



Application to replace expiring licence

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L8000/2000/5
Licence holder	Craig Mostyn Farms Pty Ltd
ACN	127 068 115
File number	2010/005958
Premises	CM Farms – Mogumber Piggery Lot 501 on Plan 55017 RED GULLY WA 6503
Date of report	8 January 2021
Status of report	Final

1. Scope of assessment

1.1 Application summary

Craig Mostyn Farms Pty Ltd (licence holder) has submitted an application to replace expiring licence L8000/2000/4, issued under Division 3 Part V of the *Environmental Protection Act 1986* on 14 January 2016. The licence due to expire on 16 January 2021.

The licence relates to operation of an intensive piggery located near Gingin, about 100 km north of Perth. The premises comprises a number of intensive indoor sheds with a design capacity of 50,460 animals at any one time, and a pond-based wastewater treatment system. Wastewater is managed via evaporation, with no routine on-site disposal.

Due to time constraints the department has been unable to conduct a detailed review and risk assessment of emissions and discharges from the premises, and has therefore determined to undertake an administrative renewal of the licence. A full licence review is proposed to be conducted within the next two years, due to the age of the existing licence and the absence of a current risk assessment for full operations on the premises.

In replacing the licence 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>.

2. Consultation

The draft replacement licence and this decision report were provided to the licence holder on 23 November 2020 for comment. The licence holder's comments, along with DWER's response, have been summarised in Appendix 1.

3. Decision

The delegated officer has determined to grant replacement licence L8000/2000/5 with administrative changes only and without conducting any additional assessment, on the grounds of time constraints, and that it does not change the obligations of the licence holder.

The replacement licence will be issued for a short term period of three years, in which the department proposes to conduct a review of the licence at the next expiry, to ensure the risks to public health and the environment from activities on the premises, as previously assessed by the department, have not materially changed. Information submitted by the licence holder to support this application will form the basis of the department's review.

In replacing the expiring licence the delegated officer has also determined to:

- update the format and appearance of the licence;
- remove redundant conditions and include additional conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- revise licence condition numbers and realign condition numbers for numerical consistency; and
- transfer all existing regulatory controls and conditions to the replacement licence.

In addition, the delegated officer has determined to remove redundant conditions relating to the desludging of pond 1 and the short-term irrigation of wastewater at the premises, as the activity was only authorised during the period November 2016 to March 2017 and this timeframe has now lapsed. The licence holder is advised it will need to reapply for a licence amendment if it still wishes to conduct this activity, which the department will reassess under its current regulatory framework.

The delegated officer also notes the infrastructure listed in condition 7 (Table 4), namely a new wastewater holding tank, intensive sheds and straw-based sheds, still remains to be constructed. The licence holder is advised that following construction, a licence amendment will be required to authorise operation of this infrastructure.

3.1 Summary of changes

The below table provides a summary of changes to the previous licence and will act as a record of implemented changes. All changes have been incorporated into the replacement licence.

Condition / table	Description
Cover page	Licence version updated. Issue and expiry dates updated.
Introduction	Previous 'introduction' section removed, consistent with current DWER licence template. This guidance is now available in DWER's <i>Guide to Licensing</i> (June 2019).
Interpretation	Updated, consistent with current DWER template. Replaces previous conditions 1.1.3 and 1.1.4.
3.1.1 – 3.1.8	Desludging and wastewater irrigation conditions removed, as these conditions are now redundant (timeframe has lapsed).
Condition 7 (Table 4)	'Wastewater desludging and irrigation system' removed, as the replacement licence does not permit desludging or wastewater irrigation on the premises.
Condition 8	'Irrigation system' removed from condition, as the replacement licence does not permit construction of a wastewater irrigation system.
Condition 12	Updated consistent with current DWER licence template (replaces previous condition 4.1.2).
Condition 14	New condition added, consistent with current DWER licence template.
Definitions	Definitions updated, consistent with current DWER licence template: 'AACR', 'CEO', 'hardstand', 'licence', 'licensee', 'premises'.
	Definitions added: 'books', 'composting', 'discharge', 'emission', 'EP Act', 'EP Regulations', 'prescribed premises', 'waste'.
	Definitions removed: 'Schedule 2'.
Schedule 1: Maps	Premises map updated. Infrastructure layout map and irrigation map removed.

A/MANAGER, PROCESS INDUSTRIES REGULATORY SERVICES

An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Summary of licence holder's comments on draft licence and decision report

Condition	Summary of licence holder comment	DWER response
Condition 3, Table 1	Change 'Aerobic/Evaporation' for Ponds 2 and 3 to 'Aerobic/Facultative'.	Updated as per licence holder's request.
Condition 3, Table 1	Pond 4 is currently referred to as being clay lined. It is HDPE lined with a permeability of at least 1×10^{-9} m/s or equivalent.	Pond 4 updated to reflect HDPE liner.
Condition 7	Change the wording 'must ensure' to 'shall ensure' as per the previous Licence.	Wording is consistent with current DWER licence template. No changes made.