



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Derby Industries Pty Ltd
Licence: L7352/1989/10

Registered office: 6 Short Street
FREMANTLE WA 6160

ACN: 009 033 612

Premises address: Linley Valley Pork
Lot 7 on Diagram 45818, Lot 8 on Diagram 43110, Lot 10 on Plan 12508,
Lot 421 on Plan 300357 and Lot 5485 on Plan 114980
Linley Valley Road
Wundowie WA 6560
as depicted in Schedule 1.

Issue date: Thursday, 5 February 2015

Commencement date: Friday, 13 February 2015

Expiry date: Wednesday, 12 February 2020

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: Lindy Twycross
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 checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>						
Activities that cause the premises to become prescribed premises	<table border="1"> <thead> <tr> <th>Category number(s)</th> <th>Assessed design capacity</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>3,500 animals per day</td> </tr> <tr> <td>15</td> <td>80,000 tonnes per annual period</td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	2	3,500 animals per day	15	80,000 tonnes per annual period
	Category number(s)	Assessed design capacity					
2	3,500 animals per day						
15	80,000 tonnes per annual period						
Application verified	Date: 03/12/2014						
Application fee paid	Date: 31/12/2014						
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	NA						
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> ?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td> Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/> </td> </tr> </table>	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"/>				
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?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td> Ministerial statement No: EPA Report No: </td> </tr> </table>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:				
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 checked="" type="checkbox"/>						
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.						
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.						



3 Executive summary of proposal and assessment

Derby Industries Pty Ltd operates Linley Valley Pork (LVP) which includes an intensive piggery and an abattoir situated on Linley Valley Road, Wundowie.

The abattoir slaughters approximately 14,000 pigs per week. Prior to slaughtering, the pigs are housed in a lairage that consist of a series of pens, which have a slatted concrete surface. Other abattoir operations include dehairing, boning, chilling and freezing of the pork products. Animal by-products such as blood, waste tallow, meat tissue, gut contents and hair are collected and transported off-site for processing.

Following a breach of a wall of Pond 1 of the wastewater treatment system on 10 /01/2014/01/2014, a geotechnical risk assessment of waste water treatment Ponds 2 - 9 was conducted by CMW Goesciences Pty Ltd. The subsequent report - *Embankment Dam Stability Assessment, Linley Valley Pork, Linley Valley Road, Wooroloo WA*, noted that a number of pond embankment dams were considered to provide a high level of risk with respect to slope instability. The report included recommendations for pond repair and management. LVP has commenced implementation of these recommendations, and the recommendations have been included in this licence as an improvement condition. Ponds 1 and 8 have been removed from the wastewater treatment system.

The waste water treatment system now comprises of anaerobic Ponds 2 and 3, and aerobic Ponds 4, 5, 6, 7 and 9.

Semi-treated wastewater is sent off-site to the neighbouring El Caballo premises and further treated prior to irrigation onto land (under licence L6736/1993/11, Park Royal Holdings Pty Ltd). No discharge to land occurs on the premises which is the subject of this licence.

Odour emissions from the abattoir are currently managed by containing odour emitting sources in an enclosed environment and through frequent removal of waste offsite via licensed contractors to licensed rendering places. Possible sources of odour emissions include the effluent treatment ponds (anaerobic), the animal pens, manure and the abattoir (blood collection and storage, offal bins).

The nearest watercourse to the Premises is Wooroloo Brook which is an intermittent stream that runs through the LVP property.

This Licence is the successor to licence L7352/1989/9. The licence includes an amendment sought by the Licensee to remove the waste water containment structures Pond 1 and Pond 8 from the licence.

As part of this licence reissue, DER has not reassessed the acceptability or impacts of emissions and discharges from the Premises or revisited any existing emission control levels. No changes to the conditions on the previous licence have been made with the exception of conditions 1.3.2 and 1.3.3 relating to waste water containment, and the addition of improvement condition 4.1.1 for submission for reports relating to waste water structures, waste water balance and groundwater.

The licence has also been updated to the latest format version.

The licence is assessed as medium risk and has been reissued for 5 years.



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
Premises operation	L1.3.2 L1.3.3	OSC NSC	<p>Waste water leaking from anaerobic Pond 1 was detected during Linley Valley Pork's (LVP) daily inspection on 10 January 2014. The spill was caused by the breach of a wall of Pond 1. Pond 1 was immediately removed from the wastewater treatment system. CMW Geosciences Pty Ltd (CMW) carried out a geotechnical investigation on the embankments of the series of wastewater treatment Ponds 2- 9 and provided a pond embankment stability risk assessment with recommendations.</p> <p><u>Emission Description</u> <i>Emission:</i> Wastewater being discharged from wastewater ponds from leakage or overtopping of pond capacity.</p> <p><i>Impact:</i> CMW's report included that:</p> <ul style="list-style-type: none"> the ponds have been constructed by local cut fill earthworks most likely with limited material selection and compaction control; and a number of pond embankment dams are considered to provide a high level of risk with respect to slope instability. <p>Impact could result in localised alteration to the environment with contamination of surrounding land, surface water systems and groundwater. Wooroloo Brook runs through the LVP property and is approximately 150m south of the wastewater treatment system. Potential impacts on ecology of surface water from the addition of nutrients. Depth to groundwater is approximately 9m though topography of the site varies.</p>	<p>Amendment application supporting documentation</p> <p>CMW Geosciences Pty Ltd, 24 July 2014, <i>Embankment Dam Stability Assessment, Linley Valley Pork, Linley Valley Road, Wooroloo, WA</i></p>



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			<p><i>Controls:</i> CMW's report made a number of recommendations for remedial work and management of the ponds, including:</p> <ul style="list-style-type: none"> • remedial/maintenance works to Ponds 4 and 8, • increasing freeboard of Ponds 4, 5, 6, 7 and 9 to 1.0 metres to improve pond wall stability and to provide a water volume buffer for extreme weather events; and • ensuring elevated water levels do not develop within Ponds 2 and 3. <p>LVP has disconnected Pond 1 and Pond 8 from the waste water treatment system and commenced implementation of the recommendations of the report.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Condition 1.3.2 has been amended to account for the disconnection of Pond 1 and Pond 8 as wastewater containment structures.</p> <p>The previous licence condition 1.3.3 required a minimum embankment freeboard of 600mm. CMW's report recommended that a freeboard of 1 metre be maintained in Ponds 4 – 9. This recommendation has been added to condition 1.3.3.</p> <p>An improvement condition for a water balance has been included to confirm that the wastewater treatment system can accommodate the inflow with the removal of Ponds 1 and 8 (see Improvements section below).</p>	



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			<p>An improvement condition has been included to ensure all the recommendations of the CMW report are completed and implemented (see Improvements section below).</p> <p>An improvement condition has been included for completion of a groundwater impact report (see Improvements section below).</p> <p><u>Residual Risk</u> <i>Consequence</i>: Moderate <i>Likelihood</i>: Rare <i>Risk Rating</i>: Moderate</p>	
Improvements	L4.1.1	NSC	<p>Water balance calculations made in 2009 demonstrated that that the wastewater system using Ponds 1 – 9 could easily treat inflow of 600ML per year. Current inflows are approximately 300ML per year with the abattoir's throughput of 50,000 tonnes per year and piggery housing up to 3,500 animals. IR1 has been added to confirm the ponds have capacity to treat and hold wastewater for the maximum licenced capacity of the premises with removal of Pond 1 and Pond 8 from the system.</p> <p>IR2 has been added to ensure all the recommendations of the CMW report are completed and implemented.</p> <p>Groundwater monitoring is not required by conditions of the licence. IR3 has been added to assess impacts to ground water.</p>	CMW Goesciences Pty Ltd, 24 July 2014, <i>Embankment Dam Stability Assessment, Linley Valley Pork, Linley Valley Road, Woololoo, WA</i>
Licence Duration	N/A	N/A	The licence is assessed as medium risk and has been reissued for 5 years.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
12/01/2015	Application for licence reissue advertised in the West Australian newspaper.	No comments received	Not applicable
20/01/2015	Draft reissue licence sent to Licensee for comment	Requests : (i) For optional standard wording 1.3.3(h) changed to allow vegetation to encroach surface of anaerobic ponds. (ii) For IR3 to provide historical groundwater information to determine if groundwater has been impacted by wastewater storage on site, as a preliminary assessment, rather than a detailed source pathway –receptor conceptual site model and risk assessment, at this stage.	(i) Advised that assessment for amendment 1.3.3(h) be completed as a separate amendment, as further information would be required for an assessment to be made. (ii) Advised that IR3 would be reworded to require an assessment on the impact of the premises prescribed activities on groundwater, as an initial background assessment.



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
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