



Licence

Environmental Protection Act 1986, Part V

Licensee: Rural Export & Trading (W.A.) Pty Ltd

Licence: L5200/1988/11

Registered office: 43 Ventnor Avenue
 WEST PERTH WA 6005

ACN: 008 781 664

Premises address: Rural Export & Trading (W.A.) Pty Ltd – Peel Feedlot
 848 Mundijong Road
 MARDELLA WA 6125
 Being Lot 123 on Diagram 7171 as depicted in Schedule 1

Issue date: Thursday, 01 October 2015

Commencement date: Friday, 09 October 2015

Expiry date: Thursday, 08 October 2020

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
55	Livestock saleyard or holding pen: premises on which live animals are held pending their sale, shipment or slaughter.	10,000 animals or more per year	2,000,000 animals per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 1 October 2015

.....
Ed Schuller
Senior Manager - Industry Regulation (Process Industries)

Officer delegated under section 20
 of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Rural Export & Trading (W.A.) Pty Ltd – Peel Feedlot has operated a sheep feedlot at the premises since 1978 and held a licence since 1988. Sheep are transported to the site to become accustomed to pellet feed whilst awaiting short-haul transshipment to Fremantle Port for overseas shipment. The majority of sheep are held in raised holding sheds with the ability to rotate small numbers within paddocks on the remainder of the premises. Solid waste falls through the mesh floor of holding sheds and is stored below on hardstand prior to sale off-site to the horticultural and nursery industry.

Liquid waste is generated on site primarily from contaminated stormwater run-off from operational hardstand areas of the premises. Contaminated stormwater is directed by perimeter drains system to a clay-lined evaporation dam on the north-eastern corner of the property. The main environmental risk factors associated with the site are the potential to impact soil, surface water and groundwater with nutrient rich waste and potential emissions of odour, fugitive dust and noise.

The nearest residence to the holding sheds is approximately 1km to the west with further premises 1.9 km to the northeast and 2 km to the southwest. The site is located within the *Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992* area meaning the management of nutrient rich wastes is important to minimise runoff into surface waters and infiltration to groundwater.

This Licence is the successor to licence L5200/1988/10 and includes conversion to new format including the addition of improvement requirements.

The licences and works approvals issued for the Premises since 2010 are:

Instrument log		
Instrument	Issued	Description
L5200/1988/10	07/10/2010	Licence reissue
L5200/1988/11	draft	Licence re-issue including conversion to new format and addition of improvement requirements.

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'AHD' means the Australian height datum;

'annual period' means the inclusive period from 1 January until 31 December;

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

'AS/NZS 5667.6' means the Australian Standard AS/NZS 5667.6 *Water Quality – Sampling – Guidance on sampling of rivers and streams*;

'AS/NZS 5667.10' means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

'AS/NZS 5667.11' means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

'averaging period' means the time over which a limit is measured or a monitoring result is obtained;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au;

'Licence' means this Licence numbered L5200/1988/11 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'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;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;



'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'six monthly' means the 2 inclusive periods from 1 January to 30 June and 1 July to 31 December; and

'spot sample' means a discrete sample representative at the time and place at which the sample is taken.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2 General conditions

1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.3 Premises operation

1.3.1 The Licensee must ensure that material specified in Table 1.3.1 is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.3.1.

Table 1.3.1: Containment infrastructure		
Containment point reference	Material	Infrastructure requirements
Evaporation pond	Wastewater	Clay-lined
Holding sheds	Manure	Raised sheds with a compacted limestone sub-floor for the collection of manure
Carcass cold storage area	Carcasses	Sealed cold storage

1.3.2 The Licensee shall ensure that where wastes produced on the Premises are not taken off-site for lawful use or disposal, they are managed in accordance with the process requirements in Table 1.3.2.



Table 1.3.2: Management of Waste		
Waste type	Process	Process requirements
Wastewater	Evaporation	Wastewater run-off from livestock holding areas shall be directed to the evaporation pond via concrete or clay-lined catch drains
Carcasses	Storage	Carcasses stored beyond 24 hours of the animals death shall be stored within cold storage
Manure	Stockpiling	Contained beneath livestock holding sheds where water from rain, sprinklers or surface drainage cannot access the manure, pending its removal offsite.

2 Monitoring

2.1 General monitoring

2.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all wastewater sampling is conducted in accordance with AS/NZS 5667.10;
- (c) all surface water sampling is conducted in accordance with AS/NZS 5667.6;
- (d) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- (e) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.

2.2 Monitoring of inputs and outputs

2.2.1 The Licensee shall undertake the monitoring in Table 2.2.1 according to the specifications in that table.

Table 2.2.1: Monitoring of inputs and outputs		
Input/Output	Units	Frequency
Sheep	Number of animals	Each truck load of animals entering and exiting the premises

2.3 Ambient environmental quality monitoring

2.3.1 The Licensee shall undertake the monitoring in Tables 2.3.1 and 2.3.2 according to the specifications in those tables and record and investigate results that do not meet any limit specified.



Table 2.3.1: Monitoring of ambient surface water quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
S1, S2 and S3 (Surface water monitoring points as shown on map of monitoring points in Schedule 1)	pH	-	Instantaneous ¹ or spot sample	Two sample events between the months of April and October separated by at least one month
	Electrical conductivity	µS/cm		
	Total nitrogen, nitrate nitrogen, ammonia nitrogen and total phosphorus	mg/L	Spot sample	
D1, D2 and D3 (Drain monitoring points as shown on map of monitoring points in Schedule 1)	pH	-	Instantaneous ¹ or spot sample	
	Electrical conductivity	µS/cm		
	Total nitrogen, nitrate nitrogen, ammonia nitrogen and total phosphorus	mg/L	Spot sample	

1. In-field non-NATA accredited analysis permitted.

Table 2.3.2: Monitoring of ambient groundwater quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
MB1, MB2, MB3 and MB4 (Groundwater monitoring boreholes as shown on the map of monitoring locations in Schedule 1)	Standing water level ¹	m(AHD)	Instantaneous ²	Six monthly ³
	pH	-	Instantaneous ² or spot sample	
	Electrical conductivity	µS/cm		
	Total nitrogen, nitrate nitrogen, ammonia nitrogen and total phosphorus	mg/L	Spot sample	

1. SWL shall be determined prior to collection of water samples.

2. In-field non-NATA accredited analysis permitted.

3. Six monthly monitoring is to be undertaken at least 5 months apart.



3 Improvements

3.1 Improvement program

3.1.1 The Licensee shall complete the improvements in Table 3.1.1 by the date of completion in Table 3.1.1.

Improvement reference	Improvement	Date of completion
IR1	The Licensee shall conduct a hydrogeological review of the Premises and submit to the CEO a report that details: (i) a summary of the hydrogeological context of the site; (ii) an assessment of groundwater levels and flow direction; (iii) an assessment of existing groundwater monitoring bores; (iv) an assessment of groundwater monitoring requirements based on identified sources and pathways of all potential solid and liquid waste discharges; and (v) proposals to replace and install upgradient and downgradient groundwater monitoring bores including timeframes and proposed bore specifications.	30 April 2016
IR2	The Licensee shall submit to the CEO a report containing an assessment of the design capacity of the existing wastewater collection system including the livestock holding areas, catch drains and the evaporation pond to confirm run-off generated from a 1 in 20 year storm event (20 year average recurrence interval) of 72 hours duration can be adequately contained.	30 April 2016

4 Information

4.1 Records

4.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

4.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

4.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

4.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.



4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 45 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 2.2.1	Monthly total of animals held	Tabular format
Table 2.3.1	Ambient surface water quality monitoring - pH, electrical conductivity, total nitrogen, nitrate nitrogen, ammonia nitrogen and total phosphorus	
Table 2.3.2	Ambient groundwater quality monitoring – Standing water level, pH, electrical conductivity, total nitrogen, nitrate nitrogen, ammonia nitrogen and total phosphorus	
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains an assessment of the information contained within the report against previous monitoring results and Licence limits.

4.2.3 The Licensee shall submit the information in Table 4.2.2 to the CEO according to the specifications in that table.

Table 4.2.2: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form¹
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEOs request	As received by the Licensee from third parties

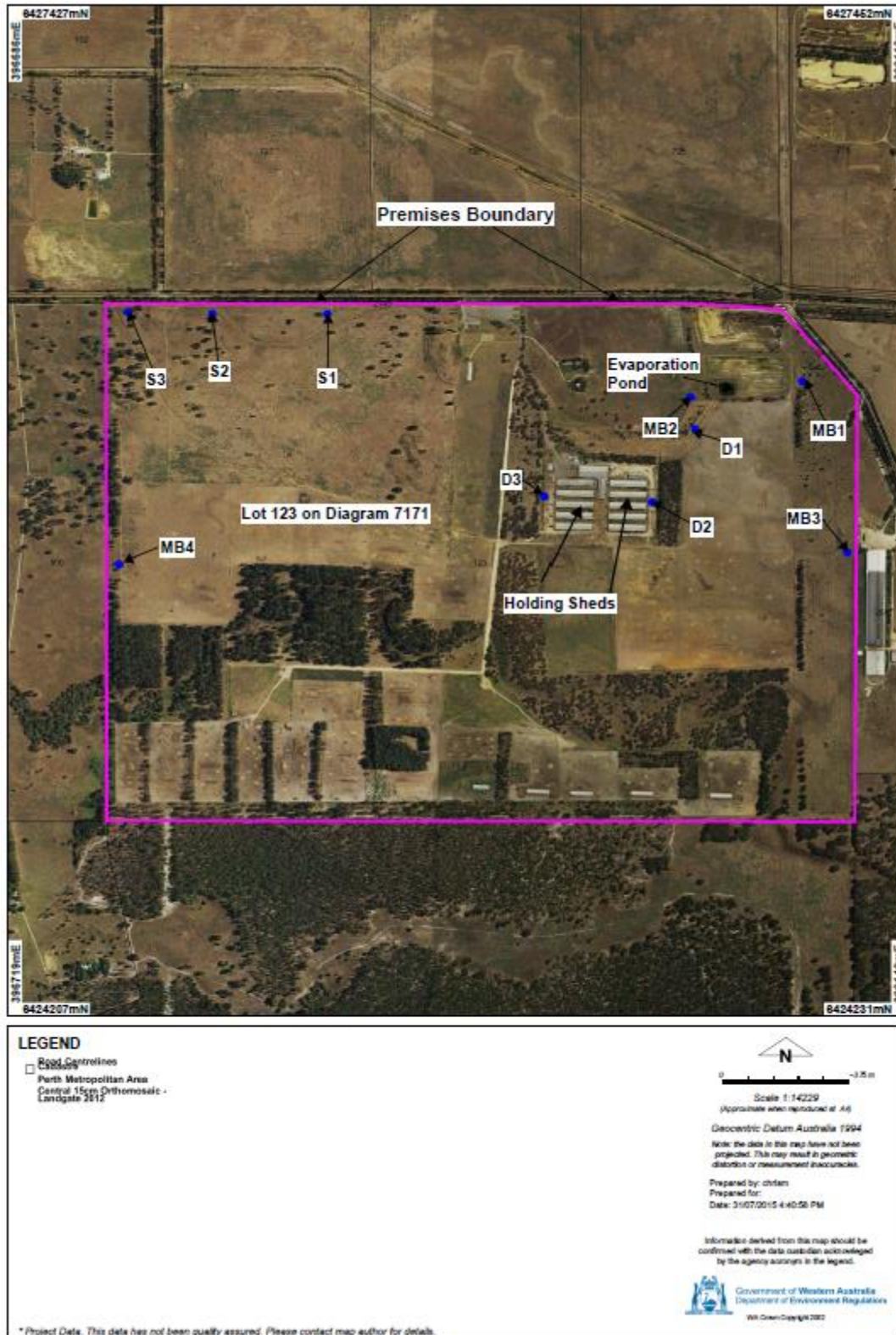
Note 1: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary. The locations of the monitoring points defined in Tables 2.3.1 and 2.3.2 are also shown below.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A

LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____ / ____ / ____

DATE: ____ / ____ / ____

SEAL (if signing under seal)



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Rural Export & Trading (W.A.) Pty Ltd

Licence: L5200/1988/1

Registered office: 43 Ventnor Avenue
WEST PERTH WA 6005

ACN: 008 781 664

Premises address: Rural Export & Trading (W.A.) Pty Ltd – Peel Feedlot
848 Mundijong Road
MARDELLA WA 6125
Being Lot 123 on Diagram 7171

Issue date: Thursday, 01 October 2015

Commencement date: Friday, 09 October 2015

Expiry date: Thursday, 08 October 2020

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by:

Chris Malley
Licensing Officer

Decision Document authorised by:

Jonathan Bailes
Delegated Officer



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Appendix A	Error! Bookmark not defined.

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.



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	Category number(s)	Assessed design capacity
	55	2, 000,000 animals per annual period
Application verified	Date: 01/07/2015	
Application fee paid	Date: 14/07/2015	
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	N/A	
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> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If Yes include details of which EPP(s) here. <i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i>		
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If Yes, include details here, e.g. Site is subject to SO ₂ requirements of Kwinana EPP.		



3 Executive summary of proposal and assessment

Rural Export & Trading (W.A.) Pty Ltd – Peel Feedlot (“the licensee”) has operated a sheep feedlot at the premises since 1978 and held a licence under Part V of the *Environmental Protection Act 1986* since 1988. Sheep are transported to the site to become accustomed to pellet feed whilst awaiting short-haul transshipment to Fremantle Port for overseas shipment. The majority of sheep are held in raised holding sheds with the ability to rotate small numbers within paddocks on the remainder of the premises. Solid waste falls through a mesh floor of holding sheds and accumulates below on a concrete sub-floor prior to collection and sale to the horticultural and nursery industry. The site is zoned rural and surrounded by rural zoned land including a licensed cattle feedlot on the property adjacent east. A Bush Forever conservation area extends south from the premises on the adjacent premises. There is at least one rural residence within 1 km of the boundary (east); however it is more than 1 km from the holding sheds and evaporation pond. There are potentially several other rural residences 500 m to 1 km from the premises boundary, however the distances are more than 1 km from the holding sheds.

Emissions and discharges from the activities on site include potential odour, fugitive dust, solid waste (manure), liquid waste (contaminated stormwater run-off) and noise. As the site is located within the *Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992* area, the management of solid and liquid wastes that are rich in nutrients are key factors to minimise the risk on soil, surface water and groundwater contamination. Run-off from operational areas is directed into concrete drains and then to a clay-lined evaporation pond. Manure is contained on a compacted limestone floor beneath the holding sheds where it is protected from rainfall and surface water runoff pending its removal.

DER has converted the licence into a new format and the majority of requirements from Licence L5200/1988/10 have been retained in this Licence (L5200/1988/11) as outlined in the Section 4 decision table. The following summarises key changes in this licence from the previous version:

- the requirement to maintain fencing around specified revegetation areas was deleted (refer to Section 4 – Premises operation);
- fugitive dust conditions were deleted (refer to Section 4 – Fugitive emissions);
- the mass loading of total phosphorus discharge limit was deleted (refer to Section 4 – Emissions to land including monitoring);
- the ambient surface water and ground water monitoring program was modified (refer to Section 4 – Ambient quality monitoring); and
- Improvement requirements were added (refer to Section 4 – Improvement requirements).

As part of this process, DER has also considered changes requested to the ambient water monitoring program in the licensee’s application to amend Licence L5200/1988/10 dated 18 December 2014. The following was determined in relation to the licensee’s three requests:

- DER disagreed with the requested removal of nitrates from the surface water and groundwater monitoring program and has retained this requirement (refer to Section 4 – Ambient quality monitoring);
- DER disagreed with the removal of total dissolved solids (TDS) from the surface water monitoring program and has retained this requirement by changing the parameter to electrical conductivity. Electrical conductivity has also been added to the monitoring suite for groundwater bores (refer to Section 4 – Ambient quality monitoring); and
- DER included improvement requirements to investigate and resolve issues with groundwater boreholes being frequently dry (refer to Section 4 – Improvement requirements).

DER will reassess the licence once the improvement requirements are complete and consider the appropriate regulatory approach based on this assessment.



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 L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	N/A	There are no conditions to be included in this section in addition to conditions L1.2.1 and 1.2.2 that form part of the licence template.	N/A
Premises operation	L1.3.1 L1.3.2	<p>Conditions L1.3.1 and L1.3.2 will be included in this section to combine and replace conditions of Licence L5200/1988/10 that relate to waste containment infrastructure and management of wastes.</p> <p>Condition 1.3.1 and its table specifies key containment infrastructure and its purpose at the premises including the:</p> <ul style="list-style-type: none"> • evaporation pond (wastewater) • catch drains (wastewater) • holding sheds (manure); and • carcass cold storage area (carcasses) <p>This condition replaces the following key elements of Licence L5200/1988/10 and does not impose any additional requirements:</p> <ul style="list-style-type: none"> • Condition G4(a) and G4(b) – Sheep sheds that allow collection of manure on a hardstand; • Condition G5 – carcass cold storage area; and • Condition W2(b) – drainage of wastewater from operational areas to a clay-lined evaporation pond 	<p>Licence L5200/1988/10 – conditions G4(a), G4(b), G5, W2(a) and W2(b)</p> <p><i>Regulatory Principles</i>, DER, July 2015</p> <p><i>Revegetation and Drainage – Management Plan Lot 2 Mundijong Road, Agriculture Western Australia</i>, May 1999</p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>Condition 1.3.2 and its table specify key requirements for the management of waste including wastewater, carcasses and manure. It replaces the following key elements of Licence L5200/1988/10 and does not impose any additional requirements:</p> <ul style="list-style-type: none"> • Condition G4(b), W2(a) and W2(b) – The conditions were repetitious however the intent is that wastewater is directed to the evaporation pond via the catch drains where it is disposed of via evaporation; • Condition G5 – Where carcasses are to be stored beyond 24 hours of the animals death, they need to be isolated within the cold storage area; and • Condition G4(b) and W2(a) – Manure is to be stored on the sub-floor beneath the holding sheds where water from rain, sprinklers or surface drainage cannot access the manure. <p>It is noted that conditions 1.3.1 and 1.3.2 are consistent with Licence L8338/2009/2 granted to Wellard Rural Exports Pty Ltd on 13/03/2014 for the nearby La Bergerie livestock holding facility.</p> <p>Condition G6 in Licence L5200/1988/10 was a premises specific requirement to maintain fencing around revegetation areas as shown in the referenced <i>Revegetation and Drainage – Management Plan Lot 2 Mundijong Road, Agriculture Western Australia</i>, May 1999. The areas were depicted in the premises map attached to the licence and the intent of the condition is to prevent stock access.</p> <p>The plan itself is a map prepared in approximately 1999 indicating existing vegetation and proposed revegetation areas in the broader areas of the premises. The requirement to maintain fencing will not be retained in Licence L5200/1988/11 as it is not consistent with published guidance statement: <i>Regulatory Principles</i>, July 2015. The condition does not clearly relate to the regulation of emissions or discharges, or the prevention of unacceptable risk of harm to public health or the environment. At the last compliance inspection on 10/11/2014, DER Officers noted that the fencing was in place and suitably maintained. As the area is already fenced and the licensee holds</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		sheep primarily in dedicated sheds, the condition will be removed as it is no longer relevant.	
Emissions general	N/A	There are no conditions in this section of Licence L5200/1988/11 as there are no descriptive or numeric limits specified in the licence.	N/A
Point source emissions to air including monitoring	N/A	The site does not have point source emissions to air therefore no conditions have been imposed relating to point source air emissions or monitoring.	N/A
Point source emissions to surface water including monitoring	N/A	<p>The site does not have point source emissions to surface water therefore no specific conditions have been imposed relating to point source emissions to surface water or monitoring.</p> <p>The potential for emissions to surface water is managed and regulated through conditions 1.3.1 and 1.3.2 for containment infrastructure and management of waste respectively as described above in the 'premises operation' section. Ambient surface water quality monitoring requirements are to be included in condition 2.3.1 and this discussed below.</p>	N/A
Point source emissions to groundwater including monitoring	N/A	The site does not have point source emissions to groundwater therefore no conditions have been imposed relating to point source emissions to groundwater or monitoring.	N/A
Emissions to land including monitoring	N/A	<p>Licence L5200/1988/10 contained condition W1 that required the licensee to operate the premises to prevent the mass loading of total phosphorus discharged from the premises from exceeding 330 kg per calendar year.</p> <p><u>Emission Description</u> <i>Emission:</i> Phosphorus contained within animal manures. <i>Impact:</i> The site is located within the <i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i> area which is sensitive to excessive nutrient input. Animal</p>	<p>Licence L5200/1988/10 – Condition W1</p> <p><i>Regulatory Principles</i>, DER, July 2015 – Page 4.</p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>manures that are inadequately contained or where leachate runoff is inadequately captured can result in contaminated runoff into surface water, soil and infiltration to groundwater. Nutrient impacts into the catchments may contribute to ecological impacts on the system.</p> <p><i>Controls:</i> Sheds are constructed with a compacted limestone sub-floor so manure is contained and rainfall is excluded. Operational livestock areas are also hardstand where contaminated run-off is directed via impermeable drains to a clay lined evaporation pond.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Condition W1 in Licence L5200/1988/10 has been removed. The historical context of the condition relates to the site's location within the <i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i> area which continues to be sensitive to nutrient export into the catchment from activities across the region. DER has decided to delete the condition as it does not conform to its published guidance statement: <i>Regulatory Principles</i>, July 2015 (Page 4 – appropriate conditions). The condition is not viewed as justifiable, clear and enforceable. The condition has been progressively removed from other similar licences in the region, primarily because there is no accurate means to demonstrate and audit compliance.</p> <p>Licence L5200/1988/11 will require the storage of wastewater and manure in specified containment infrastructure (condition 1.3.1), management of waste (condition 1.3.2) and monitoring of ambient environmental quality (surface water and groundwater). DER has also imposed an improvement program (IR1 in condition 3.1.1) to ensure that groundwater monitoring bores are appropriately located and installed. These</p>	<p><i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>regulatory controls are sufficient to address the risk of phosphorus emissions to the environment.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Residual Risk Rating:</i> Moderate</p>	
Fugitive emissions	N/A	<p>Licence L5200/1988/10 contained fugitive dust conditions therefore it has been reassessed.</p> <p><u>Emission Description</u> <i>Emission:</i> Fugitive dust from stock agisting and transport activities (normal operations). During normal operations, the potential for fugitive dust emissions is only relevant to the summer months, and more specifically sustained periods of hot, dry and moderate to strong windy conditions. The key source is likely to be the paddocks; however, sheep are primarily held in sheds with only occasion low densities of sheep held in paddocks on a rotational basis. The only other key sources of potential fugitive dust are movement of stock trucks on unsealed roads and from the holding sheds. <i>Impact:</i> Reduced local air quality causing a nuisance. The nearest sensitive receptor is approximately 1 km away. Site is located within a rural zoned area and surrounding premises are rural properties including an adjacent licensed cattle feedlot. DER has no recent records of dust complaints reported against the premises. Fugitive dust from paddocks is likely to be commensurate with other rural and agricultural properties in the localised area. Historically fugitive dust from the paddocks was related to overstocking and associated land degradation that had occurred. Since the late 1990s the licensee has largely addressed this through extensive revegetation and land regeneration activities in consultation with DER and the Department of Agriculture and Food Western Australia. <i>Controls:</i> The licensee manages dust in accordance with its <i>Dust Management Plan for the Sheep Feed Lot at Lot 2 Mundijong Road, Mundijong</i>, ATA Environmental, June</p>	<p>Licence L5200/1988/10 – Conditions A1(a), A1(b) and A2</p> <p><i>Dust Management Plan</i>, ATA Environmental, June 2010</p> <p>DER Inspection Report for 10/11/2015 (Infobase doc. A826404) – Section B, conditions A1 and A2 explanation of findings</p> <p><i>Environmental Protection Act</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>2000. It also uses water sprays in central yards, has bituminised internal roads, prioritises the holding of stock within sheds, maintains vegetative buffers in and around the premises, and ensures the rotation of stock. Grass cover is maintained across the feedlot with pasture management, housekeeping practices include cleaning of pens before/after sheep loads and maintaining roads. The licensee planted 2520 seedlings in 2013 to continue tree belt development and revegetation. (Source: Explanation of findings within Section B of DER Inspection Report for 10/11/2015, Infobase doc. A826404).</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Licence L5200/1988/10 had three separate requirements for fugitive dust including the prevention of visible dust crossing the boundary (condition A1(a)), implementation of measures to minimise dust lift-off (condition A1(b)) and implementation of the above-mentioned dust management Plan (condition A2). As fugitive dust is assessed to be low risk, Licence L5200/1988/11 will not include specific conditions relating to control of fugitive dust emissions. The licensee is required to comply with the general provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Residual Risk Rating:</i> Low</p> <p>The potential for fugitive emissions to groundwater is managed and regulated through conditions 1.3.1 and 1.3.2 for containment infrastructure and management of waste</p>	1986 – Part V



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		respectively as described above in the 'premises operation' section. Ambient groundwater quality monitoring requirements are to be included in condition 2.3.1 and this discussed below.	
Odour	N/A	Licence L5200/1988/10 did not contain any specific odour conditions. Odour was not re-assessed as part of this licence renewal and Licence L5200/1988/11 will not contain any specific odour conditions.	Licence L5200/1988/10
Noise	N/A	Licence L5200/1988/10 did not contain any specific noise conditions. Noise was not re-assessed as part of this licence renewal and Licence L5200/1988/11 will not contain any specific noise conditions.	Licence L5200/1988/10
Monitoring general	L2.1.1	As requirements for ambient surface water and groundwater monitoring are to be retained in the licence, Condition 2.1.1 has been included to specify the relevant applicable sampling and analysis standards.	N/A
Monitoring of inputs and outputs	L2.2.1	Licence L5200/1988/10 contained condition G1 requiring the licensee to maintain a monthly record of animal numbers held at the premises including export details. This data was required to be reported in the Annual Environmental Report. The requirement to monitor animal numbers has been included in condition 2.2.1 of Licence L5200/1988/11.	Licence L5200/1988/10
Process monitoring	N/A	Licence L5200/1988/10 did not contain any requirements for process monitoring and the need for process monitoring has not been re-assessed. There will no process monitoring conditions in Licence L5200/1988/11.	Licence L5200/1988/10
Ambient environmental quality monitoring	L2.3.1	Licence L5200/1988/10 contained conditions requiring the licensee to undertake ambient surface water and groundwater quality monitoring. This included drainage channels capturing contaminated runoff from operational areas and discharging to the evaporation pond, drainage channels in the north-west area of the premises and groundwater boreholes. Requirements for ambient groundwater and surface water quality monitoring are justified by the location of the site within the <i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i> area and the fact that wastes produced on site are	Licence L5200/1988/10 <i>Assessment and management of contaminated sites,</i> Contaminated sites guidelines,



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>inherently rich in nutrients. Ambient groundwater and surface water monitoring requirements are common to licences for intensive animal agricultural industries.</p> <p>As an outcome of the DER compliance inspection on 10 November 2014, the licensee submitted an application to amend Licence L5200/1988/10 (dated 18 December 2014) relating to its monitoring requirements. The licensee requested:</p> <ol style="list-style-type: none"> 1. A groundwater monitoring frequency of at least 3 months between sampling events; 2. Nitrate nitrogen sampling be removed from both surface water and groundwater programs; and 3. Total dissolved solids are removed from the surface water monitoring program. <p>DER has considered these points as part of this licence renewal assessment.</p> <p><i>Point 1 - Groundwater monitoring frequency</i> Refer to the 'Improvement' section below.</p> <p><i>Point 2 - Removal of ambient nitrate nitrogen monitoring</i> Nitrate is a form of nitrogen that moves easily with water (i.e. water soluble) through the soil and can leach past the root zone in excessive concentrations to groundwater, particularly where shallow groundwater or sandy soils exist. High concentrations of nitrates are associated with animal waste and elevated levels of nitrates in soil profiles, groundwater and surface water can be associated with intensive agricultural industries such as livestock holding facilities. The licensee's amendment application contended that nitrate is useful in the assessment of drinking water and potential impact to human health however, total nitrogen and ammonia are sufficient given the site's activities to determine if there is an impact. One of the primary concerns with nitrate is its risk to public health in drinking water and its potential toxicity to animals. While the site is not within a known drinking water catchment and there is no known risk to public health, the site is in a rural area where groundwater can often be used for human and/or animal consumption. The beneficial use of groundwater in the localised area is not</p>	<p>DER, December 2014 – Appendix B (Potentially contaminating industries, activities and land uses)</p> <p><i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i></p> <p>Form P4 - Application to amend a licence, Rural Export & Trading (W.A.) Pty Ltd, dated 18/12/2014 (Infobase doc. A846623)</p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>known. Nitrate is a well-established indicator of potential contamination from sites like intensive livestock holding yards. Nitrates are a common contaminant type associated with intensive agriculture (including feedlots and saleyards) as noted in <i>Assessment and management of contaminated sites</i>, Contaminated sites guidelines, DER, December 2014 (“Contaminated Sites Guidelines”). It is not considered unreasonable to analyse for nitrate in the context that total nitrogen and ammonia-nitrogen are already being analysed. Based on these considerations, DER has decided to retain nitrate monitoring in the ambient monitoring program in Licence L5200/1988/11.</p> <p><i>Point 3 – Removal of total dissolved solids (TDS) monitoring of surface water</i> The licensee requested that the TDS be removed from the ambient surface water requirements. It advised that rain and associated run-off, although often impacted by sediment, has been consistently found to have low TDS values. It considered that dilution factors associated with rainfall along with the activities potential contaminants of concern mean that TDS is unlikely to affect stormwater.</p> <p>The intent of requiring measurement of TDS is that TDS is an indicator for water quality with respect to salinity, however electrical conductivity could be measured in place of TDS. While there is no exact relationship between conductivity and TDS, there is an approximate relationship where TDS can be estimated from electrical conductivity. The Contaminated Sites Guidelines include salinity as a common contaminant from intensive agriculture (including feedlots and saleyards) and therefore DER will retain a salinity measure as part of the ambient surface water program. It is likely an oversight that neither TDS nor electrical conductivity has been historically measured as part of the groundwater monitoring programme and a salinity measure will be added consistent with other local licensed livestock holding yards.</p> <p>DER had initially determined it would continue to require surface water monitoring of TDS and include TDS in the groundwater monitoring requirements. However, the licensee provided comments on the draft licence (refer to Appendix A) further requesting the removal of TDS. DER has decided to change the requirement from</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>TDS to electrical conductivity in surface water monitoring. Monitoring of electrical conductivity will achieve the same environmental outcome and additionally allows field analysis to occur along with pH.</p> <p>DER will include condition 2.3.1 specifying ambient water monitoring requirements. Based on the above considerations and review of the monitoring requirements more generally, the following changes were made:</p> <ul style="list-style-type: none"> • TDS will be changed to electrical conductivity in the surface water monitoring requirements; • electrical conductivity will be additionally monitored in groundwater boreholes; • in addition to pH, the licensee will be able to analyse electrical conductivity in the field for both surface water and groundwater; • surface water samples will be required twice between April and October (separated by at least 1 month) to provide more flexibility and aims to reduce the likelihood of non-samples due to lack of flow; and • groundwater samples will need to be separated by at least 5 months as per DER's licence template requirement. This is not believed to be unreasonable given the fulfilment of improvement requirements should address ongoing issues with a lack of water in some bores. <p><u>Emission Description</u> <i>Emission:</i> Fugitive emissions of nutrients associated with animal manures. <i>Impact:</i> The site is located within the <i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i> area which is sensitive to excessive nutrient input. Animal manures that are inadequately contained or where leachate runoff is inadequately captured can result in contaminated runoff into surface water, soil and infiltration to groundwater. Nutrient impacts into the catchments may contribute to ecological impacts on the system. <i>Controls:</i> Sheds are constructed with a compacted limestone sub-floor so manure is contained and rainfall is excluded. Operational livestock areas are also hardstand</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>where contaminated run-off is directed via impermeable drains to a clay lined evaporation pond.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Licence L5200/1988/11 requires the licensee to implement an ambient environmental quality program (surface water and groundwater) in condition 2.3.1. For the reasons explained above DER has decided to retain nitrate and change TDS to electrical conductivity analysis in the monitoring programme. Electrical conductivity will also be added to the groundwater monitoring programme.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Residual Risk Rating:</i> Moderate.</p>	
Meteorological monitoring	N/A	Licence L5200/1988/10 did not contain any requirements for meteorological monitoring and this has not been re-assessed. There will be no meteorological monitoring conditions in Licence 5200/1988/11.	Licence L5200/1988/10
Improvements	L3.1.1	<p>As an outcome of the DER compliance inspection on 10 November 2014, the licensee submitted an application to amend Licence L5200/1988/10 relating to its monitoring requirements. The request included a reduction of the minimum separation between sample events from 4 months to 3 months.</p> <p>The context of this request is that the licensee has either not sampled boreholes on occasions or did not meet the minimum 4 month separation between events. The cause of this is ongoing issues with lack of water present in some bores over some</p>	La Bergie Licence L8338/2009/2 Draft <i>Environmental Standard: composting</i> , DER, June 2015



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>periods of the year. This is likely to be in part due to declining rainfall and potentially relate to revegetation activities on the premises. DER does not believe that changing monitoring frequency, timing, or minimum separation between sample events will address the underlying issue that the screening level of some bores is no longer below the lowest seasonal groundwater level. A better alternative is to replace existing bores (not necessarily in the same locations) based on a review of the hydrogeological context of the site and also the source, receptor and pathways of potential soil, groundwater and surface water contaminants.</p> <p>It is noted that nearby La Bergerie livestock holding facility (L8338/2009/2) has experienced similar issues with dry boreholes and was required to undertake site investigations and propose the installation of new monitoring bores.</p> <p>DER has included improvement requirement IR1 in condition 3.1.1 that requires the licensee to conduct a hydrogeological review of the premises and submit a report. The ultimate goal of IR1 is for the licensee to install new groundwater monitoring bores that reflect current and foreseeable seasonal groundwater fluctuations and are appropriately located based on waste sources, pathways and receptors. Once the licensee has completed this improvement requirement, DER will further reassess the regulatory approach.</p> <p>DER has included IR2 requiring the licensee to review the wastewater collection system with the aim to confirm it can adequately contain run-off generated from a 1 in 20 average recurrence interval (ARI) rainfall event of 72 hours duration. This is to ensure that the wastewater collection system including operational areas, drains and the evaporation pond can contain potentially contaminated run-off from such an event without resulting in a discharge to the environment. DER has chosen a 1 in 20 ARI of 72 hours duration consistent with similar requirements of La Bergerie livestock holding facility (L8338/2009/2). While the licensee is not a composting facility, the draft <i>Environmental Standard: composting</i>, DER, June 2015 specifies a hardstand drainage design criteria of 1 in 20 AR of 72 hr duration and given generic similarities in the</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>nature of managing organic based waste, this is deemed a suitable criteria for the licensee as part of its investigation. Where the licensee finds that it does not meet that criteria, DER will further review the environmental risk and engage with the licensee on potential further improvements.</p> <p><u>Emission Description</u> <i>Emission:</i> Fugitive emissions of nutrients associated with animal manures. <i>Impact:</i> The site is located within the <i>Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</i> area which is sensitive to excessive nutrient input. Animal manures that are inadequately contained or where leachate runoff is inadequately captured can result in contaminated runoff into surface water, soil and infiltration to groundwater. Nutrient impacts into the catchments may contribute to ecological impacts on the system. <i>Controls:</i> Sheds are constructed with a compacted limestone sub-floor so manure is contained and rainfall is excluded. Operational livestock areas are also hardstand where contaminated run-off is directed via impermeable drains to a clay lined evaporation pond. DER is unaware whether the design of the runoff system can cater for a 1 in 20 ARI of 72 years during without uncontrolled discharge or overtopping of the pond. The licensee monitors groundwater bores, however a number of bores have been unreliable for sampling due to declining water levels.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Licence L5200/1988/11 will require two improvements (IR1 and IR2) in condition 3.1.1. IR1 requires the licensee to undertake scientific investigations and ultimately propose justified locations for new groundwater bores that are installed at the correct depth and</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>located based on known source and pathway information. IR2 requires the licensee to undertake a basic assessment of the existing drainage system to ensure in can contain contaminated runoff associated with a 1 in 20 AR of 72 hours duration. DER will reassess the regulatory controls once the information is provided.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Residual Risk Rating:</i> Moderate.</p>	
Information	L4.1, L4.2	<p>The licence will contain the minimum requirements in section 4.1 for maintaining records. The requirement to maintain a complaints management system will be a new requirement for the licensee.</p> <p>The licence will contain the minimum requirements in section 4.2 for reporting. This relates to submission on an Annual Environmental Report. Licence L5200/1988/10 required the licence to include an assessment against previous monitoring results therefore this has been included as condition 4.2.2 in Licence L5200/1988/11. As the licensee undertakes ambient water monitoring and has samples analysed in a laboratory, condition 4.2.3 has been included to all original monitoring reports to be obtained on request.</p>	L5200/1988/10
Licence Duration		The licence will be issued for a further 5 years.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
20/07/2015	Application advertised	No submissions received.	N/A
31/08/2015	Licensee sent a copy of draft instrument and decision document	The licensee provided verbal feedback during a phone conversation on 10/09/2015 and was asked to provide a formalised written response of the points raised for DER consideration. The licensee provided its comments via email on 11/09/2015. Refer to Appendix A.	Refer to Appendix A.



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



APPENDIX A – LICENSEE COMMENTS ON DRAFT DOCUMENTS

Licensee's Comment	DER Consideration & Outcome
<p>Page 1 of 13 Refer to Table in <i>Prescribed premises category</i> under column Approved Premises production or design capacity</p> <p>To be reworded to read: 2 million animals per annum. Reason – 16,000,000 head is the number of sheep nights not the number of sheep.</p>	<p>DER notes the clarification and will update the decision document and licence to reflect the design capacity of 2 million animals per year.</p>
<p>Page 5 of 13 Table 1.3.1: Containment infrastructure under column Infrastructure requirements</p> <p>Raised sheds with a concrete sub-floor for the collection of manure.</p> <p>To be reworded to read: Raised sheds with a compacted limestone hardstand for the collection of manure.</p>	<p>DER notes the clarification that the sheds have a compacted limestone pad sub-floor and not concrete. DER's definition of 'hardstand' is a permeability of less than 10^{-9} m/s and as compacted limestone is unlikely to meet this specification it will update the condition table to state 'compacted limestone.'</p>
<p>Page 6 of 13 Table 1.3.2: Management of Waste – Wastewater under column Process requirements</p> <p>Wastewater run-off from livestock holding areas shall be directed to the evaporation pond via concrete catch drains.</p> <p>To be reworded to read: Wastewater run-off from livestock holding areas shall be channelled to clay lined drains leading to the evaporation pond.</p>	<p>DER notes the clarification that catch drains are not necessarily constructed of concrete. Photographs from the last compliance audit inspection indicate concrete channels around the livestock holding areas, however during the phone conversation on 10/09/2015 the licensee clarified that contaminated runoff channels were concrete around the livestock holding areas but from the holdings areas to the evaporation pond were clay-lined.</p> <p>Accordingly, DER will update Table 1.3.2 of the licence to specify that run-off be directed to the evaporation pond via concrete and/or clay-lined channels. This reflects the fact that the site is designed with both.</p>
<p>Page 7 of 13 Table 2.3.1: Monitoring of ambient surface water quality</p> <p>TDS – If this can be dispensed with for surface and drainage water. Request for field monitoring.</p> <p>RETWA request that values for TDS be calculated based on field conductivity readings. In any instance where field readings are not able to be recorded, supplementary laboratory analysis of TDS will be completed.</p>	<p>DER has further assessed and decided to allow the licensee to monitor electrical conductivity (EC) in ambient surface water instead of total dissolved solids (TDS) consistent with the request. The proposed inclusion of TDS monitoring in groundwater bores will also be changed to EC. The 'Ambient environmental quality' risk assessment in the decision table has been updated accordingly.</p>
<p>Page 7 of 13 Table 2.3.2: Monitoring of ambient ground water quality</p> <p>Under column Monitoring point reference and location – MB1, MB2 and MB3</p>	<p>The omission of bore MB4 is in error and Table 2.3.2 will be updated include its reference.</p>



<p>It is noted that MB4 is missing from the Table and should be included.</p> <p>Side note: It is likely that the bore identification numbers will change upon installation of new monitoring bores.</p>	<p>Where necessary, bore numbers can be updated in the licence as an administrative change.</p>
<p>Page 8 of 13 Table 3.1.1: Improvement Program</p> <p>IR1 – We intend to install new monitoring bores to a depth of 7 – 8 meters to allow for seasonal fluctuation.</p> <p>A hydrogeological survey was conducted in 2003 and a copy of the report is attached hereto. If this report is sufficient (rather than carry out another survey) we would ask requirement IR1 be deleted. However, if DER does not agree with this request, then we would ask that the new hydrogeological survey be carried out in conjunction with the installation of new bores. Date of completion to be by 30 April 2016.</p> <p>IR2 – We would request for this condition to be carried out in conjunction with the installation of new bores. Date of completion to be by 30 April 2016.</p>	<p><i>1. Improvement Requirement 1 (IR1)</i></p> <p>IR1 is written so as to establish a basic hydrogeological context of the site and scientifically inform the location, design and installation of groundwater bores based on information such as depth to groundwater, flow direction and the identification of potential contamination sources, pathways and receptors. Establishing the hydrogeological context while installing the bores is therefore of no value and may result in new bores that are not ideally located for the purposes of monitoring potential groundwater quality impacts from contaminant sources. It could also result in upgradient bores in the wrong location.</p> <p>A hydrogeological review of the site can be undertaken using a range of possible sources of information. Where historical information is used such as the 2003 hydrogeological survey, justification should be included to demonstrate the information reflects current groundwater conditions at the site.</p> <p>DER will retain IR1 and include the requested completion date of 30 April 2016.</p> <p><i>2. Improvement Requirement 2 (IR2)</i></p> <p>DER has no objection to the requested completion date. IR1 and IR2 are independent of each other. The licensee can complete the requirements independent of each other or at the same time at its own discretion as long as it submits the relevant reports to the CEO by the due date.</p>
<p>Page 9 of 13 4.2.1 We would request for the Annual Environmental Report be submitted by mid to end of February and request for this to be reworded to read: The Licensee to be submitted within 30 working days after the end of the annual period.</p>	<p>DER has no objections to the request and will update condition 4.2.1.</p>