



Licence number	L6932/1988/11
Licence holder	Derby Industries Pty Ltd
ACN	009 033 612
Registered business address	6 Short Street FREMANTLE WA 6160
DWER file number	2010/002314
Duration	27/10/2010 to 26/10/2024
Date of issue	21/10/2010
Premises details	CM Farms - Nambeelup 230 Gull Road NAMBEELUP WA 6207 SHIRE OF MURRAY
	Lot 89 on Plan 741 Certificate of Title Volume 1112 Folio 243 excluding the areas defined in Schedule 4
	Lot 109 on Plan 741 Certificate of Title Volume 1113 Folio 439

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed design capacity
Category 2: Intensive piggery	22,000 animals with a maximum SPU of 17,200 on the Premises at any one time

This amended licence is granted to the licence holder, subject to the attached conditions, on 24 April 2020, by:

**A/Manager, Process Industries
Regulatory Services**

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

Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this licence:
 - (i) if dated, refers to that particular version; and
 - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

Definitions

In this Licence, the following terms have the following meanings:

Action Criteria means the values/value within the Licence that requires the Licence Holder to take action.

AHD means Australian Height Datum.

Annual Audit Compliance Report means a report in a format approved by the CEO as presented by the Licensee or as specified by the CEO from time to time and published on the Department's website.

Annual Period means a 12 month period commencing from 1 January until 31 December in the same year.

Approved Policy has the same meaning given to that term under the EP Act.

AS 1726 means the Australian Standard AS1726 Geotechnical site investigations;

AS 5667.1 means the Australian Standard AS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples.*

AS 5667.10 means the Australian Standard AS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters.*

AS 5667.11 means the Australian Standard AS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters.*

BOD₅ means the amount of dissolved oxygen consumed in five days by biological processes breaking down organic matter.

Books has the same meaning given to that term under the EP Act.

CEO means Chief Executive Officer of the Department of Water and Environmental Regulation.

CEO for the purposes of notification means:

Director General
Department Administering the *Environmental Protection Act 1986*
Locked Bag 10, JOONDALUP DC
WA 6919
info@dwer.wa.gov.au

Condition means a condition to which this Licence is subject under s 62 of the EP Act.

Department means the department established under s.35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Division 3 Part V of the EP Act.

Department Request means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to:

- (a) compliance with the EP Act or this Licence;
- (b) the Books or other sources of information maintained in accordance with this Licence; or
- (c) the Books or other sources of information relating to Emissions from the Premises.

Discharge has the same meaning given to that term under the EP Act.

Effluent means the liquid waste stream generated by the conventional sheds comprising of wastewater, spilt/leaked drinking water, manure and waste feed.

Emission has the same meaning given to that term under the EP Act.

Environmental Harm has the same meaning given to that term under the EP Act.

EP Act means the *Environmental Protection Act 1986 (WA)*.

EP Regulations means the *Environmental Protection Regulations 1987 (WA)*.

General Description means the description of activities and operations carried out on the Premises as set out in Schedule 2 of this Licence.

Hardstand means a surface engineered to reduce Hydraulic Conductivity

HDPE means high density polyethylene;

Inspector means an inspector appointed by the CEO in accordance with section 88 of the EP Act.

Implementation Agreement or Decision has the same meaning given to that term under the EP Act.

In-field measurement means a measurement taken in the field which does not require laboratory testing.

ISO 17289 means International Standard ISO 17289 *Water Quality – Determination of dissolved oxygen – Optical sensor method*.

Licence refers to this document, which evidences the grant of Licence by the CEO under s 57 of the EP Act, subject to the Conditions.

Licence Holder refers to the occupier of the Premises being the person to whom this Licence has been granted, as specified at the front of this Licence.

Material Environmental Harm has the same meaning given to that term under the EP Act.

Monthly means every calendar month.

mV means millivolts.

NATA means the National Association of Testing Authorities, Australia.

NATA accredited means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis.

Pollution has the same meaning given to that term under the EP Act.

Premises refers to the Premises to which this Licence applies, as specified at the front of this Licence and as shown on the Premises Map in Schedule 1 to this Licence.

Primary Activities refer to the Prescribed Premises activities on the front of this Licence, at the locations provided in Schedule 1 and the description provided in Schedule 2 of this Licence.

Quarterly means four inclusive periods from 1 January to 31 March, 1 April to 30 June, 1 July to 30 September, and 1 October to 31 December.

Serious Environmental Harm has the same meaning given to that term under the EP Act.

Spot sample has the same meaning given in AS 5667.10.

SPU means Standard Pig Unit as defined in the National Environmental Guidelines for Piggeries, Australian Pork (2010).

Standing Water Level means groundwater level measured from ground level (surveyed to Australian Height Datum (AHD)).

Unreasonable Emission has the same meaning given to that term under the EP Act.

Waste has the same meaning given to that term under the EP Act.

Weekly means every seven day period beginning on Monday.

WWTP means the Premises Wastewater Treatment Plant as shown on the Premises Map in Schedule 1.

Wastewater Treatment Ponds means Pond 0, Pond 2, Pond 5, and Pond 6 used for the treatment of wastewater as shown on the Premises Map in Schedule 1.

Conditions

Emissions

- The Licence Holder must not cause any Emissions from the Premises except for specified Emissions and general Emissions described in Column 1 of Table 1, subject to the exclusions, limitations or requirements specified in Column 2 of Table 1.

Table 1: Authorised Emissions

Column 1	Column 2
Emission Type	Exclusions/Limitations/Requirements
Specified Emissions	
Leachate Emissions	Subject to compliance with Conditions 2 to 8, 12, 13, 18, and 22 to 24.
Odour Emissions	Subject to compliance with Conditions 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, and 22 to 24.
General Emissions (excluding Specified Emissions)	
Emissions which arise from the Primary Activities set out in the General Description in Schedule 2	<p>Emissions excluded from general Emissions are:</p> <ul style="list-style-type: none"> Unreasonable Emissions; or Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or Discharges of Waste in circumstances likely to cause Pollution; or Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or Emissions or Discharges which do not comply with an Approved Policy; or Emissions or Discharges which do not comply with a prescribed standard; or Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.

Animal holding limit

- The Licence Holder must not hold more than 22,000 animals with a maximum SPU of 17,200 on the Premises at any one time.

Specified infrastructure and equipment controls

3. The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 2 are maintained and operated in good working order and in accordance with the requirements specified in Column 2 of Table 2.

Table 2: Infrastructure and equipment controls table

	Column 1	Column 2
	Premises infrastructure and equipment	Description
1	Conventional sheds	Five conventional sheds. Enclosed with adjustable shutter walls and roof vents. Concrete partially slatted floors. Underfloor concrete drainage system connected to the WWTP. Effluent flush system (tipper buckets).
2	Eco-shelters	18 eco-shelters. Concrete floor with concrete bunker walls. Dome shelter roof.
3	WWTP	Gross solids screen cage and concrete pit. Concrete main effluent pit, mixer, and pump. Concrete overflow pit and pumps. Two fan separators. Concrete solids storage pad - graded to return leachate to the overflow pit. Concrete discharge pit and pump. WWTP bypass valve to Pond 2. Discharge point to Pond 0.
4	Wastewater Treatment Pond 0 (anaerobic)	14,625 m ³ capacity. HDPE lined. Discharge point to Pond 2.
5	Wastewater Treatment Pond 2 (facultative)	16,000 m ³ capacity. HDPE lined. Discharge point to Pond 5 or Pond 6. Receives runoff from the wetting area of the adjacent premises via a drain as shown on the Drainage Map in Schedule 1.
6	Wastewater Treatment Pond 5 (facultative)	33,000 m ³ capacity. HDPE lined. Discharge to conventional sheds or transfer from Premises for reuse or to Pond 6.
7	Wastewater Treatment Pond 6 (facultative)	21,300 m ³ capacity HDPE lined. Discharge to conventional sheds or transfer from Premises for reuse.
8	Pond sprinklers	Sprinklers installed on the perimeter of Ponds 5 and 6. No discharge of wastewater to land.
9	Carcass composting tunnel	Concrete floor and bunker walls. Floor graded to return leachate to the WWTP.
10	Groundwater monitoring bores	One bore at each of the locations MW3S, MW4S, MW6S, MW7S, MW8S, MW9S, MW10S, MW11S, MW12 (once installed in accordance with Condition 20), East 1 Shallow, West 2 Shallow and West 2 Deep as shown on the Groundwater Monitoring Map in Schedule 1.

Operational controls

4. The Licence Holder must ensure that the gross solids screen cage at the outfall of the conventional sheds prior to the WWTP is operational at all times and is cleaned at least weekly.
5. The Licence Holder must ensure that the screened solids from the WWTP fan separators are removed at a rate that ensures that no solids or leachate is emitted from the concrete solids storage pad.
6. The Licence Holder must ensure that enough bedding is placed in the eco-shelters to ensure that no piggery Effluent escapes from the shelters.
7. The Licence Holder must ensure that eco-shelter bedding is replaced at least every eight weeks.
8. The Licence Holder must ensure that spent eco-shelter bedding is removed from the Premises on the same day it is removed from the eco-shelters.
9. The Licence Holder must ensure that the conventional piggery sheds are flushed at least weekly with water from Pond 5, Pond 6, or with bore or scheme water.
10. The Licence Holder must ensure that pig carcasses are removed from the conventional sheds and eco-shelters at least daily and immediately placed in the carcass composting tunnel and covered with a minimum of 300 mm of organic material.
11. The Licence Holder must ensure that the pond sprinklers are not used before 10am or after 4pm each day, or at any time on weekends or public holidays.
12. The Licence Holder must maintain a freeboard of at least 300 mm within all Wastewater Treatment Ponds at all times.

Groundwater monitoring

13. The Licence Holder must undertake groundwater monitoring:
 - (a) for the parameters specified in Column 1 of Table 3;
 - (b) at the locations specified in Column 2 of Table 3;
 - (c) at the frequency specified in Column 3 of Table 3; and
 - (d) using the methods specified in Column 4 and Column 5 of Table 3.

Table 3: Groundwater monitoring

Column 1	Column 2	Column 3	Column 4	Column 5
Parameter	Location on Groundwater Monitoring Map in Schedule 1	Frequency	Sample	Method
Standing water level ¹	MW3S MW4S MW6S MW7S MW8S MW9S MW10S MW11S MW12 East 1 Shallow West 2 Shallow West 2 Deep	Quarterly (January, April, July, October) at least 45 days apart	In-field measurement	AS 5667.1 AS 5667.11
pH ¹			Spot sample	
Total dissolved solids (TDS)				
Mercury				
Zinc				
Arsenic				
Nitrate-nitrogen				
Nitrite-nitrogen				
Ammonium-nitrogen				
Total nitrogen				
Total phosphorus				

¹ Condition 18 does not apply to standing water level, pH or temperature

Wastewater Treatment Pond monitoring and actions

14. The Licence Holder must undertake the wastewater treatment pond monitoring:
- for the parameters specified in Column 1 of Table 4;
 - at the locations specified in Column 2 of Table 4;
 - at the frequency specified in Column 4 of Table 4; and
 - using the methods specified in Column 5 and Column 6 of Table 4.

Table 4: Wastewater Treatment Pond monitoring

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Parameter	Location on Premises Map in Schedule 1	Pond Action Criteria	Frequency	Sample	Method
Oxidation Reduction Potential ²	Pond 2 Pond 5 Pond 6	N/A	Weekly at least 4 days apart	In field measurement	Readings must be taken at a minimum of four evenly dispersed monitoring points.
Dissolved Oxygen ²					ISO 17289
pH ²					AS 5667.1
Temperature ²					AS 5667.10
Biochemical oxygen demand (BOD ₅)			Quarterly at least 45 days apart	Spot sample	AS 5667.1 AS 5667.10
Volume of sludge ²	Pond 0 Pond 2	30% of pond capacity (excluding freeboard)	Annually	N/A	None specified

15. The Licence Holder must ensure that if monitoring undertaken in accordance with Condition 14 demonstrates that the volume of sludge in any pond exceeds the Pond Action Criteria, that pond is desludged within six months of the monitoring event.

² Condition 18 does not apply to in-field parameters or volume of sludge

Specified actions

16. The Licence Holder must remove all sludge material:
- from the locations specified in column 1 of Table 5;
 - by the date specified in column 2 of Table 5; and
 - dispose of or store the material as per column 3 of Table 5.

Table 5: Sludge removal from decommissioned ponds

Column 1	Column 2	Column 3
Location as shown on the Premises Layout Map in Schedule 1	Completion date	Disposal options
Pond 3	30 April 2021	Removed from the Premises; or Stored in an area that: <ol style="list-style-type: none"> is bunded to retain all liquid from the sludge removed from the ponds; and meets the hydraulic conductivity requirements of less than 1.0×10^{-9} m/s, prior to removal from the Premises.
Pond 4	30 April 2022	

17. The Licence Holder must provide to the CEO a report for each pond desludged in accordance with Condition 16 within 21 days of each pond being desludged. The report must contain details of the volume of sludge removed, how it was disposed of or stored on site and provide photographic evidence showing that the sludge has been removed.

Record-keeping

18. The Licence Holder must ensure that all laboratory samples required by Conditions 13 and 14 are submitted to and tested by a laboratory with current NATA Accreditation for the parameters being measured unless indicated otherwise in the relevant table.
19. The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
- the calculation of fees payable in respect of this Licence;
 - the maintenance of infrastructure required to ensure that it is kept in good working order in accordance with Condition 3 of this Licence;
 - monitoring undertaken in accordance with Conditions 13 and 14 of this Licence;
 - actions taken in accordance with Condition 15 of this Licence;
 - complaints received under Condition 25 of this Licence; and
 - the maximum number of animals and SPU held on the Premises each month; and the Books must:
 - be legible;
 - if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - be retained for at least seven years from the date the Books were made; and

- (j) be available to be produced to an Inspector or the CEO on demand
20. The Licence Holder must record the number and details of any complaints received by the Licence Holder relating to its obligations under this Licence and its compliance with Part V of the EP Act at the Premises (excluding any summary of complaints provided to the Licence Holder from the Department), and any action taken by the Licence Holder in response to the complaint. Details of complaints must include:
- (a) an accurate record of the concerns or issues raised, for example, a copy of any written complaint or a written note of any verbal complaints made;
 - (b) the name and contact details of the complainant, if provided by the complainant;
 - (c) the date of the complaint; and
 - (d) the details and dates of the actions taken by the Licence Holder in response to the complaints.
21. The Licence Holder must comply with a Department Request within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

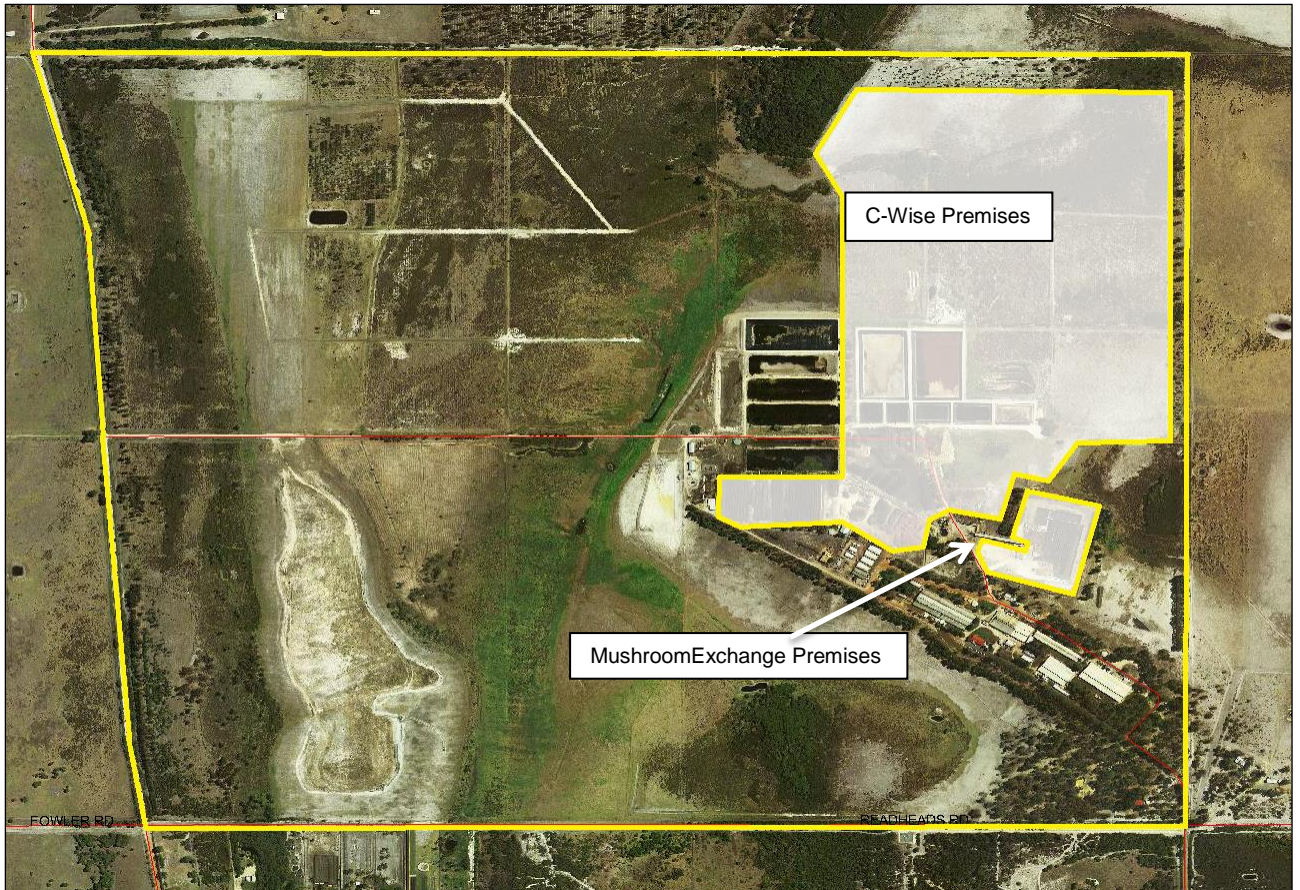
Ongoing reporting

22. The Licence Holder must submit to the CEO by 28 April, 28 July and 28 October each year a Quarterly Report including the following information for the previous Quarterly period:
- (a) the results of the groundwater monitoring required by Condition 13 containing the information and in the format specified in Schedule 3.
23. The Licence Holder must submit to the CEO by 1 March each year an Annual Report including the following information for the previous Annual Period:
- (a) the results of the groundwater monitoring required by Condition 13 containing the information and in the format specified in Schedule 3;
 - (b) the results of the pond monitoring required by Condition 14 containing the information and in the format specified in Schedule 3
 - (c) the pond monitoring results which triggered an action in accordance with Condition 15 containing the information and in the format specified in Schedule 3; and
 - (d) the maximum number of animals and SPU held on the premises for each month during the previous Annual Period.
24. The Licence Holder must submit to the CEO by 1 March each year, an Annual Audit Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the previous Annual Period.

Schedule 1: Maps

Premises Map

The Premises is shown in the map below. The Premises boundary is show in yellow, and excludes the Mushroom Exchange and C-Wise premises that are shaded white and defined in Schedule 4.



Premises Layout Map

Infrastructure and equipment located on the Premises are shown in the map below.



Drainage Map

The Premises boundary is shown in red; the C-Wise pre-wetting area is shown in yellow; and the drain to Pond 2 is shown in blue.



Groundwater Monitoring Map

Groundwater bore monitoring locations within the Premises are shown in the map below.



Schedule 2: General description

At the time of assessment, the Emissions and Discharges from the following Primary Activities were considered in the determination of the risk and related Conditions for the Premises.

The Primary Activities are listed in Table 6:

Table 6: Primary activities

Classification of Premises	Primary activity	Premises production or design capacity
Category 2	Intensive piggery: premises on which pigs are fed, watered and housed in pens.	22,000 animals at a maximum 17,200 SPU

Infrastructure and equipment

The infrastructure and equipment situated on the Premises are listed in Table 7.

Table 7: Primary activity infrastructure and equipment

Infrastructure	
Prescribed Activity Infrastructure Category 2	
1	Five conventional piggery sheds
2	18 deep litter sheds/eco-shelters
3	Wastewater Treatment Plant (WWTP)
4	Wastewater Treatment Ponds: <ul style="list-style-type: none"> One anaerobic wastewater pond (Pond 0; 14,625 m³) Three facultative ponds - Pond 2 (1 mm HDPE; 16,000 m³), Pond 5 (1 mm HDPE; 33,000 m³) and Pond 6 (1 mm HDPE; 21,300 m³)
5	Carcass composting tunnel

Site layout

The infrastructure and equipment are set out on the Premises in accordance with the site layout specified on the Premises Layout Map in Schedule 1.

Schedule 3: Reporting

Table 8: Summary of reporting requirements

Requirement	Report due date	Condition outlining requirements
Once off		
Sludge removal from decommissioned ponds	Within 21 days of decommissioned ponds being desludged	17
On-going		
Annual Audit Compliance Report	1 March each year	24
Maximum Pig numbers and SPU per month		23
Groundwater monitoring		
Wastewater Treatment Pond monitoring		
Groundwater monitoring	28 April, 28 July and 28 October each year	27

Quarterly reporting requirements

Groundwater monitoring

The quarterly reporting of groundwater monitoring must contain the following information:

- A summary of any results above the following background levels for the latest monitoring event:
 - Total nitrogen: 8.11 mg/L
 - Total phosphorus: 2.17 mg/L
 - Total dissolved solids: 764 mg/L
- The raw monitoring data in tabulated form in Microsoft Excel format.

Annual reporting requirements

Groundwater monitoring

The annual reporting of groundwater monitoring must contain the following information:

- The raw monitoring data in tabulated form in Microsoft Excel format for all previous monitoring data;
 - All parameters must be reported in accordance with Table 9 below for each bore and must include all previous groundwater monitoring results;
 - Standing water level must be reported in accordance with
 - Table 10 below for each bore;
- Time series graphical plots for all previous monitoring data;
- A comparison of data against the following background levels and the livestock drinking water quality values in the ANZECC guidelines (using the recommended water quality trigger levels where available; otherwise using the lowest values which may be hazardous for, or cause an impact for, any livestock):
 - Total nitrogen: 8.11 mg/L
 - Total phosphorus: 2.17 mg/L
 - Total dissolved solids: 764 mg/L
- The laboratory certificate of analyses; and
- Details of the quality assurance and quality control conducted during the sampling in accordance with AS 5667.1.

Table 9: Template table for reporting groundwater results

Date	SWL	pH	TDS	Mercury	Zinc	Arsenic	Nitrate-N	Nitrite-N	Ammonium-N	Total N	Total P
-	mBGL	-	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L

Table 10: Template table for reporting standing water level

Bore Reference number	Easting	Northing	Top of casing mAHD	Height of casing above ground level	Standing water level AHD	Standing water level below ground level

Pond monitoring

The annual reporting of pond monitoring must contain the following information:

- The raw monitoring data in tabulated form in Microsoft Excel format for the previous Annual Period;
- Time series graphical plots for at least the previous three Annual Periods (where available);
- The location and depth of sampling;
- The laboratory certificate of analyses (where applicable);
- Details of the quality assurance and quality control conducted during the sampling in accordance with AS 5667.1;
- A summary of any monitoring results which triggered an action in accordance with condition 15 for the previous Annual Period;
- Confirmation that data received are correct (no instrument fault); and
- Details of any sludge removal undertaken due to an exceedance of the Action Criteria for sludge levels, including the following:
 - Method of sludge volume measurement;
 - Date of sludge removal;
 - Total volume of sludge removed;
 - Description of sludge removal actions and timeframes;
 - Odour controls implemented during sludge removal; and
 - Fate of sludge removed.

Schedule 4: Premises Boundary

The Premises consist of Lot 89 on Plan 741, Certificate of Title Volume 1112 Folio 243 and Lot 109 on Plan 741, Certificate of Title Volume 1113 Folio 439 excluding the areas bounded by the following co-ordinates:

WA Composts Pty Ltd Premises

	Easting	Northing
1	390650.75	6405416.86
2	391242.67	6405417.29
3	391256.53	6404609.03
4	391076.85	6404601.07
5	391056.00	6404490.79
6	390950.76	6404499.65
7	390922.98	6404403.30
8	390837.97	6404422.38
9	390800.65	6404423.97
10	390780.95	6404363.73
11	390721.84	6404341.07
12	390619.38	6404405.99
13	390404.03	6404403.64
14	390327.20	6404450.82
15	390346.82	6404517.07
16	390614.70	6404524.00
17	390602.54	6405172.20
18	390557.59	6405249.75

MushroomExchange Pty Ltd Premises

	Easting	Northing
1	390978.80	6404489.63
2	390953.40	6404377.67
3	390980.97	6404369.87
4	390979.68	6404362.15
5	390895.00	6404377.44
6	390872.11	6404365.44
7	390905.79	6404300.95
8	391082.22	6404252.00
9	391122.85	6404464.50