



Licence Number	L9142/2018/1
Licence Holder	Westpork Pty. Ltd.
ACN	009 148 789
File Number:	DER2018/000976-1
Premises	Westpork – West Pinjarra 502 Sutters Lane West Pinjarra WA 6208 Legal description – Lot 502 on Plan 54832 Certificate of Title Volume 2677 Folio 599
Date of Amendment	2 June 2021

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 Licence Amendment Report. The report constitutes written notice of an amendment to Licence L9142/2018/1 in accordance with section 59B(9) of the EP Act.

Chris Malley

Manager, Process Industries

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

Licence Amendment

This amendment is made pursuant to section 59(1)(k) of the *Environmental Protection Act 1986* (EP Act) to amend Licence L9142/2018/1 granted to Westpork Pty. Ltd. (Westpork) for its intensive piggery on Lot 502 on Plan 54832, Sutters Lane, West Pinjarra. The amendment has been initiated by the Department of Water and Environmental Regulation (DWER) to extend the duration of the licence which expires on 15 June 2022.

This amendment is limited to extending the duration of the licence and no other changes to the licence have been considered. In amending the licence, the Delegated Officer has given due regard to DWER's Regulatory Framework and relevant policy documents which are available at www.dwer.wa.gov.au/regulatory-documents

Details of the amendment are set out in the form of a revised licence document.

Background

The licence was transferred to Westpork in May 2019 after the previous occupier was placed into administration and Westpork became the new occupier. Due to odour and waste management issues at the premises, Westpork has implemented a strategy to address these issues, including desludging of the existing anaerobic pond and the installation of additional wastewater treatment infrastructure.

Westpork is finalising the commissioning and verification of works constructed under works approval W6292/2019/1 granted in December 2019 to improve wastewater treatment and odour management at the premises. The works include a new covered anaerobic digester, biogas flare system and settlement trenches.

Westpork has also lodged a licence amendment application received by DWER on 21 April 2021 to include the new infrastructure on the licence and provided up to date information on the control of emissions and discharges and the management of piggery wastes. If the application is accepted, direct interest stakeholders will be notified by DWER seeking comment and the application will be advertised and published on DWER's website for public comment. The application will be assessed according to DWER's Regulatory Framework, including identifying any necessary amendments to the licence.

The licence is due to expire on 15 June 2021 which does not allow sufficient time to assess (including public consultation) and determine the application, therefore DWER has initiated an amendment to extend its duration.

Applicant's comments

Westpork was provided with a draft amended licence and a draft version of this amendment report on 26 May 2021. Westpork provided correspondence to the Department on 2 June 2021 waiving the 21 day consultation period and requesting the amended licence be issued as soon as possible.

Decision

The Delegated Officer has determined to grant an amended licence, limited to extending the duration by 12 months until 15 June 2022. This decision takes into account that Westpork is in the final stages of closing out the commissioning and verification of works under works approval W6292/2019/1 that form part of a broader strategy to address issues with odour and waste management at the premises.

DWER has also receive a licence amendments application relating to the new wastewater

treatment infrastructure and also up to date information on the control of emissions and discharges and the management of piggery wastes. The Delegated Officer formed the view that an extension of the licence was necessary to allow adequate time to assess the application (including public consultation) and identify any required amendments to the licence.

The amendment to extend its duration does not change the risk profile of emissions and discharges from the premises. The premises will be subject to ongoing compliance inspections and investigations following incidents and complaints, in accordance with the EP Act. In the event that risk issues arise in relation to the premises, the CEO may, depending on the circumstances amend the conditions of the licence at any time and in the event of an alleged offence, exercise enforcement powers under the EP Act.

Any further extension of licence duration beyond 15 June 2022 will be considered as part of the review of the licence amendment application submitted by Westpork taking into the premises operations as a whole.

Amendment history

Table 1 provides the recent amendment history for Licence L9142/2018/1 and associated works approvals.

Table 1: Recent Licence and Works Approval amendments

Instrument	Issued	Amendment
L9142/2018/1	03/07/2018	Licence issued
L9142/2018/1	21/09/2018	Licence Amendment Notice 1 to extend duration by 12 months
L9142/2018/1	17/05/2019	Transfer of the licence to the new occupier, Westpork, consolidate Amendment Notice 1 and other administrative matters. The transfer and amendment was issued in the form of a revised licence.
L9142/2018/1	23/09/2019	Licence Amendment to extend duration to 15 June 2020.
W6292/2019/1	20/12/2019	Works approval authorising works associated with the upgrades to the waste water treatment infrastructure at the premises.
L9142/2018/1	29/04/2020	Licence amended to extend the expiry date to 15 June 2021, to reflect the extension of the Environmental Protection Notice (Reference: DWERDG401/19) for this premises to the same date. The licence was also amended to include Lot 503.
L9142/2018/1	2/06/2021	Licence amended to extend the expiry date to 15 June 2022 to allow the assessment of the licence amendment application submitted by Westpork.