the Shire's request and notes that inspections of the saleyard pens before and after each sale, and after incidental use will be sufficient to manage potential emissions and discharges. Licence condition 6 (Table 1, Item 1) has been changed from requiring weekly inspections to inspections of saleyard pens before and after each sale, and after each casual use. |

# 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 2). This assessment was also informed by a site visit by DER officers 6 November 2014.

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.

**Jonathan Bailes**
**Manager Licensing (Process Industries)**
delegated Officer under section 20 of the *Environmental Protection Act 1986*

# Appendix 1: Compliance History Check

The following incidents have been recorded within the Department's Incident Complaints Management System (ICMS) since 7 November 2014.

| No. | Date | Incident details | Incident Close Out |
|---|---|---|---|
| 35131 | 07/11/2014 | The Shire of Kojonup possibly operating a prescribed premises (saleyard or animal holding yards and truck wash) and causing unauthorised emissions and discharges (animal waste) without a licence. | Licensing Scoping meeting between the Shire and DER held on 4 August 2014 to commence the licensing process. |

# Appendix 2: Key Documents

| | Document Title | Availability |
|---|---|---|
| | Application form and supporting information | DER records |
| | Works Approval W5760/2014/1 | accessed at http://www.der.wa.gov.au |
| | Works Approval W5760/2014/1 compliance document | DER records |
| | DER *Guidance Statement on Regulatory principles* (July 2015) | accessed at http://www.der.wa.gov.au |
| | DER *Guidance Statement on Setting conditions* (September 2015) | |
| | DER *Guidance Statement on Licence duration* (November 2014) | |
| | DER *Guidance Statement on Licensing and works approvals processes* (September 2015) | |

## Attachment 1: Issued Licence L8961/2016/1