



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L6876/1989/12
Licence Holder	Westpork Pty Ltd
ACN	009 148 789
File Number	DER2014/001577-2
Premises	Australind Piggery 96 Rosamel Road PARKFIELD WA 6233 Legal description – Lot 2 on Diagram 76597 As defined by the Premises map attached to the Revised Licence
Date of Report	18/11/2023
Proposed Decision	Intent to grant revised licence

Amendment description

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act). To amend the existing licence issued in respect to the prescribed premises. This notice of amendment is hereby given under section 59B(9) of the EP Act.

This amendment is limited to the construction of an open shed and roof over the waste storage area, in addition to department initiated administrative type changes that do not alter the obligations of the licence holder

In completing the assessment documented in this report, the department has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

Purpose and scope of assessment

Westpork Pty Ltd. (licence holder) is seeking approval to construct an open shed and roof over the waste storage area. A licence amendment application was submitted 19 September 2023.

The proposed infrastructure will capture and divert rainfall from the roof of the open shed through gutters and drainpipes (eastern side) and direct runoff (western side) into an adjacent infiltration swale. The open shed roof will prevent stormwater from mixing with leachate on the waste storage pad, reducing the amount of contaminated stormwater on site. The aim of the amendment is to reduce the risk of contaminated stormwater runoff and odour emissions to nearby residential receptors.

Background

Westpork holds licence L6876/1989/12 for the operation of Australind piggery, with an assessed design capacity of 8,384 Standard Pig Units (SPU). Australind piggery operates a deep litter system where spent bedding and manure is collected weekly from each shelter on an 11-week rotational basis. Spent bedding, manure and carcasses are taken to the on-site waste storage pad for storage (not composting) until it is removed for offsite disposal.

Carcasses are moved to the waste storage pad within 2 hours of their death and covered with spent bedding. The Manure Control Sheet attached to the 2023 Annual Audit Compliance Report, recorded a total of 6428 m³ solid waste (manure, carcasses and spent bedding) disposed offsite from 18 August 2022 to 26 June 2023.

Australind Piggery has received several complaints and the department has undertaken compliance inspections that have been recorded into the department's Incidents and Complaints Management System (ICMS). The total number of odour complaints in ICMS have increased from 2 to about 39 since 18 May 2022. A compliance inspection, conducted 20 October 2022, identified one non-compliance in accordance with condition 1. The compliance officer noted that the concrete waste storage pad was not bunded around the perimeter. Corrective actions outlined that the licence holder proposed to construct a roof cover and bunding over the waste storage area as outlined in this amendment.

Consultation

Table 1 provides a summary of the consultation undertaken by the department.

Table 1: Consultation

Consultation method	Summary of comments received
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<p>The department referred the application to a direct interest stakeholder (nearby resident) on 10 October 2023.</p>	<p>The stakeholder submitted that they <i>‘have little confidence the licence holder will be able to mitigate any odour emissions from the premises.</i> The stakeholder outlined their concerns regarding odour and that the approval of this amendment may lead to the piggery increasing production and “making things worse”.</p>
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Other approvals

The Shire of Harvey provided the licence holder with a development approval for the open shed on 8 June 2023.

Decision

The Delegated Officer has determined that the proposal to construct an open shed and roof over the waste storage area, is likely to mitigate contaminated stormwater and reduce odour emissions from the waste storage pad. This determination is based on shed roof diverting clean stormwater away from the waste storage area, preventing leachate and a reduction in odours from the ‘bathtub effect’ of saturated piggery waste decomposing during periods of rainfall. and rediverting it to an adjacent swale.

The Delegated Officer accepts the licence holder’s proposed controls as part of this amendment application; therefore, no additional regulatory controls have been added as a result of this decision.

Summary of amendments

Condition 1, Table 1 - 3(b) requires the licence holder to construct 1.5 m concrete bunded walls around the perimeter of the waste storage pad.

There are currently 1.5 m high concrete bunds on the southern and western boundary of the pad and the licence holder refuses to construct a further two bunds on the northern and eastern boundary. This was found to be non-compliant during the compliance inspection conducted 20 October 2022. The rectification measures of this non-compliance required construction of an open shed and roof over the waste storage area. As proposed in this amendment, the open shed and roof reduces the risk of contaminated stormwater run-off from the waste pad, by capturing stormwater and redirecting it to the adjacent swale. The topographical gradient at the premises has a slope of 15m AHD (Australian Height Datum) from east (25 m AHD) to west (10 m AHD), with the lowest point of the pad at the western boundary. To topographically capture stormwater, concrete 1.5 m bunding is only required on the southern and western boundary of the pad. The requirements of condition 1 were imposed when there was no shed or roof to capture and divert stormwater away from the waste pad.

The roofed waste storage pad reduces the risk of contaminated stormwater(leachate) runoff and resultant odour, and therefore the Delegated Officer has decided condition 1, Table 1-3(b) will be amended to not include the requirement of a northern and eastern 1.5 m concrete bund around the waste pad.

The Delegated Officer has determined that ‘manure storage and compost area/pad’ should be reworded in the licence to ‘waste storage area/pad’ as composting in the true sense of the word is not being undertaken, and the term is misleading.

Condition 2 was added under improvement works to include the open shed and roof over the waste pad, including drainpipes gutters. Conditions 3, 4 and 5 were added to the licence for

compliance reporting and improvement works requirements.

Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a revised licence will be granted, subject to conditions which commensurate with the determined controls necessary for administration and reporting requirements.

Summary of amendments

Table 2 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 2: Summary of licence amendments

Condition no.	Proposed amendments
1 – Table 1, 3(b)	Condition amended to no longer require construction of a 1.5 m concrete eastern and northern bund around the waste storage pad.
2 – Table 2	Improvement works added to include open shed and roof over the waste pad, including roof gutters and drainpipes.
3, 4 and 5	Condition added to include compliance reporting and improvement works requirements.
All conditions relevant	Manure compost and storage area/pad amended to solid waste storage area/pad

References

1. DWER 2020c, *Guideline – Better Practice Organics Recycling Guideline*, Perth Western Australia
2. Department of Environment Regulation (DER) 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. Department of Water and Environmental Regulation (DWER) 2019, *Guideline: Decision Making*, Perth, Western Australia.
4. Westpork Pty Ltd 2023, *Application and supporting documents*, Perth, Western Australia

Appendix 1: Summary of licence holder's comments on assessment and draft conditions

Condition	Summary of licence holder's comment	Department's response
Table 1, paragraph 1	Westpork expressed their concern regarding the replacement of the word "compost" with the term "waste storage". Westpork are concerned the wording change will result in the loss of the right to compost carcasses. Westpork states this issue was addressed in the 2021 licence transfer documentation and that appropriate controls are in place to mitigate emissions and discharges. Westpork states that composting is the preferred method of managing their mortalities on site.	The department notes that the word change from "compost" to "waste storage" on the licence will not prevent Westpork Pty Ltd (Westpork) from composting on the premises in the future, however the waste storage area <u>has not been risk assessed as a composting facility</u> . Should the licence holder wish to operate a composting facility on the premises, then this new activity will need to be assessed and authorised through a works approval or licence amendment application. The composting facility will also need to be constructed in accordance the <i>Better Practice Organics Recycling Guideline</i> .
Table 1, paragraph 2	Westpork states the term "solid piggery waste" has been replaced with "manure and spent straw" in Table 5 and has not been defined. Westpork are unclear if the term includes pig carcasses.	The word change to "solid piggery waste" in Table 1, paragraph 2 includes pig carcasses and is now defined in Table 5: Definitions of L6876/1989/12.
Maps	Westpork have noted that the old maps are still attached to the licence amendment and need updating to include the roof and swale.	The department have noted this comment and have corrected the map in Figure 1, Schedule 1 in L6876/1989/12.