



Government of **Western Australia**  
Department of **Environment Regulation**

Your ref: L6373/1989/10  
Our ref: 2010/003210  
Enquiries: Nanette Schapel  
Phone: 09 9333 7486  
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Email: [nanette.schapel@der.wa.gov.au](mailto:nanette.schapel@der.wa.gov.au)

Mr Richard Evison  
Operations Manager  
Westpork Pty Ltd  
1/7 Foundry Street  
MAYLANDS WA 6051

Dear Mr Evison

***ENVIRONMENTAL PROTECTION ACT 1986 - TRANSFER OF LICENCE L6373/1989/10***

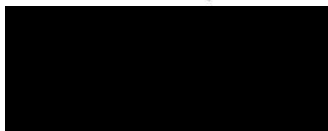
**Premises name: Westpork Serpentine**  
**Premises location: 567 Utley Road**  
**Premises address: Hopeland WA 6125**

Thank you for your application to transfer your licence from Tralka Pty Ltd to Westpork Pty Ltd.

Please find enclosed your transferred *Environmental Protection Act 1986* licence and conditions.

If you have any questions or objections relating to the licence conditions, please do not hesitate to contact Nanette Schapel on 9333 7486 for clarification or discussion.

Yours sincerely



Ed Schuller  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*

19 February 2015

encl: Amended Licence  
copy to: Local Government Authority: Shire of Serpentine-Jarrahdale



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Westpork Pty. Ltd.

**Licence:** L6373/1989/10

**Registered office:** Level 1  
1/7 Foundry Street  
Maylands WA 6051

**ACN:** 009 148 789

**Premises address:** Westpork Serpentine  
567 Utley Road  
HOPELAND WA 6125  
Being Lot 366 on Plan 202654 as depicted in Schedule 1.

**Issue date:** Thursday, 01 August 2013

**Commencement date:** Wednesday, 07 August 2013

**Expiry date:** Monday, 06 August 2018

### **Prescribed premises category**

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
2	Intensive Piggery: premises on which pigs are fed, watered and housed in pens.	1,000 animals or more	8,800 animals per annual period

### **Conditions of licence**

This Licence is subject to the conditions set out in the attached pages.



Officer delegated under section 20  
of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### Licence requirements

This licence is issued under Part V of the Act. Conditions contained within the licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.





Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

#### Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

#### Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

#### Premises description and Licence summary

Westpork Serpentine is an intensive piggery that has the capacity to house 8,800 animals in conventional sheds. Odour, waste products and the protection of groundwater are the significant environmental factors for the piggery.

The Environmental Protection Authority Guidance Statement No. 3 (June 2005) recommends a separation distance of 5,000 metres (m) between piggeries with more than 5,000 pigs and sensitive land uses. The Premises is located in an area zoned rural surrounded in all directions within 5,000 m by other small rural land holdings.

The premises is located within the *Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992* area. The Peel Inlet – Harvey Estuary Catchment is under pressure from nutrient inputs and eutrophication. The Serpentine River is 5.1km away at its closest point to the premises boundary. Karnet Brook flows through the property into the Serpentine river.

All the piggery wastewater is treated in two anaerobic ponds and one facultative pond and the treated effluent is contained in two evaporation ponds where all ponds are clay-lined. Solids are screened prior to discharge to the anaerobic ponds and stored on a bunded, low permeability ( $10^{-9}$  m/second or less) surface with drains that direct all runoff to the wastewater treatment pond system. All solids and sludges are then removed off site and disposed of at an authorized landfill. Treated wastewater is not re-used on site. Pig carcasses are either buried on site in burial pits or disposed off-site at a licensed rendering plant.

Stormwater is diverted away from the burial pits. Three monitoring bores provide access to groundwater for sampling twice per year. Based on recent monitoring results the groundwater in the region of the piggery is high and varies seasonally. Results show that levels can be as high as 0.5 m below ground level (bgl) during the winter months and 2.3 m bgl during the summer months. This Licence is the result of an amendment sought by the Licensee due to a change in Occupier from Tralka Pty Ltd to Westpork Pty Ltd. As part of this amendment, DER has not re-assessed the acceptability or impacts of emissions and discharges from the Premises or re-visited any existing emission control levels. Minor administrative changes to the conditions on the previous licence have been made.

The licences issued for the Premises since 10/10/2000 are:

Instrument log		
Instrument	Issued	Description
L6373/1989/3	10/10/2000	Licence re-issue
L6373/1989/4	01/10/2001	Licence re-issue
L6373/1989/5	01/10/2002	Licence re-issue
L6373/1989/6	06/10/2003	Licence re-issue
L6373/1989/7	06/09/2004	Licence re-issue
L6373/1989/8	06/09/2005	Licence re-issue
L6373/1989/9	01/08/2008	Licence re-issue
L6373/1989/10	10/08/2013	Licence amendment, including to REFIRE format
L6373/1989/10	19/2/2015	Licence transfer due to change of Occupier



**Severance**

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

**END OF INTRODUCTION**





## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

**'the Act'** means the *Environmental Protection Act 1986*;

**'AHD'** means the Australian height datum;

**'annual period'** means the inclusive period from 1 July to 30 June in the following year;

**'AS/NZS 5667.1'** means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

**'AS/NZS 5667.11'** means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

**'BGL'** means below ground level;

**'carcasses'** means the dead bodies of animals (pigs);

**'CEO'** means Chief Executive Officer of the Department of Environment Regulation;

**'CEO'** for the purpose of correspondence means;

Manager, Licensing (Process Industries)  
Department of Environment Regulation  
Locked Bag 33  
CLOISTERS SQUARE PERTH WA 6850  
Telephone: (08) 9333 7510  
Facsimile: (08) 9333 7550  
Email: industry.regulation@der.wa.gov.au;

**'code of practice for the storage and handling of dangerous goods'** means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

**'dangerous goods'** has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

**'environmentally hazardous material'** means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

**'freeboard'** means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point;

**'fugitive emissions'** means all emissions not arising from point sources.



**'hardstand'** means a surface with a permeability of  $10^{-9}$  metres/second or less;

**'Licence'** means this Licence numbered L6373/1989/10 and issued under the Act;

**'Licensee'** means the person or organisation named as Licensee on page 1 of the Licence;

**'NATA'** means the National Association of Testing Authorities, Australia;

**'NATA accredited'** means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

**'normal operating conditions'** means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

**'Premises'** means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

**'Schedule 1'** means Schedule 1 of this Licence unless otherwise stated;

**'Schedule 2'** means Schedule 2 of this Licence unless otherwise stated;

**'screened solids'** means solid piggery waste, excluding animal carcasses.

**'six monthly period'** means the 2 inclusive periods from 1 April to 30 September and 1 October to 31 March in the following year; and

**'spot sample'** means a discrete sample representative at the time and place at which the sample is taken;

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

## **1.2 General conditions**

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.





1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.<sup>1</sup>

Note1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.3 Premises operation

1.3.1 The Licensee shall ensure that all wastewaters from piggery operations including wash down water, by-products wastewater and contaminated run-off are directed to a wastewater treatment system.

1.3.2 The Licensee shall maintain an effective wastewater treatment system that shall include:

- (a) a solids separation system; and
- (b) an impervious pond system for treatment of wastewater to reduce nitrogen and biological oxygen demand levels.

1.3.3 The Licensee shall ensure that wastewater is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.3.3.

Table 1.3.3: Containment infrastructure		
Storage vessel or compound	Material	Infrastructure requirements
Solids separator	Wastewater	Concrete lined
Anaerobic ponds (two)	Wastewater	Clay-lined ponds
Facultative pond (one)	Wastewater	
Evaporation ponds (two)	Wastewater	
Solids storage	Screened solids and solids removed from ponds	Lined to achieve a permeability of at least $<10^{-9}$ m/s or equivalent. Bunded with drains such that all runoff is directed to the wastewater treatment pond system.

1.3.4 The Licensee shall manage the wastewater treatment ponds such that:

- (a) a minimum top of embankment freeboard of 500mm is maintained;
- (b) storm water runoff is prevented from causing the erosion of outer pond embankments;
- (c) overtopping of the wastewater treatment ponds does not occur except as a result of an extreme rainfall event (greater than 1 in 10 year event of 72 hours duration);
- (d) vegetation and floating debris (emergent or otherwise) is prevented from encroaching onto pond surfaces or inner pond embankments;
- (e) trapped overflows shall be maintained between treatment ponds to prevent carry-over of surface floating matter to subsequent ponds; and
- (f) no overflow leaves the Premises.

1.3.5 The Licensee shall ensure that where wastes produced on the Premises are not taken off-site for lawful use or disposal, they are only subject to the on-site process(es) described in Table 1.3.4 and in accordance with the process requirements in that Table.

Table 1.3.5: Processing of materials		
Waste type	Process	Process requirements
Treated wastewater	Evaporation	None
Piggery carcasses	On-site burial	<ul style="list-style-type: none"> <li>(a) carcasses and waste material are covered with at least 500mm of soil immediately upon deposit;</li> <li>(b) burial sites are 300m away from watercourses and 50m away from nearest properties;</li> <li>(c) the number of animal carcasses buried is recorded for the duration of the licence; and</li> <li>(d) all carcasses are buried daily.</li> </ul>





## **2 Emissions**

### **2.1 General**

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

### **2.2 Point source emissions to air**

There are no specified conditions relating to point source emissions to air in this section.

### **2.3 Point source emissions to surface water**

There are no specified conditions relating to point source emissions to surface water in this section.

### **2.4 Point source emissions to groundwater**

There are no specified conditions relating to point source emissions to groundwater in this section.

### **2.5 Emissions to land**

There are no specified conditions relating to emissions to land in this section.

### **2.6 Fugitive emissions**

There are no specified conditions relating to fugitive emissions in this section.

### **2.7 Odour**

- 2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

### **2.8 Noise**

There are no specified conditions relating to noise in this section.



### 3 Monitoring

#### 3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured [unless indicated otherwise in the relevant table].

3.1.2 The Licensee shall ensure that six monthly monitoring is undertaken at least 5 months apart.

#### 3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.

#### 3.5 Monitoring of emissions to land

There are no specified conditions relating to monitoring of emissions to land in this section.

#### 3.6 Monitoring of inputs and outputs

There are no specified conditions relating to monitoring of inputs and outputs in this section.

#### 3.7 Process monitoring

There are no specified conditions relating to process monitoring in this section.

#### 3.8 Ambient environmental quality monitoring

3.8.1 The Licensee shall undertake the monitoring in Table 3.8.1 according to the specifications in that table and record and investigate results that do not meet any target specified.

Table 3.8.1: Monitoring of ambient groundwater quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
Groundwater monitoring bores 1, 2 and 3	pH	-	Spot sample	Six monthly period
	Total Dissolved Solids(TDS)	mg/L		
	Total Nitrogen (TN)	mg/L		
	Total Phosphorus (TP)	mg/L		
	Standing Water Level (SWL)	m(AHD) and m(BGL)		

#### 3.9 Meteorological monitoring

There are no specified conditions relating to meteorological monitoring in this section.





## 4 Improvements

There are no specified improvement conditions in this section.

## 5 Information

### 5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
  - (i) off-site environmental effects; or
  - (ii) matters which affect the condition of the land or waters.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.



## 5.2 Reporting

- 5.2.1 The Licensee shall submit to the Director an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 3.8.1	pH, Total Dissolved Solids (TDS), Total Nitrogen (TN), Total Phosphorus (TP) and Standing Water Level (SWL)	None specified
-	Total number of animals	Tabular format: monthly maximum including annual total
5.1.3	Compliance	Annual Audit Compliance Report
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

- 5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under Condition 3.8.1; and
  - (b) an assessment of the information contained within the report against previous monitoring results.

## 5.3 Notification

- 5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the Director in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
3.8.1	Any failure or malfunction of any monitoring equipment.	Within 7 days of the failure of malfunction being identified.	None Specified
-	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	Part A: As soon as practicable but no later than 5pm of the next usual working day.  Part B: As soon as practicable	N1

Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2

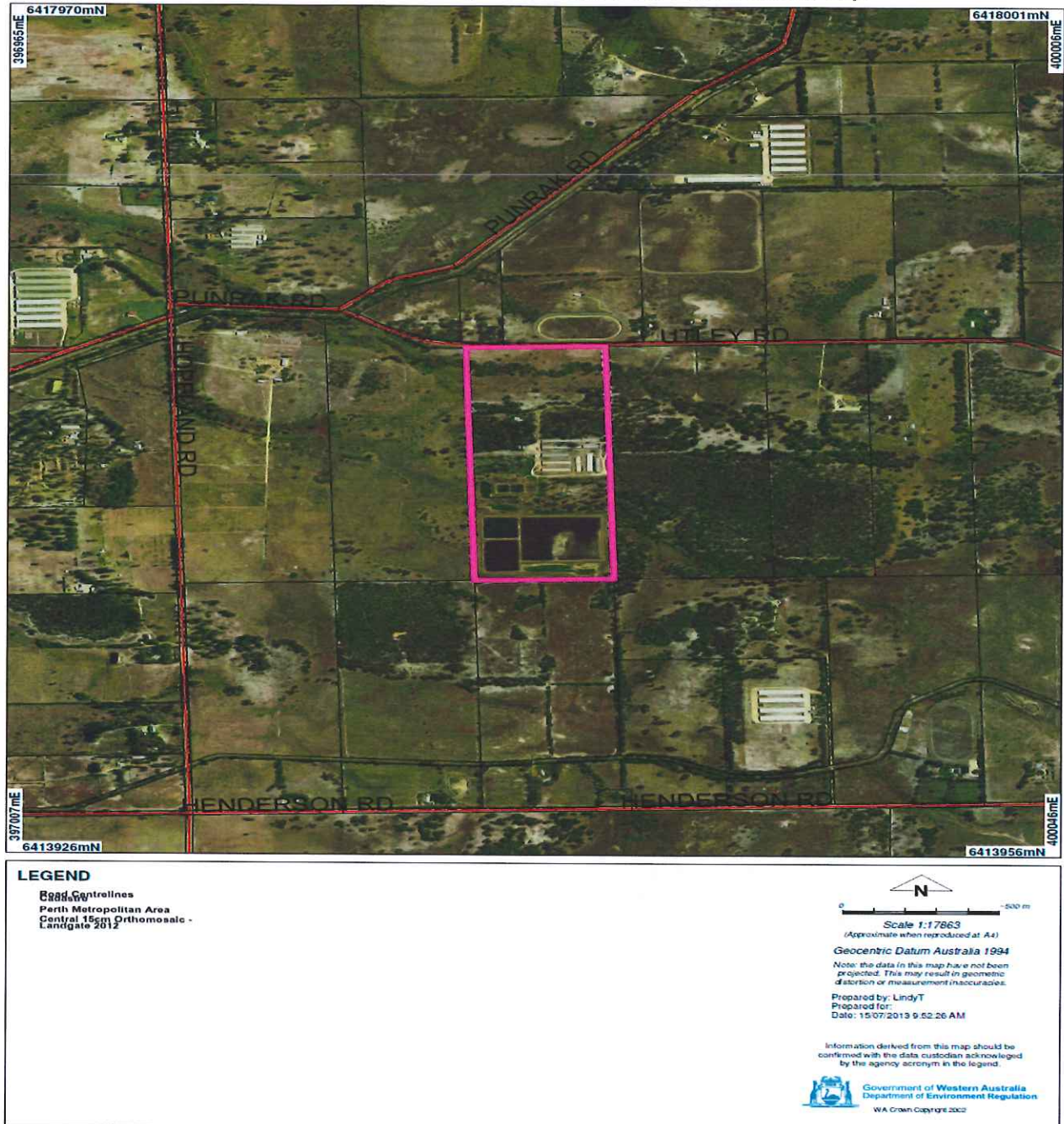




## Schedule 1: Maps

### Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.







### Map of monitoring locations

The locations of the monitoring points defined in Table 3.8.1 are shown in the close up map below.







## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

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### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A

##### LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

##### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



## SECTION B

### DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:





## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)



Licence: L6373/1989/10  
Form: N1

Licensee: Westpork Pty Ltd  
Date of breach:

**Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.**

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

**Part A**

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

**Notification requirements for the breach of a limit**

Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

**Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution**

Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident	



## Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Westpork Pty Ltd	
Date	





# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Westpork Pty. Ltd.

**Licence:** L6373/1989/10

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**Registered office:** Level 1  
1/7 Foundry Street  
Maylands WA 6051

**ACN:** 009 148 789

**Premises address:** Westpork Serpentine  
567 Utley Road  
HOPELAND WA 6125  
Being Lot 366 on Plan 202654 as depicted in Schedule 1

**Issue date:** Thursday, 01 August 2013

**Commencement date:** Wednesday, 07 August 2013

**Expiry date:** Monday, 06 August 2018

### Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Nanette Schapel  
Licensing Officer

Decision Document authorised by: Ed Schuller  
Manager Licensing



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## 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

### Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

#### Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

#### Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions is justified in Section 4 of this document.

#### Non standard conditions (NSC)

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in Section 4.



## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	2	8,800 animals per annual period
Transfer Application verified	Date: 15 January 2015	
Amendment Application fee paid	Date: 17 February 2015	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes include details of which EPP(s) here. <i>Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992</i>		
Is the Premises subject to any EPP requirements? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>		





### 3 Executive summary of proposal and assessment

Westpork Serpentine is an intensive piggery that has the capacity to house 8,800 animals in conventional sheds. Odour, waste products and the protection of groundwater are the significant environmental factors for the piggery.

The Environmental Protection Authority Guidance Statement No. 3 (June 2005) recommends a separation distance of 5,000 metres (m) between piggeries with more than 5,000 pigs and sensitive land uses. The Premises is located in an area zoned rural surrounded in all directions within 5,000 m by other small rural land holdings.

The premises is located within the *Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992* area. The Peel Inlet – Harvey Estuary Catchment is under pressure from nutrient inputs and eutrophication.

All the piggery wastewater is treated in two anaerobic ponds and one facultative pond. Treated effluent is contained in two evaporation ponds. Treated wastewater is not re-used on site. All the ponds are clay-lined. Solids are screened from wastewater and stored on a bunded, low permeability ( $10^{-9}$  m/second or less) surface with drains that direct all runoff to the wastewater treatment pond system. Screened solids and solids removed from the ponds are disposed of at an authorized landfill.

Pig carcasses are either buried on site in burial pits or disposed off-site at a licensed rendering plant. Other than pig carcass burial, there is no onsite disposal of piggery solids or piggery sludges by land application or burial

Stormwater is diverted away from the burial pits. Three monitoring bores provide access to groundwater for sampling twice per year. Based on recent monitoring results the groundwater in the region of the piggery is high and varies seasonally. Results show that levels can be as high as 0.5 m below ground level (bgl) during the winter months and 2.3 m bgl during the summer months. The Serpentine River is 5.1km away at its closest point to the premises boundary.

This Licence is the result of an amendment sought by the Licensee due to a change in Occupier from Tralka Pty Ltd to Westpork Pty Ltd. As part of this amendment, DER has not re-assessed the acceptability or impacts of emissions and discharges from the Premises or re-visited any existing emission control levels. No changes to the conditions on the previous licence have been made.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Licensee	N/A		Details regarding the licensee have been updated to reflect the new owner of the premises. Minor administrative changes have been included to reflect the latest REFIRE template.	N/A

## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
15/01/2015	Application to transfer or amend a licence received	Application assessed and details noted	Licence and Decision Document updated with details for new Licensee





## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
<b>Almost Certain</b>	Moderate	High	High	Extreme	Extreme
<b>Likely</b>	Moderate	Moderate	High	High	Extreme
<b>Possible</b>	Low	Moderate	Moderate	High	Extreme
<b>Unlikely</b>	Low	Moderate	Moderate	Moderate	High
<b>Rare</b>	Low	Low	Moderate	Moderate	High