



Licence Number L5724/1993/11

Licence Holder Westpork Pty Ltd

ACN 009 148 879

File Number: DER2015/000045

Premises
Mindarra 4 Piggery
1340 Wannamal Road
Boonanarring WA
Lot 10 on Diagram 80101

As defined by the coordinates in Attachment 1 of the
Licence

Date of Amendment 16/11/2018

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act) as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Paul Byrnes

**MANAGER, PROCESS INDUSTRIES
Regulatory Services**

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
Amendment Notice	refers to this document
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
Delegated Officer	an Officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	Westpork Pty Ltd
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles (July 2015);*
- *Guidance Statement: Licence Duration (August 2016);*
- *Guidance Statement: Decision Making (February 2017); and*
- *Guidance Statement: Risk Assessment (February 2017).*

Documents that form the application are set out in Appendix 1.

Amendment description

On 1 August 2018 Westpork Pty Ltd (Westpork) lodged an application to amend its licence (L5724/1993/11) for the Mindarra Farm Piggery to put into service a newly constructed evaporation pond. This application following on from completion of the works specified in Works Approval W6114/2017/1.

Recent Approval History

The recent approval history for the Westpork Mindarra Farm Piggery, is detailed in Table below:

Table 1: Recent Approval History

Instrument	Issued	Nature and extent of works approval, licence or amendment
W5087/2011/1	13/02/2012	Construction of two anaerobic ponds with sludge extraction systems at Mindarra 4 complex. Closed out.
L5724/1993/11	31/05/2012	Licence re-issued
W5632/2014/1	31/03/2016	Inclusion of Categories 67A, 61A and 61 onto licence to allow Westpork to receive liquid wastes from outside the Premises. The works Approval will expire on 3 April 2019. Construction works have not commenced. Active approval.
W5632/2014/1	21/11/2016	Amendment Notice 1: Reference to the construction for 3 additional ponds removed from Works Approval W5632/2014/1.
L5724/1993/11	26/07/2016	Licence amendment to install an anaerobic digester and biogas capture for combustion. Application withdrawn 5 July 2017. Closed out.
W6114/2017/1	17/05/2018	Works Approval application to construct an evaporation pond at Mindarra 4 Complex. Works completed. Closed out
L5724/1993/11	13/11/2018	Amendment Notice 1: Amend the licence to include the operation of the third evaporation pond

Decision

The Delegated Officer has granted the application to put the third evaporation pond into service and amended the licence accordingly.

Basis for the Decision

A Compliance Document was received from Westpork on 30 July 2018, noting that all construction activities were complete and compliant with the requirements of W6114/2017/1. The risks to the environment assessed in the decision making process for W6114 have not changed with the passage of time and as such there was no need to re-assess risks to the environment when assessing this Application. Also the addition of an extra evaporation pond on a remotely located piggery is a low risk activity.

An up to date version of the pro forma Annual Audit Compliance Report is available on the Department's website which supersedes the pro forma report contained in Attachment 2 to the licence.

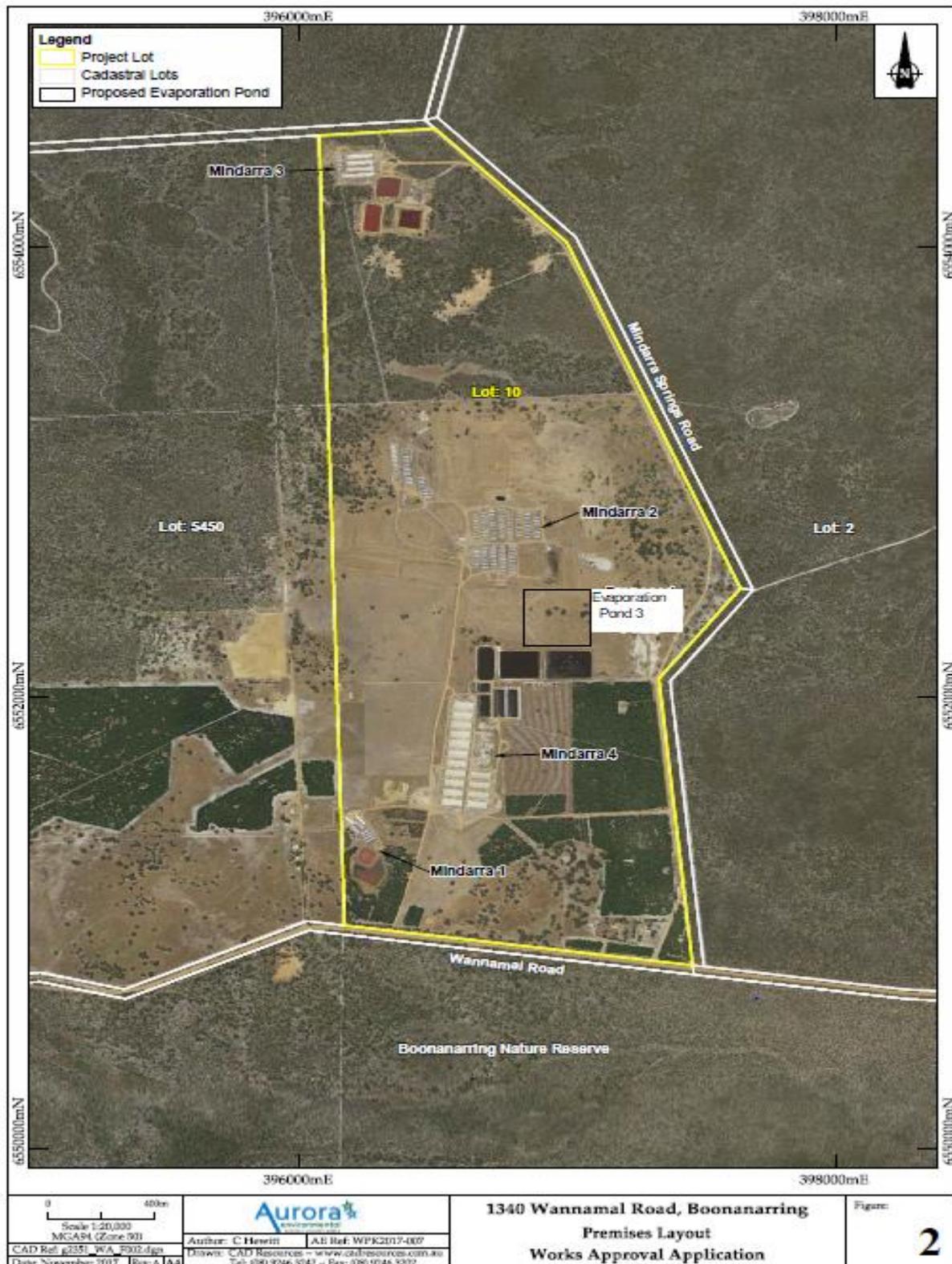
Licence Holder's comments

The Licence Holder was provided with draft Amendment Notice 1 on 31 October 2018. The Licence Holder responded by E-mail on 15 November 2018, waiving the remaining comment period and requesting that the Amendment Notice be issued.

Details of the Amendment

1. The Licence is amended by the deletion of the map in *Attachment 1: Plan of Premises* on Licence and the insertion of the following Map, *Attachment 1: Plan of Premises*.
2. The Licence is amended by the deletion of Attachment 2: Annual Audit Compliance Report.

Attachment 1: Plan of Premises



Appendix 1: Key documents

	Document title	In text ref	Availability
1.	Licence L5724/1993/11 – Westpork Pty Ltd – Mindarra Farm Piggery	L5724/1993/11	accessed at www.dwer.wa.gov.au
2.	Works Approval W6114/2017/1, issued on for the construction of a new evaporation pond	W6114/2017/1	DWER records A1677484
3.	Email from Westpork Pty Ltd: Subject: HPRM: Compliance WP 6114/2017/1, Content: Attachments showing compliance with all conditions of W6114, Dated 30 July 2018	Compliance Document	DWER records A1731338
4.	Email from Aurora Environmental: Subject: Compliance WP 6114/2017/1 Content: attach Licence Amendment Application, Dated 1 August 2018	Licence Amendment Application	DWER records A1707897
5.	Email from DWER: Subject: Mindarra Evaporation Pond, Content: DWER approval to commence using Evaporation Pond in accordance with W6114 conditions, Dated: 8 August 2017	DWER approval to use pond	DWER record DWERDT102889
6.	Email from Aurora Environmental: Subject: Mindarra Evaporation Pond Content: Confirmation the pond will be operated in accordance with W6114, Dated 8 August 2018		DWER record DWERDT102890
7.	Email from Aurora Environmental: Subject: Applicant Notification – L5724/1993/11 Mindarra Farm Piggery – PROPOSED AMENDMENT To LICENCE Content: Request for DWER to proceed with Amendment Notice 1, Dated 15 November 2018	Westpork approved draft Amendment Notice 1	DWER records A1739623
8.	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	DER 2015a	
9.	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	DER 2016a	
10.	DER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.	DER 2016b	accessed at www.dwer.wa.gov.au
11.	DER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.	DER 2016c	