Government of Western Australia
Department of Environment Regulation

Licence

Division 3 Part V of the Environmental Protection Act 1986 (WA)

Licence Number	L8459
Year issued	2010
Version For amendments or renewals	3
Licensee Full legal name	Wesfeeds Pty Ltd
Licensee ACN number	008 704 050
Registered business address	7-11 Talavera Road NORTH RYDE NSW 2113
Address for notifications If different to registered business address	31 Sevenoaks Street BENTLEY WA 6102
Duration Original Licence term or renewal period	**Commencement date** 17-10-2013 **Expiry Date** 16-10-2018
Prescribed Premises	**Category number of prescribed premises and description** **Category 23** – Animal feed manufacturing: premises (other than premises within category 15 or 16) on which animal food is manufactured or processed. **Production/design capacity** 200,000 tonnes per year
Premises Legal description	29 Sevenoaks Street BENTLEY WA 6102 Lot 22 on Diagram 66811 Certificate of Title Volume 1677 Folio 878
Amendment Effective date	5 February 2016

This Licence is granted in respect of activities to be carried out on the Premises, subject to conditions, to the Licensee on 05 February 2016 by:

Date signed: 5 February 2016

_____

Ed Schuller
Senior Manager – Industry Regulation (Process Industries)
an officer delegated under s20 of the Environmental Protection Act 1986 (WA) (EP Act)

Premises and Activities Description

The Premises is located at 29 Sevenoaks Street, Bentley within the City of Canning. The Premises is located within an industrial zoned area. The closest residential dwelling is 370m south with an immediately adjacent commercial receptor.

The Licensee is carrying out activities at the Premises which fall within Category 23, and are Prescribed Premises under the EP Act. The Premises manufactures animal feed for the commercial poultry and livestock industry through grain handling and processing. Grain is cleaned, milled, ground and then mixed and blended with nutrient-containing preparations such as canola oil and tallow. The mixture is pre-conditioned with heat, pressed, cooled and formed into pellets or retained as mash. Grain processing activities have been occurring at the Premises since establishment in the 1950's.

This Licence should be read in conjunction with the Decision Report (Department of Environment Regulation, February 2016) which provides background information regarding the conditions which have been included in this Licence.

Conditions

Environmental Compliance

1. The Licensee must comply with the EP Act and all regulations prescribed under the EP Act applicable to the Premises and Authorised Activities, including:

(a) the duties of an occupier under s 61;

(b) the duty to notify the CEO of discharges of waste under s 72; and

(c) not causing, or doing anything that is likely to cause, an offence under the EP Act, except where the Licensee does something in accordance with a condition which expressly states that a defence under s 74A of the EP Act may be available.

Premises

2. The Licensee must carry out the **authorised activities** within the Premises in accordance with the requirements set out in Schedule 2 to this Licence.

3. This Licence applies to the Premises defined in the Premises Description Table, and as depicted in the Premises Map in Schedule 1 to this Licence.

Premises Description	
General Location	Legal land description, reserve or tenement (all or part)
29 Sevenoaks Street BENTLEY WA 6102	Lot 22 on Diagram 66811 Certificate of Title Volume 1677 Folio 878

Infrastructure

4. The Licensee must ensure that each item of infrastructure or equipment specified in column 1 is designed and constructed in accordance with the requirements specified in column 2, as set out in the *Infrastructure Requirements Table* below:

Infrastructure Requirements Table		
	Column 1	**Column 2**
	Infrastructure	**Requirements (design and construction)**
1	North Mill	(a) Noise ameliorations must be installed, including: (i) Toshiba VFAS1-411-KPC-WN1 variable speed drives (or equivalent in capability for cooling fan speed control to achieve noise emission reductions) fitted to each of Cooling Fans 1 and 2; (ii) acoustic enclosure of Cooling Fans 1 and 2 including their respective motors; (iii) air emission points discharging at 45 degrees below the horizontal axis that are fitted with silencers or acoustic louvres; and (iv) noise attenuation controls designed and constructed to the specifications of a suitably qualified and experienced acoustic consultant on the baghouse to be installed in part (b). (b) A baghouse must be fitted for particulate collection that meets the following specifications: (i) provides dust extraction to all floors of the mill under negative pressure; (ii) achieves a total suspended particulate concentration of less than 50 mg/m^3 (STP dry) during normal operating conditions; (iii) allows stack sampling of air emissions at locations in accordance with Australian Standard 4323.1 for the purposes of measuring particulates/aerosols and velocity; and (c) Outer doors and other gaps must have appropriate sealing to facilitate negative pressure air extraction.
2	Stormwater treatment	(a) A SPEL Stormceptor Class 1 stormwater treatment device must be installed for the treatment of contaminated stormwater prior to discharge from the Premises. (b) The SPEL Stormceptor Class 1 stormwater treatment device must treat water quality to the following criteria: (i) pH between 6 to 8 units; (ii) total dissolved solids less than 5000 mg/L; (iii) chemical oxygen demand less than 40 mg/L;

Infrastructure Requirements Table		
	Column 1	**Column 2**
	Infrastructure	**Requirements (design and construction)**
		(iv) turbidity between 2 to 15 NTU (v) total petroleum hydrocarbons less than 5 mg/L; and (vi) total phosphorus less than 0.05 mg/L. (c) The device must have a dual chamber and treatable flow rate of at least 80 L/s.
3	Industrial vacuum system	A dust ignition proof vacuum system must be installed for the purposes of cleaning and removing accumulated dust from equipment.

5. The Licensee must provide written confirmation to the CEO that:

(a) the infrastructure specified in **rows 1 and 3** of the *Infrastructure Requirements Table* in Condition 4 have been installed and are operational by 30 June 2016; and

(b) the infrastructure specified in **row 2** of the *Infrastructure Requirements Table* in Condition 4 has been installed and is operational by 30 September 2016.

Noise Emissions Validation Conditions

6. The Licensee must investigate the extent and nature of noise emissions from the Premises within one month of completing the works in the *Infrastructure Requirements Table* in Condition 4.

7. A report prepared assessing the compliance of noise against the assigned levels specified, and in accordance with the methodology required in, the *Environmental Protection (Noise) Regulations 1997* must be submitted to the CEO within one month of completing the noise investigation specified in Condition 6 including:

(a) methods used for any monitoring or modelling of noise;

(b) an assessment of noise levels against any previous noise assessments;

(c) an assessment of whether noise emissions comply with the assigned noise levels in the *Environmental Protection (Noise) Regulations 1997;* and

(d) an improvement plan including timeframes where an assessment indicates that assigned levels do not comply with those specified in the *Environmental Protection (Noise) Regulations 1997.*

8. The Licensee must retain the services of a person competent in environmental noise assessment whose qualifications and experience qualifies them for a membership of the *Australian Acoustical Society* or the *Australian Association of Acoustical Consultants* to undertake and report to the Licensee on Conditions 6 and 7.

Point Source Emissions to Air Validation

9. The Licensee must validate the emissions from the North Mill air emission vent in accordance with the specifications in the *Point Source Emissions to Air Monitoring Table* within one month of completing the works in the *Infrastructure Requirements Table* in Condition 4, row 1.

Point Source Emissions to Air Monitoring Table				
Emission	Location	Units[1]	Frequency	Method
Particulate matter	North Mill air emission vent	mg/m^3 and g/s	Once within one month of completing works in the *Infrastructure Requirements Table* in Condition 4, row 1.	USEPA Method 5 or USEPA Method 17

Note 1: All units are referenced to STP dry.

10. The Licensee must ensure that sampling required under Condition 9 is undertaken at sampling locations in accordance with **AS 4323.1.**

11. The Licensee must ensure that all non-continuous sampling and analysis undertaken pursuant to Condition 9 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.

12. The Licensee must submit a report to the CEO within one month of completing the air emissions validation specifying the results obtained from monitoring pursuant to Condition 9 to show compliance with Condition 4.

Point Source Emissions to Land Validation Monitoring

13. The Licensee must validate the emissions from the SPEL Stormceptor Class 1 stormwater treatment device in accordance with the specifications in the *Emissions to Land Monitoring Table*.

Emissions to Land Monitoring Table				
Emission	Location	Units	Frequency	Average period
pH	Discharge from the SPEL Stormceptor Class 1 stormwater treatment device	None	Two sample events separated by at least one week prior to 1 May 2017	Spot sample
Total dissolved solids		mg/L		
Chemical oxygen demand				
Total petroleum hydrocarbons				
Total phosphorus				
Turbidity		NTU		

14. The Licensee must ensure that:

(a) 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**; and

(c) all laboratory samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

Emissions

15. The Licensee must not cause any ***emissions*** from the Premises except for ***emissions*** that arise from the Authorised Activities and which are not any of the following:

(a) ***unreasonable emissions***; or

(b) ***emissions*** that result in, or are likely to result in, ***pollution, material environmental harm*** or ***serious environmental harm***; or

(c) discharges of ***waste*** in circumstances likely to cause ***pollution***; or

(d) ***emissions*** that result, or are likely to result in, the ***discharge*** or ***abandonment*** of ***waste*** in water to which the public has access.

If the Licensee proves that it has acted in accordance with this Condition, it may be a defence under s 74A of the EP Act to proceedings for offences that arise in relation to emissions described in paragraphs (a) to (d) in this condition.

Dust Emissions Conditions

16. The Licensee must ensure that raw material intake areas are fitted with baffle curtains which are intact and fit for the purpose of ensuring fugitive dust remains within the intake areas specified in the site map in Schedule 1.

17. The Licensee must only unload loose raw materials in the locations specified in the Raw Material Intake Area Table and depicted in Schedule 1.

Raw Material Intake Area Table

Intake Area Reference in Schedule 1	Intake Area
1	Dump sink south silo
2	Dump sink north silo
3	Raw material dump sink
4	Raw material dump sink
5	Flat store bulk raw material storage
6	Bagged raw materials

18. The Licensee must ensure that any doors fitted to raw material intake areas or product storage areas remain in the closed position for the duration of loading and unloading activities.

19. The Licensee must ensure that any spilt or accumulated raw material and product are removed from ground level surfaces at least daily.

Baghouse Management

20. The Licensee must specify all baghouse dust collector systems at the Premises to the CEO within 6 months of the date of the amended Licence, detailing the following:

(a) a list and site plan showing the location of all baghouse dust collectors;

(b) levels for the determination of bag/cartridge failures, with reference to visual, pressure drop measurement or monitoring systems;

(c) levels for the determination of cleaning systems failures, with reference to compressed air availability, jet pulse cleaning systems and shaker cleaning systems; and

(d) timing of checks with a maximum weekly interval for visual inspection.

Records and Information

21. The Licensee must maintain accurate records including information, reports and data in relation to:

(a) monitoring requirements under this Licence; and

(b) the calculation of fees payable in respect of this Licence.

22. If an emission or waste type breaches the limit for that emission or waste type specified in this Licence, then the Licensee must:

(a) investigate why the limit was breached;

(b) take all reasonable steps to prevent the limit being breached again;

(c) record the breach of the limit, the details of the investigation and all steps taken; and

(d) provide a copy of the record to the CEO within 21 days of the date Licensee became aware the limit was breached.

23. The Licensee must record the number and details of any complaints received by the Licensee relating to the Authorised Activities or the Premises, and any action taken by the Licensee 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 Licensee in response to the complaints.

24. If requested by the CEO in accordance with Condition 27, the Licensee must provide the CEO with all details of complaints.

25. All information and records required under this Licence must:

(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; and

(c) be retained for 3 years after the expiry of this Licence.

Reports

26. The Licensee must submit to the CEO within 30 days after the Anniversary Date, an Annual Audit Compliance Report (AACR) in the proforma in Schedule 3 indicating the extent to which the Licensee has complied with the conditions in this Licence for the Annual Period.

27. If requested by the CEO from time to time, the Licensee must provide the CEO with reports or information relating to the Authorised Activities, the Premises or any condition in this Licence (including data from any monitoring conditions, environmental risk assessment studies).

28. Reports or information must be in such form as the CEO may require in a CEO Request.

Requests for Information

29. The Licensee must comply with a CEO Request, within 7 days from the date of the CEO Request or such other period specified in the CEO Request.

Definitions and Interpretation

Definitions

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

Anniversary Date means the anniversary of the date of grant of this Licence.

Annual Period means a 12 month period commencing from an anniversary date and concluding one day prior to the subsequent anniversary date.

AS 4323.1 means the Australian Standard AS4323.1 *Stationary Source Emissions Method 1: Selection of sampling positions.*

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

authorised activities means those activities within the relevant category of prescribed premises to be carried out by the Licensee at the premises, as specified at the front of this Licence. 'Category of prescribed premises' refers to the relevant category specified in Schedule 1 to the EP Regulations.

CEO Request means a request made by the CEO to the Licensee in writing, sent to the Licensee's address for notifications, as described at the front of this Licence, in relation to:

(a) information, records or reports in relation to specific matters in connection with this Licence including in relation to compliance with any conditions and the calculation of fees (whether or not a breach of condition or the EP Act is suspected); or

(b) reporting, records or administrative matters:

  (i) which apply to all Licences granted under the EP Act; or

  (ii) which apply to specified categories of Licences within which this Licence falls.

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

discharge has the same meaning given to that term under the EP Act and, in relation to waste or other matter, includes deposit it or allow it to escape, or cause or permit it to be, or fail to prevent it from being, discharged, deposited or allowed to escape.

emission has the same meaning given to that term under the EP Act and means:

(a) discharge of waste; or

(b) emission of noise, odour or electromagnetic radiation; or

(c) transmission of electromagnetic radiation;'.

environmental harm has the same meaning given to that term under the EP Act and means direct or indirect —

(a) harm to the environment involving removal or destruction of, or damage to —

  (i) native vegetation; or

  (ii) the habitat of native vegetation or indigenous aquatic or terrestrial animals;

  or

(b) alteration of the environment to its detriment or degradation or potential detriment or degradation; or

(c) alteration of the environment to the detriment or potential detriment of an ***environmental value***; or

(d) alteration of the environment of a prescribed kind.

environmental value has the same meaning given to that term under the EP Act and means —

(a) a beneficial use; or

(b) an ecosystem health condition.

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

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

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.

Licensee 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 and means ***environmental harm*** that —

(a) is neither trivial nor negligible; or

(b) results in actual or potential loss, property damage or damage costs of an amount, or amounts in aggregate, exceeding the threshold amount.

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 and means direct or indirect alteration of the environment —

(a) to its detriment or degradation; or

(b) to the detriment of an environmental value; or

(c) of a prescribed kind,

that involves an emission.

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

serious environmental harm has the same meaning given to that term under the EP Act and means ***environmental harm*** that —

(a) is irreversible, of a high impact or on a wide scale; or

(b) is significant or in an area of high conservation value or special significance; or

(c) results in actual or potential loss, property damage or damage costs of an amount, or amounts in aggregate, exceeding 5 times the ***threshold amount***.

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

STP dry means standard temperature and pressure (0^{o}Celsius and 101.325 kilopascals respectively), dry.

threshold amount has the same meaning given to that term under the EP Act and means $20 000, or if a greater amount is prescribed by regulation, that amount.

unreasonable emission has the same meaning given to that term under the EP Act and means an emission or transmission of noise, odour or electromagnetic radiation which unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person.

USEPA means United States (of America) Environmental Protection Agency.

USEPA Method 5 means USEPA *Method 5 – Determination of particulate matter emissions from stationary sources*.

USEPA Method 17 means USEPA *Method 17 – Determination of particulate matter emissions from stationary sources.*

waste has the same meaning given to that term under the EP Act and includes matter —

(a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment; or

(b) prescribed to be waste.

Interpretation

In this Licence:

(a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';

(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; and

(d) any reference to an Australian or other standard, guideline or code of practice in this Licence means the version of the standard, guideline or code of practice in force at the time of granting of this Licence and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Licence.

Licence document history

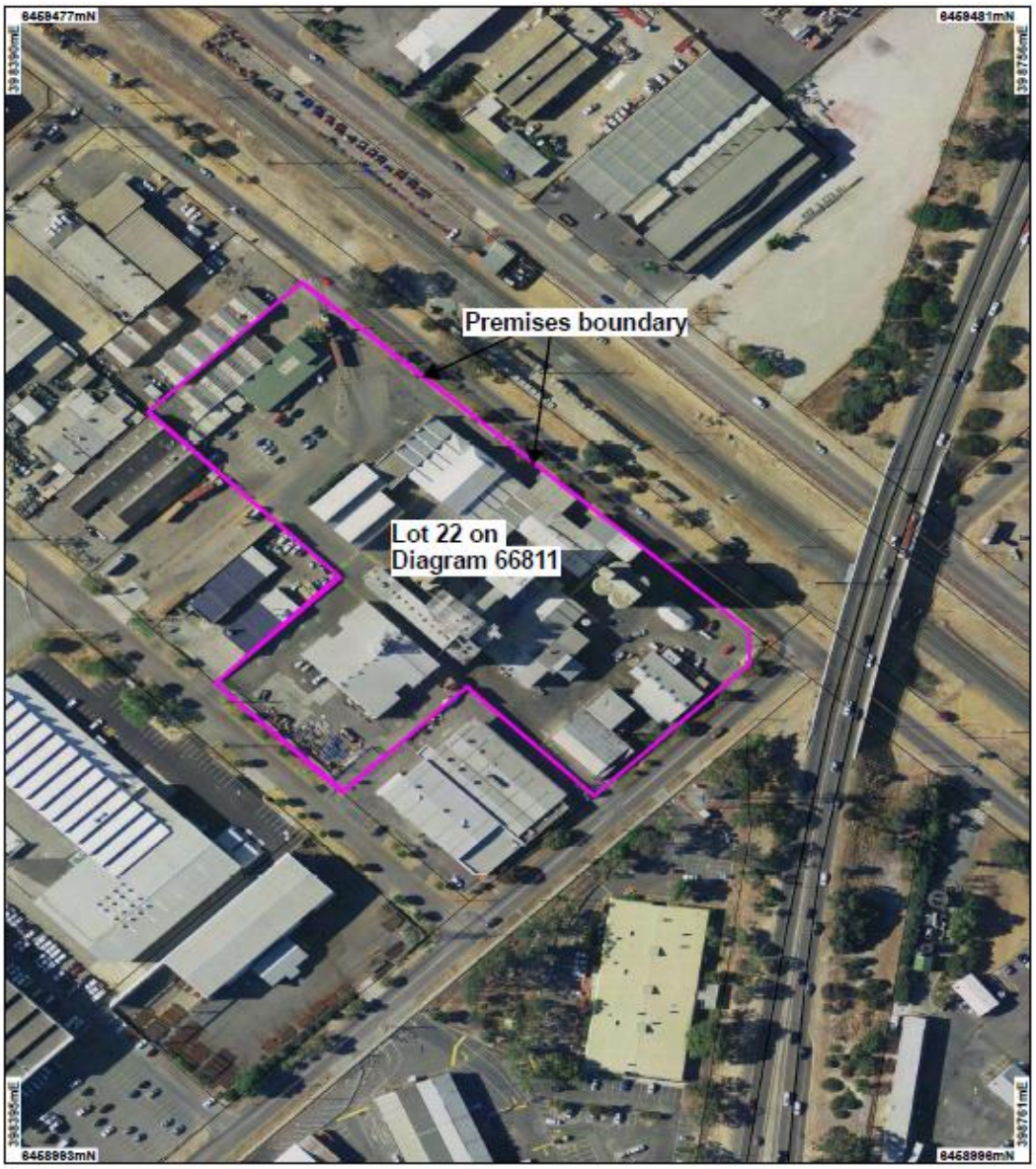
Where this Licence has been amended and revised Licences have been issued, the document history is set out below.

Amendment Description	Date	Instrument No
Licence amended for works relating to noise amelioration, installation of a baghouse and installation of a stormwater treatment device. Licence also converted to a new format.	04/02/2016	L8459/2010/3

Schedule 1: Maps

1. Premises Map

The Premises is shown in the map below. The pink line depicts the boundary to the Premises.



2. Raw Material Intake Area Map

The raw material intake areas are shown in the map below. The numbered labels correspond to the Raw Material Intake Area Table in Condition 17.

Schedule 2: Activities

1. General Description

The Licensee produces a range of feed products for the commercial poultry and livestock industries. Feed manufacture consists primarily of dry grain and materials handling and processing operations. This includes grain delivery and storage grain processing (cleaning, milling and grinding) and product manufacture.

The workflow at the Premises is summarised below:

- Grain and materials are received onsite and transferred.
- Cleaning is undertaken via physical separation/sieving.
- Milling/grinding is carried out to break and reduce the grain.
- Mixing combines ingredients for batching from where the material is dumped into the hopper.
- Blended dry ingredients are mixed with other nutrient-containing preparations and then moistened with liquid additions such as canola oil, chicken oil and tallow.
- The mixture is pre-conditioned by heating with steam and fed through an extruder;
- Following extrusion, the product is pressed, cooled and formed into pellets or mash/crumble.
- Cooling and drying of the product is carried out with any product fines subsequently collected via sieve.
- The final product is stored for bulk out load or packaging as bagged goods before being warehoused and distributed.

Schedule 3: AACR Proforma

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A
LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
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?:	
☐ Yes ☐ Reported to DER verbally Date _____ ☐ Reported to DER in writing Date _____	☐ 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 initialed 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	□	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	□	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	□	by affixing the common seal of the licensee in accordance with the *Corporations Act 2001*; 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)	□	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	□	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: _____

NAME:
(printed) _____

POSITION: _____

DATE: _____/_____/_____

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: _____/_____/_____

SEAL (if signing under seal)

Government of Western Australia
Department of Environment Regulation

Decision Report

Licence Amendment

Division 3, Part V *Environmental Protection Act 1986*

Licensee:	**Wesfeeds Pty Ltd**
ACN:	**008 704 050**
Licence Number:	**L8459/2010/3**
Premises:	**29 Sevenoaks Street** **BENTLEY** **CITY OF CANNING** **Lot 22 on Diagram 66811** **Certificate of Title Volume 1677 Folio 878**
Date of report:	**5 February 2016**

1. Premises description

Wesfeeds Pty Ltd (**Licensee**) holds licence L8459/2010/3 for an animal feed manufacturing premises under prescribed premises category 23 specified in Schedule 1 of the *Environmental Protection Regulations 1987*. The Licensee produces feed for the commercial poultry and livestock industry through grain handling and processing. Grain is cleaned via physical separation/sieving, milled/ground then mixed and blended with nutrient-containing preparations, canola oil and tallow. The mixture is pre-conditioned with heat (steam) and fed through an extruder following which it is pressed, cooled and formed into pellets. Final products are stored for bulk load out or packaged for warehouse storage and distribution.

Grain processing activities have occurred at the site for approximately 60 years with the first stock feed mill established at the site in the mid 1950's. It has a current production capacity of 200,000 tonnes per year. The site is located with an industrial zoned area.

Stormwater is discharged from the premises to a compensating basis approximately 50 metres (m) east of the premises boundary within a section of a railway yard on Lot 9003 Sevenoaks St, Bentley. The basin receives stormwater runoff from a number of sources including the railway yard and nearby roadways.

2. Instrument Log

The licences and works approvals issued for the Premises since 03/06/2010 are:

Instrument Log		
Instrument	**Date Issued**	**Description**
L8459/2010/3	05/02/2016	Licence amendment to incorporate changes to stormwater, noise and air emissions works.
L8459/2010/3	17/10/2013	Licence renewal - included conversion to the REFIRE format. Expires on 16/10/2018.
L8459/2010/2	29/08/2013	Licence amended - according to a file note, then Department of Environment and Conservation (DEC) had received several complaints regarding odour and dust. An odour condition was added to the licence. A site visit also identified issues with contaminated stormwater discharge. Discharge criteria and monitoring conditions were added to the licence.
L8459/2010/2	14/10/2010	Licence renewal
L8459/2010/1	03/06/2010	New licence – according to a file note, a then DEC audit found that in 2007 a fee payment was late causing the licence to cease to have effect. A new licence was issue replacing L7464.

Following this Decision Report, the licence L8459/2010/3 will be amended.

3. Licence amendment application

The Licensee formerly manufactured feed in both a South Mill and North Mill on the premises, however in late 2014 it scaled back feed manufacturing operations in South Mill and upgraded the North Mill to maintain its 200,000 tonnes per annum design capacity. The Licensee did not have an approval for the works as required under s 53 of the *Environmental Protection Act 1986* (EP Act). Noise breakout from the upgraded North Mill is believed to be the root cause of public noise complaints in 2015 as evidenced by noise reports in Appendix A and B of the Licensee's application. DER investigation of noise complaints identified additional issues with point source particulate emissions; DER has also received fugitive dust complaints.

During a then DEC inspection on 26 February 2013, water samples were taken at the stormwater discharge point from the premises and results indicated that stormwater discharge was contaminated from site activities. Then licence L8459/2010/2 was amended on 29 August 2013 to include stormwater monitoring and discharge criteria where stormwater not meeting the criteria was required to be removed from site. The discharge criteria imposed for total petroleum hydrocarbons (TPH) was 0 mg/L. A new licence (L8459/2010/3) was granted on 17 October 2013 including a conversion to a new licence format. The licence retained discharge criteria and monitoring requirements including the TPH criteria of 0 mg/L. The Licensee appealed the conditions of licence on the basis that a TPH criteria of 0 mg/L was unreasonable and impossible to comply with. The Licensee withdrew the appeal after discussion with DER. Records show the Licensee was to propose stormwater treatment that would facilitate review of the TPH criteria.

Based upon the above context, the Licensee has submitted a licence amendment application for proposed works aimed at reducing noise emissions, reducing point source and fugitive dust emissions and treating contaminated stormwater prior to discharge.

The Licensee submitted the following documentation (**Application**):

- Form P4: *Application to transfer or amend a licence, works approval or registration*, signed by Brad Valentine (HSE Coordinator, Wesfeeds), dated 25/08/2015; and
- A proposal document entitled *Dust, Noise & Stormwater Management DER Application for Approval, Wesfeeds Pty Ltd Bentley, Licence Number: L8459/2010/3*, Mauri anz including:
  (i) Appendix A – Aerison Noise Report for Wesfeeds Bentley;
  (ii) Appendix B – Environmental Noise Assessment (Coffey Environments Australia Pty Ltd);
  (iii) Appendix C – Design sketches and acoustic documentation;
  (iv) Appendix D – Plans for additional dust collection system unit to be transferred to North Mill; and
  (v) Appendix E – Wesfeeds Site EMPs: Noise, Dust Stormwater.

The works proposed by the applicant are summarised in Table 1.

Table 1 – Summary of works proposed by the applicant

Category	Description
Dust control	• Industrial vacuum system upgrade; and • Installation of a baghouse dust collector.
Noise control	• Replacement of North Mill discharge ventilation louvres with acoustic louvres; • Installation of variable speed drives for Cooling Fans 1 and 2; • Acoustic enclosure of Fan 1 and 2; and • Installation of addition discharge silencer on each outlet duct.
Stormwater control	• Installation of a *SPEL Stormceptor Class 1 stormwater treatment device* (Stormceptor) for treatment of sediment, suspended solids, hydrocarbons, nutrients and metals in runoff.

The Licensee has been provided advice by DER that some works proposed do not require an approval under s53 of the EP Act. These are summarised in Table 2.

Table 2 – Summary of works proposed by the applicant that do not require an approval under s53 of the EP Act

Category	Description
Dust control	• Installation of rubber curtaining on screen intakes; • Maintenance of existing dust collector systems; and • Installation of rapid open/shut roller doors.
Hydrocarbon storage	Decommissioning a 15,000 L underground storage tank to be replaced with a 10,000 L and 5,000 L above ground tank.

4. Other Approvals and Consultation

4.1 Planning Approvals

DER sent a stakeholder notification letter dated 9 October 2015 to City of Canning. DER summarised the proposed works and requested advice on whether the works were

consistent with the local Town Planning Scheme and whether any planning approvals were required. The City of Canning replied on 15 October 2015 confirming that no planning or building approvals are required for the proposed works.

4.2 Consultation

Pursuant to section 59B of the EP Act, DER is not required to publicly advertise applications for licence amendment. DER is also not required to consult with third party direct interest stakeholders. However, it was noted there were three direct interest stakeholders (excluding the City of Canning) and these stakeholders were recent complainants of alleged dust and/or noise emissions from Wesfeeds. Stakeholder notification letters were sent to all three, advising of the key components of the proposed works.

5. Location and Siting

5.1 People

DER's draft *Guidance Statement: Separation distances* (August, 2015) provides:

Category	Description	Emission and Distance (m)
23	Animal feed manufacturing (1,000 tonnes or more per year): Premises (other than premises within category 15 or 16) on which animal food is manufactured or processed	Noise, dust, odour: 500

5.2 Noise and Dust

Sensitive Receptor	Distance from Prescribed Premises
Closest residential dwelling	Residential zoned premises to the south and west at approximately 370 – 450 m from the site boundary.
Hospital	Bentley Hospital is located approximately 500 m south south-east of the premises boundary.
Neighbouring commercial/industrial premises	Immediately adjacent to the premises.

5.3 Sensitive Ecosystems

Sensitive Ecosystems	Distance from Prescribed Premises
Threatened ecological community	Commences approximately 450m to the south east and covers a broad area including outskirts of the industrial area and residential areas.
Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 - Lake	An EPP Lake is located approximately 1100m north east and 1700m east north east of the premises.
Declared rare flora	There is an area of declared rare flora approximately 1700m east north east of the premises.
River – Canning River	The Canning River is approximately 2km south of the premises and is a tributary to the Swan River.

5.4 Groundwater and Water Sources

Groundwater and Water Sources	Distance from Prescribed Premises
Groundwater as a resource (beneficial use)	The Department of Water's (DoW) Perth Groundwater Atlas indicates the depth to groundwater relative to the nature surface contours is 5.5m (estimates fluctuate 0.5m and 3m due to seasonal variation). Depth of water is from the water table to the base of the superficial aquifer is 24m. DER's Geographical Information Software (GIS) maximum groundwater contour layer indicates groundwater flow is likely to be in a southerly or south south easterly direction towards the Canning River. The premises is not located within a proclaimed public drinking water source area.
Bore users (beneficial use)	There are approximately 12 bores within a radius of 500m of the premises boundary identified using the GIS WIN Groundwater layer. There is a domestic bore approximately 280 m south east of the site boundary. A number of other bores appear to be Department of Water assets. Uses are likely to be non-potable uses.
Compensating basin	A compensating basin is located approximately 50 m east of the boundary. The basin is within a section of a railway yard on Lot 9003 Sevenoaks Street, Bentley and is used by the Licensee for stormwater discharge. It is understood the basin receives input from a variety of surrounding sources including the rail reserve and roadways.

6. Risks to amenity, public health or environment

	Emission Source	Emission (Type and Quantity)	Pathway	Receptor	Proponent Controls	Consequence	Likelihood	Risk Rating
1.	Sources of noise emissions as described by Licensee in Section 3.1.1 of the Application. Sources include: • Plant and operations at grain receival and raw material intake areas; • Wheat storage and blending; • Wheat conditioning and cleaning; • Milling processes in the animal nutrition plant; • Product storage, dispatch and packaging area activities; and • Services and administration. Licensee's Application targets excessive noise it identified from North Mill associated with industrial fans, fan motors and its emission via ductwork and vents associated with the air emission system.	Noise Site operates 24 hours per day.	Transmission through air. Licensee believes there is noise breakout from industrial fans and fan motors that is being transmitted via air emissions ductworks and being emitted via discharge vents on the side of North Mill	People – closest residential dwelling 370 m south. Bentley Hospital 500 m south south east	Noise Management Plan (Appendix E of Application) Licensee outlined a range of site wide existing noise controls in Section 3.1.2 of the Application. Licensee engaged consultants who respectively undertook a noise assessment beyond the boundary and an onsite noise audit. As a result, the Licensee has proposed additional engineering controls in Application to reduce noise from North Mill. Includes acoustic enclosure of cooling fan and fan motors, variable speed drives and acoustic louvres on air emission discharge vents.	Minor	Possible	Moderate risk of nuisance and disturbance of public
2.	Sources of fugitive dust as described in Section 3.2.1 of the Application. Sources include: • trucks carrying grain and bulk raw materials;	Dust (fugitive) Dust is primarily large diameter particles (i.e. >PM_{10}) primarily from processing	Transmission through air	People – closest residential dwelling 370m south. Bentley Hospital 500m south south east.	Dust Management Plan (Appendix E of the Application) Licensee outlined a range of existing dust management controls	Minor	Possible	Moderate risk of nuisance and disturbance of public

	Emission Source	Emission (Type and Quantity)	Pathway	Receptor	Proponent Controls	Consequence	Likelihood	Risk Rating
	• intake bays during grain receival and raw material delivery; • transfers of grain raw material to storage; • stockpiles of loose bulk material in the flat store; • sediment carried into yard areas unintentionally on vehicles or via strong winds; • milling processes (e.g. material and product transfers – mechanical/pneumatic conveying, grinding, sieving, mixing, batching, pressing, cooling, rolling); • packing bagged goods; • out loading and transport of bulk product; and • disposal of waste streams into bins.	of food grade materials (i.e. wheat and grain). 2013/2014 NPI date indicates PM_{10} mass emission was 22,000 kg and PM2.5 mass emission was 0.085 kg from fugitive sources.		People – industrial receptors immediately adjacent.	in Section 3.2.2 of the Application. Licensee has proposed infrastructure controls in the Application. This includes an industrial vacuum system upgrade and improving sealing of the North Mill. As noted in Table 2 of Section 3, the Licensee is in the process of implementing a number of controls that DER determined did not require an approval. Fugitive dust controls include installation of rapid open/shut roller doors on intake areas, rubber curtaining of intake areas and removal of air compressor hoses for vehicle cleaning.			
3.	Grain intake, transfer and processing areas within North Mill. Licensee undertook review of its North Mill and identified that additional extraction and abatement is required to efficiently treat all sources for the increased production in	Dust (point source)	Transmission to air Extraction through baghouse dust collectors or cyclones and treated airstream ducted	People – closest residential dwelling 370 m south. Bentley Hospital 500 m south south east. People – industrial receptors immediately	Dust Management Plan (Appendix E of the Application) Licensee outlined a range of existing dust management controls in section 3.2.2 of the Application.	Minor	Unlikely	Moderate risk of nuisance and disturbance of public

	Emission Source	Emission (Type and Quantity)	Pathway	Receptor	Proponent Controls	Consequence	Likelihood	Risk Rating
	North Mill after the closure of South Mill.		to exhaust vents on the side of North Mill for discharge to atmosphere	adjacent.	Licensee engaged a consultant to audit existing dust collectors. Section 4.2.2 of the Application outlines the findings and the Licensee is implementing the recommended service, repair and maintenance outcomes. Licensee had proposed an additional infrastructure control. A large baghouse unit on the now closed South Mill will be relocated onto the North Mill to provide a comprehensive dust extraction system to all floors of the North Mill.			
4.	Sources of stormwater contamination as described in Section 3.3.1 of the Application. Sources include: • handling, filling and dispensing of diesel fuel for trucks; • liquid tallow storage and use; • process fines and particulates from fugitive dust emissions collecting on hard surfacing;	Stormwater during rain events that comes into contact with organic contaminants on premises floor surfaces. Contaminants include suspended	Transmission via drains and pipes to a discharge point in the eastern corner of the premises. Stormwater then discharges to an unlined compensating basin.	Stormwater discharged to the compensating basin infiltrates through the soil to groundwater. Compensating basin has been classified as *Potentially contaminated – investigation required* under the *Contaminated Sites Act 2004*.	Water Pollution Prevention Plan (Appendix E of the Application) Licensee outlined a range of existing stormwater controls in section 3.2.2 of the Application. Licensee has proposed an additional infrastructure control in the form of a	Minor	Possible	Moderate risk of impact to a localised low value ecosystem value (soil and groundwater)

	Emission Source	Emission (Type and Quantity)	Pathway	Receptor	Proponent Controls	Consequence	Likelihood	Risk Rating
	• unintended losses of grain/raw materials outside of intakes and storage areas during loading/unloading and transfers; • leaks from liquid raw material storage; • leaks from plant and equipment; • runoff from waste storage areas.	solids from grains and nutrients (phosphorous and nitrogen). Liquid contaminants such as tallow and canola. Hydrocarbons from trafficable areas, machinery and equipment		Compensating basin is of low ecological value, not within a sensitive environment and there is negligible local beneficial groundwater use.	stormwater treatment device prior to discharge to the compensating basin.			

*Risk assessment rating based on *Operational Procedure IR-OP-01 – Assessing Emissions and Discharges from Prescribed Premises*

7. Regulatory Controls

This section sets out regulatory controls. The controls correlate to the risks identified in Section 6 as set out in the table below.

			Controls (see sections below)						
			7.1.1 North Mill noise amelioration works	7.1.2 Noise validation	7.2.1 North Mill baghouse	7.2.2 North Mill baghouse validation	7.2.3 Baghouse dust collector details	7.3 Contaminated stormwater controls	7.4. Dust Emission Controls
Risk Items (see Section 7)	1	Noise generated through North Mill operations	●	●					
	2	Fugitive emissions - dust							●
	3	Point source emissions to air - dust			●	●	●		
	4	Contaminated stormwater discharge						●	

Controls comprise of:

- key elements of the Licensee's control measures as set out in the Application and management plans attached to the Application;
- the CEO's requirements which are necessary and convenient to ensure that the activities pose an acceptable level of risk to public health and the environment.

CEO requirements have been identified at the end of each specification.

The controls have been specified in response to the Licensee's Application which was submitted to primarily resolve a series of dust and noise complaints caused by an upgrade to North Mill in late 2014 without approval. The specified controls are required to ensure that the infrastructure is installed as proposed, within a reasonable timeframe and that site operations are managed accordingly to address:

- the risk of fugitive and point source dust emissions;
- the risk of noise emissions; and
- the risk of contaminated stormwater causing pollution.

The recommended controls shall be initiated by the CEO in accordance with section 59 of the EP Act. Other changes to the previous conditions of the licence will also occur as recommended in Section 8.

7.1 Noise Emission Controls

7.1.1 North Mill noise amelioration works

(a) The Licensee must by 30 June 2016, complete the following noise amelioration works on North Mill:
   (i) Fit Toshiba VFAS1-4110KPC-WN1 variable speed drives (or equivalent in capability for cooling fan speed control to achieve noise emission reductions) to Cooling Fans 1 and 2;
   (ii) Acoustically enclose Cooling Fans 1 and 2 and their respective motors;
   (iii) Modify the air emissions discharge vents to atmosphere to discharge at 45 degrees below the horizontal axis;
   (iv) Fit silencers or acoustic louvres of air emissions discharge vents; and
   (v) Ensure the baghouse to be installed in accordance with section 7.2.1 includes noise attenuation controls designed and constructed to the specifications of a suitably qualified and experienced acoustic consultant.

Note: Derived from Section 4.1.2 of the Licensee's Application. DER has based Section 7.1.1(iii) on the Licensee's wording in Section 4.1.2 of the Application. This design is likely to provide the best emissions and risk based outcome, however it is not necessarily the same as depicted in the 'design sketches and acoustic documentation' in Appendix C of the Application that indicates a downward discharge of air emissions.

Grounds: As the noise amelioration works are targeted at sources of noise believed to be primarily responsible for noise complaints at residential receptors, an approximately 6 month timeframe has been imposed for completion of the works. This was imposed based on additional consideration of the Licensee draft licence comments as detailed in Section 9.

7.1.2 Noise validation

(a) The Licensee must investigate the extent and nature of noise emissions from the Premises within one month of completing the works in Section 7.1.1(a).

(b) A report prepared assessing the compliance of noise against the assigned levels specified, and in accordance with the methodology required, in the *Environmental Protection (Noise) Regulations 1997* must be submitted to the CEO within one month of completing the noise investigation specified in section 7.1.2(a) including:
   (i) methods used for any monitoring or modelling of noise;
   (ii) an assessment of noise levels against any previous noise assessments;
   (iii) an assessment of whether noise emissions a comply with the assigned noise levels in the *Environmental Protection (Noise) Regulations 1997;* and
   (iv) an improvement plan including timeframes where an assessment indicates that assigned levels do not comply with those specified in the *Environmental Protection (Noise) Regulations 1997.*

(c) The Licensee must retain the services of a person competent in environmental noise assessment whose qualifications and experience qualifies them for a membership of the *Australian Acoustical Society* or the *Australian Association of Acoustical Consultants* to undertake and report to the Licensee on Sections 7.1.2(a) and 7.1.2(b).

Note: Section 7.1.2(a) derived from Section 4.1.2 of the Licensee's Application. CEO requirements specified in the controls in section 7.1.2(b) and 7.1.2(c).

Grounds: Control required for Licensee to demonstrate noise levels are within acceptable levels following compliance with controls in section 7.1.1. Section

7.1.2(b)(iii) was modified in response to Noise Section advice (see Section 3.3.1). The post-works validation is required to demonstrate compliance with assigned noise levels specified in the *Environmental Protection (Noise) Regulations 1997*. Thereafter the regulatory control for noise emissions is compliance with the Noise Regulations and there will be no specific noise controls in the licence.

7.2 Point Source Emissions of Dust to Air Controls

7.2.1 North Mill baghouse

(a) The Licensee must by 30 June 2016, complete the installation of a baghouse dust collection system on North Mill that:
  (i) provides dust extraction to all floors under negative pressure;
  (ii) is designed to achieve a maximum total suspended particulate concentration of 50 mg/m^3 (dry, STP) during normal operating conditions; and
  (iii) allows stack sampling of air emissions at locations in accordance with Australian Standard 4323.1 for the purposes of measuring particulates/aerosols and velocity.

Note: Section 7.2.1(a)(i) derived from Licensee's Application. CEO requirement specified in controls in section 7.2.1(a)(ii) and 7.2.1(a)(iii).

Grounds: The Licensee did not provide any quantifiable emission based outcome specifications. In Section 4.2.2 of the Application, the Licensee states outcomes such as '*reduce the opportunity for dust to leak and build up on the buildings, framework and equipment*,' '*reduce generation of total suspended particulates*,' '*minimise the rate at which process dust can accumulate*,' '*preventing the development of conditions that can lead to the creation of dust explosive atmospheres*' and that '*the new system will have approximately 10% excess capacity*.'

While the Licensee is able to strive to achieve these outcomes itself, they are not specific enough to ensure the baghouse achieves a particulate concentration of less than 50 mg/m^3 (dry, STP) during normal operating conditions that ensures there is not an unacceptable risk of harm to public health or the environment. The specification in Section 7.2.1(ii) is outcome-based and based on DER knowledge and experience with this technology, it is reasonably and practicably achievable and consistent with DER's *Guidance Statement: Regulatory principles*, July 2015.

The Licensee did not provide any outcome based specifications for validation monitoring of the baghouse. It is both reasonable and practicable for DER to impose an outcome based control to ensure there are stack sampling locations that meet requirements of the relevant Australian Standard to enable reliable and accurate emissions validation as per condition 7.2.2. The accurate and reliable validation of emissions will demonstrate whether the outcome-based control in 7.2.1(ii) has been achieved and the level of risk of harm to public health or the environment.

The timeframe for completing the works, approximately 6 months, has been imposed based on additional consideration to the Licensee comments on the draft licence as detailed in section 9.

7.2.2 North Mill baghouse validation

(a) The Licensee must validate the emissions from the North Mill air emission discharge vent(s) in accordance with the specifications in Table 7.2.1 within one month of completing the installation of the North Mill baghouse dust collector.

Table 7.2.2: Monitoring of point source emissions to air				
Emission point reference	**Parameter**	**Units[1, 3]**	**Frequency[2]**	**Method**
North Mill air emission vent(s)	Particulates	mg/m^3 and g/s	One off	USEPA Method 5 or USEPA Method 17

Note 1: All units are referenced to STP dry

Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.

(b) The Licensee must submit a report to the CEO within one month of completing the air emissions validation specifying the results obtained from monitoring in Table 7.2.2 of paragraph 7.2.2.

Note: CEO requirement specified in the controls in section 7.2.2(a) and 7.2.2(b).

Grounds: DER has imposed an outcome-based emissions control in section 7.2.1(a)(iii). Consistent with DER's *Guidance Statement: Regulatory principles*, July 2015, a monitoring condition will be imposed in order to provide assurance over the effectiveness of the baghouse to achieve the required outcome. Validating the achievement of the emissions outcome allows transition to management-based outcomes for ongoing regulation of the baghouse.

7.2.3 Baghouse dust collector details

(a) The Licensee must specify all baghouse dust collector systems at the Premises to the CEO within 6 months of the date of the amended Licence, detailing the following:
   (i) a list and site plan showing the location of all baghouse dust collectors
   (ii) levels for the determination of bag/cartridge failures, with reference to visual, pressure drop measurement or monitoring systems;
   (iii) levels for the determination of cleaning systems failures, with reference to compressed air availability, jet pulse cleaning systems and shaker cleaning systems; and
   (iv) timing of checks with a maximum weekly interval for visual inspection.

Note: CEO requirement specified in section 7.2.3.

Grounds: This requirement is a management-based condition interim of being able to impose an outcome-based condition. The Licensee has up to 18 existing baghouses across the premises and proposes to install an additional baghouse on North Mill.

Details as to the location, specifications, monitoring and management of these systems are required. Section 7.2.3 ensures there is not a risk of harm to

public health or the environment by addressing the two key aspects that results in poor emissions performance of these systems: 1) filter bag/cartridge failures and 2) filter bag/cartridge cleaning system failures.

The audit findings outlined by the Licensee in the Application demonstrated that the baghouse systems are poorly maintained and serviced. Once the details are submitted, DER will assess the information and will apply an outcomes-based condition where practical and appropriate. This approach is consistent with DER's *Guidance Statement: Regulatory principles*, July 2015.

The timeframe for submitting the information is 6 months which was determined with consideration to the Licensee's comments on the draft licence as detailed in Section 9.

7.3 Contaminated Stormwater Controls

7.3.1 Stormwater treatment system

(a) The Licensee must by 30 September 2016, install a SPEL Stormceptor Class 1 stormwater treatment device that treats water quality to the following criteria:
   (i) pH between 6 to 8 pH units;
   (ii) total dissolved solids less than 5000 mg/L;
   (iii) chemical oxygen demand less than 40 mg/L;
   (iv) turbidity between 2 to 15 NTU;
   (v) total petroleum hydrocarbons less than 5 mg/L; and
   (vi) total phosphorus less than 0.05 mg/L.

(b) The SPEL Stormceptor Class 1 stormwater treatment device must have a treatable flow rate of at least 80 L/s.

Note: Section 7.3.1(a) and 7.3.1(b) derived from Licensee's Application. Six month timeline included so installation occurs prior to next Winter period. CEO requirement specified in the control in sections 7.3.1(d).

As noted in Section 8.4, these controls cause existing licence conditions 1.2.5, 1.2.6, 2.5.2 and 3.5.1 to be deleted. Reporting of stormwater monitoring data in the Annual Environmental Report (Condition 5.2.1) will also be deleted.

Grounds: The Licensee provided some specifications in the Application for treatment capacity. A treatable flow rate value of 80 L/s was quoted however, it was unclear whether modelled storm events may exceed this value and result in bypass of untreated water to the compensating basin. Stormwater is at risk of contamination from site activities, particularly spilt raw materials and incidents. DER's Contaminated Sites classified the compensating basin as *potentially contaminated – investigation required* under the *Contaminated Sites Act 2004* on 20 August 2013. In its 'Notice of a classification of a known or suspected contaminated site given under section 15 of the Contaminated Sites Act 2003' to the Licensee dated 21 August 2013 (Infobase reference A995717), DER's Contaminated Sites state that the compensating basin "*has been impacted by stormwater runoff containing hydrocarbons (such as petrol, diesel and oils) and metals that has migrated from a stock feed manufacturing site at 31 Sevenoaks St, Bentley.*"

The criteria in Section 7.3.1(a) will not form ongoing limits in the licence once the device is operational. The stormwater device to be installed is relatively standard, common and reliable technology for the treatment of stormwater as

characterised at the premises. The validation of performance post-installation as per Section 7.3.2 will be sufficient to ensure there is not an unacceptable risk to public health or the environment.

Bureau of Meteorology Intensity-Frequency-Duration data for Bentley was reviewed. A worst case scenario of a 1 in 100 year event of 5 min duration was used in the absence of any other information. This equated to a 215 mm/hr event over the site catchment of 20,000 m^2 and calculates to an approximate flow rate of 12 L/s.

Based on this data, the risk of untreated stormwater emissions to the compensating basin is moderate based on the flow rate design specification proposed by the Licensee. DER notes that if the device does not perform as stated (i.e. cannot treat a flow of up to 80 L/s), it is the Licensee's risk that it may commit offences under the general provisions of the *Environmental Protection Act 1986* (i.e. Section 49) or potentially commit an offence under the *Environmental Protection (Unauthorised Discharges) Regulations 2004*.

The timeline for installing the stormwater treatment device in condition 5(b) included consideration of the Licensee's comments on the draft licence as detailed in Section 9. DER opted to change the deadline for completing installation of the stormwater treatment device from 1 June 2016 to 30 September 2016. This was on the basis that the Licensee provided a signed letter from a third party confirming it was contracted for services to manage stormwater drainage systems and potentially contaminated stormwater from the drainage infrastructure. This addresses the risk of contaminated stormwater discharge to environment interim of the treatment device installation by 30 September 2016.

7.3.2 Stormwater treatment system validation

(a) The Licensee must validate the emissions from the SPEL Stormceptor Class 1 stormwater treatment device against the treated water quality criteria specified in Section 7.3.1(a) in accordance with the requirements of Table 7.3.2.

Table 7.3.2: Monitoring of point source emissions to water

Emission point reference	Parameters	Units	Frequency	Method
SPEL Stormceptor Class 1 stormwater treatment device	pH	None	Two sample events separated by at least one week prior to 1 May 2017	AS/NZS 5667.10
	total dissolved solids	mg/L		
	chemical oxygen demand			
	total petroleum hydrocarbons			
	total phosphorus			
	turbidity	NTU		

Note: CEO requirement specified in the control in Section 7.3.2(a).

Grounds: The Licensee's Application indicated that analytical monitoring would occur to validate emissions performance of the stormwater device, however there was insufficient detail that DER could use to impose an

outcome-based condition. DER has therefore developed management-based conditions based on the key design parameters of the system.
Sampling is scheduled by 1 May 2017 to provide a high likelihood of a significant rainfall event between installation of the equipment (30 September 2016) and the submission of the validation report.

7.4 Dust Emission Controls

7.4.1 Fugitive dust management

(a) The Licensee must ensure that raw material intake areas are fitted with baffle curtains which are intact and fit for the purpose of ensuring fugitive dust remains within the intake areas.

(b) The Licensee must only unload raw materials in the dedicated raw material intake areas.

(c) The Licensee must ensure that any doors fitted to raw material intake areas or product storage areas remain in the closed position for the duration of loading and unloading activities.

(d) The Licensee must ensure that any spilt or accumulated raw material and product are removed from ground level surfaces daily.

Note: CEO requirement specified in the control in section 7.4.1(a)-(d). The existing fugitive dust conditions 2.6.1 and 2.6.2 will be removed from the amended licence as per DER's policy decision published on its public website. Fugitive dust conditions will also be removed and replaced by section 7.4.1(a)-(d) to address the risk.

Grounds: The risk of fugitive dust emissions is moderate. There have been complaints regarding fugitive dust and there is an immediately adjacent commercial receptor. Section 7.4.1(a)-(b) reflect the licensee's commitments in its Dust Management Plan in Appendix E of the Application and are management-based conditions to address what DER believe to be key sources and risk of fugitive dust emissions from its experience with the premises and managing complaints.

8. Conditions for the Licence

Controls in the amended licence will be consistent with Section 7. Other changes to the amended licence not specifically related to the Licensee's Application include:

- Removal of headings and conditions that state words to the effect *'there are no specified conditions relating to [x] in this sections'*;
- Removal of condition headings or numbers retained for numbering purposes;
- Removal of the general odour condition (condition 2.7.1) as per DER policy; and
- Removal of targets (i.e. stormwater quality targets in condition 2.5.2).

These changes have occurred as per advice on DER's public website.

9. Applicants Comments on Draft Decision Report

Pursuant to section 59B of the EP Act 1986, DER provided the Licensee with a written notice inviting representations on the draft licence amendments. The Licensee's comments are detailed in the table below along with DER's response.

Condition / Section Reference	Licensee's Comment	DER Response
Licence – condition 4(a)(i)	The description stated for the variable speed drives is specific as per Wesfeeds application to amend the license. However the wording is too specific and the business would rather see the words 'or equivalent' in the event the Toshiba VFAS1-411-KPC-WN1 variable speed drive is not available at the time of purchase.	DER modified Row 1 in the Infrastructure Requirements Table of condition 4 to require only that a variable speed drive (VSD) must be installed rather than specific a make and model. The key requirements is that a VSD is fitted and variations in make and model are not expected to alter the risk of noise emissions.
Licence – condition 4.1(a)(iii)	The requirements for the design and construction states a vertical upwards air emission points. To clarify the extraction system design on the E/SE wall of the north mill will have a down turning elbow from the building including internal baffles at the lower section to change the direction of the air from vertical downward to vertical rising before discharging at 45 degrees below the horizontal axis.	DER modified Row 1 in the Infrastructure Requirements Table of condition 4 based on clarification from the Licensee. The change is not expected to alter the risk of emissions.
Licence – condition 5	The date relating to the infrastructure identified in rows 1-3 in the table for condition 4 should be changed to reflect the date the license is amended.	DER modified condition 5 in response to both this comment and the one below related to section 7.2.1(a) of the decision report. Works in Rows 1 and 3 must be completed by 30 June 2016 and works in Row 2 can be completed by 1 June 2016 or 30 September 2016 if the Licensee provides written evidence of formal arrangements with a contractor for stormwater collection and removal services.
Licence – condition 17	In addition to the intake areas the site also stores bulk raw materials in a standalone Bulk Meal Store. Raw material is unloaded using a crawling floor truck trailer and stored in designated storage bays within the building before being transported in a 2 tonne tip truck to the intake areas. Only the Western side roller door of the Bulk Meal Store is open during unloading to allow the truck to exit the building as the crawling floor walks forward. The storage of raw materials is in the vicinity of 150 – 250 tonne at any one time however the shed has the capacity to store 400 tonne of bulk raw material.	DER noted the comments in combination with the map of raw materials unloading areas also supplied by the Licensee with its comments. Condition 17 was modified based on this information. DER also included an additional map in Schedule 1 specifying the location of raw material intake areas that includes the Bulk Meal Store. The word 'loose' was included to clarify the condition only applies to unloading of loose raw materials. The Licensee also unloads bagged raw materials in open designated areas and there is not expected to be a risk of fugitive dust emissions from this activity and regulatory controls are not required.
Licence - condition 20(b)	Routine visual inspections of baghouse dust collector systems will be performance based and include visual assessments of delta pressure gauges. Weekly visual inspections of dust collection systems are carried out by suitably qualified contractors or the sites engineering team. A preventative maintenance program is used to schedule work and record readings for dust collection systems onsite.	DER noted the comments, however there was insufficient detail to satisfy the requirements of condition 20(b). DER expects that a collective written report or plan will be provided to all parts of condition 20.
Decision report –	The licensee requests the timeframe for the installation of the baghouse be extended to 5	Refer to DER's response to condition 5 above.

Condition / Section Reference	Licensee's Comment	DER Response
section 7.2.1(a)	months from the date the license is amended. Installation including the final connections and commissioning will be dependent on plant availability.	
Decision report – section 7.2.3(a)	The Decision report requests the specifications of all baghouse dust collection system be detailed within 4 months of the amended license. Wesfeeds requests this timeframe be extended to 6 months to reflect those date changes assigned to 7.2.1 (a).	Section 7.2.3(a) of the decision report is condition 20 in the licence. DER has modified the deadline in condition 20 to 6 months consistent with the Licensee's request.
Decision Report - section 7.3.1(a)	7.3.1 (a) The licensee has been asked to install the SPEL Stormceptor treatment device within 6 months of the amended license. While the licensee understand that this date has been assigned to allow for installation before winter it is not a realistic timeframe with consideration to ordering, manufacturing, delivery, installation and commissioning in light of other site projects being completed in the first 6 months. The licensee has managed the onsite stormwater water to comply with the discharge criteria and monitoring conditions which were added to the license on 29/08/2013 and has the resources available to manage this through the winter of 2016 allowing for the extra time to complete the installation requested.	Section 7.3.1(a) of the decision report is condition 5 in the licence. DER has modified condition 5 as noted above. The Licensee further indicated verbally that the request related to allowing staged project management and implementation of the collective noise, dust treatment and stormwater treatment works. The Licensee will be continuing to retain stormwater on site and utilise contractors for its collection and dispoal offsite. As noted in section 7.3.1 of the decision report, if the stormwater device does not perform as stated (i.e. cannot treat a flow of up to 80 L/s), it is the Licensee's risk that it may commit offences under the general provisions of the *Environmental Protection Act 1986* (i.e. Section 49) or potentially commit an offence under the *Environmental Protection (Unauthorised Discharges) Regulations 2004*. These same provisions appropriately address the risk of contaminated stormwater emissions prior to installation and operation of the stormwater device.

10. Conclusion

Based on the assessment of the submitted information regarding the proposed noise, dust and stormwater works, it has been determined that an amended licence will be granted that is subject to the regulatory controls and conditions outlined in this Decision Report to mitigate the identified environmental risks.