



The Manager
Craig Mostyn Farms Pty
PO Box 462
FREMANTLE WA 6959

Dear Sir

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises
Craig Mostyn Piggery Farm
Lot 2 on Diagram 90694 Telephone Road
GINGIN WA 6503
Licence Number: L4323/1988/10

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment and Conservation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under Section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3) (a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Dr Bhabesh Das on 9333 7521.

Yours sincerely

Stefan de Haan
Officer delegated under Section 20
of the *Environmental Protection Act 1986*
Wednesday, 13 February 2013
enc: *Environmental Protection Act 1986* Licence L4323/1988/10



Licence

Environmental Protection Act 1986, Part V

Licensee: Craig Mostyn Farms Pty Ltd

Licence: L4323/1988/10

Registered office: Craig Mostyn Farms Pty Ltd
6 Short Street
FEMANTLE
WA 6959

ACN: 127 068 115

Premises address: Craig Mostyn Piggery Farm
Lot 2 on Diagram 90694
Telephone Road
GINGIN
WA 6503
Being Lot 2 on Diagram 90694 as depicted in Schedule 1.

Issue date: Wednesday, 13 February 2013

Commencement date: Tuesday, 19 February 2013

Expiry date: Sunday, 18 February 2018

Prescribed Premises Category
Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Premises production or design capacity
2	Intensive Piggery: premises on which pigs are fed, watered and housed in pens.	1000 animals or more	3500 animals

Conditions of Licence

Subject to the conditions of licence set out in the attached pages.

Stefan de Haan
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.

Who we are

The Department of Environment and Conservation (DEC) is a Government Department in the portfolio of the Minister for the Environment. Our purpose is to protect and conserve the State's environment on behalf of the people of Western Australia.

Our industry licensing role

DEC has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. We also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the Act. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges 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. These 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 should comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply. Additional guidance on pollution prevention can be found in the Department of Water's Water Quality Protection Guidelines and Codes of Practice accessed through:
<http://www.water.wa.gov.au/Managing+water/Water+quality/Water+quality+protection+guidelines/default.aspx>

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 the Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Craig Mostyn Farms (CMF) Pty Ltd trading as Craig Mostyn Farms Gingin located at Lot 2 on Diagram 90694, Telephone Road, Gingin is an intensive piggery operating at this location since 1988. Craig Mostyn Farms acquired the site in 2008.

The piggery currently operates as a breeder only facility with around 1300 breeding sows plus some gilts and boars with a maximum pig population of 3500. The pigs are housed in conventional sheds with concrete floors that are water flushed on a regular basis. Wastewater from the sheds is directed to the anaerobic pond.

The wastewater from piggery flushing and hosing down is directed to a series of seven waste treatment holding ponds system. The first pond is an anaerobic pond which is clay lined and the other six ponds are aerobic and are High Density Poly Ethylene (HDPE) lined. The wastewater treatment ponds is a closed system in that there is no discharge of wastewater from the ponds to the environment. Wastewater is disposed of by evaporation and recycling to clean up the pens on a regular basis.

There are six groundwater monitoring bores surrounding the wastewater treatment ponds for monitoring groundwater quality in terms of nutrients, pH and total dissolved solids. Historical monitoring data demonstrate elevated levels of nutrients. However, the Annual monitoring data during 2011 and 2012 period demonstrates that nutrients levels are much more improved following the refurbishment of the ponds.

Odour is a significant environmental factor for the piggery operation. Odour is minimised by regular house keeping and keeping the sheds clean. Carcass burial area is covered with fill on a daily basis to minimise fugitive odour emissions. The nearest sensitive receptor is about 1.5 km away from the premises.

Other key environmental features within the vicinity of the premises include a wetland to the south of the site. Wetland does not appear to be affected by the piggery operations based on the water sample monitoring results (pH 7.8, TDS 520, TN 1.5mg/l and TP 1.1mg/l) and soil sample monitoring



results (TN <20mg/kg and TP <2mg/kg). It is not located within an EPP area. There is no concern in the context of socio political interest.

Solid wastes comprises mainly of animal carcasses which are disposed of on-site within burial pits. Odour from the burial site is minimal because the carcasses are covered with fill every day. Manure is water flushed from the sheds to the anaerobic pond. There is no application of solid wastes on the premises. Any sludge removed from the ponds is taken away to composting facilities.

This Licence is the successor to licence L4323/1998/9 and is issued in the new REFIRE licence format (L4323/1988/10), it also includes changes to conditions.

The licences and works approvals issued for the Premises since 01/11/2000 are [for the 9 licences prior to issue of this Licence are]:

Instrument log		
Instrument	Issued	Description
Instrument number and version	Date of Issue or Amendment	Reason for issue of instrument e.g. ministers decision must be recorded
L4323/1988/1	1/11/2000	New application
L4323/1988/2	30/10/2001	Licence re-issue
L4323/1988/3	30/01/2002	Licence re-issue
L4323/1988/4	3/02/2003	Licence re-issue
L4323/1988/5	19/01/2004	Licence re-issue
L4323/1988/6	24/01/2005	Licence re-issue
L4323/1988/7	16/01/2006	Licence re-issue
L4323/1988/8	16/02/2007	Licence re-issue
L4323/1988/9	10/01/2008	Licence re-issue
L4323/1988/10	12/02/2013	DEC amendment following licence review and reissue

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 In the Licence, unless the contrary intention appears:

“the Act” means the *Environmental Protection Act 1986*;

“AHD” means the Australian height datum;

“annual” means the inclusive period from 1 April until 31 March in the following year;

“APHA-AWWA-WEF” means American Public Health Association – American Water Works Association – Water Environment Federation;

“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 5667.11” 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 or target is measured or a monitoring result is obtained;

“Code of Practice for the Storage and handling of dangerous goods” means the Storage and handling of dangerous goods, Code of Practice, Dept of Mines and Petroleum, Government of Western Australia;

“Contact Address” for the purpose of correspondence and advice means:

Regional Leader, Swan Region
Department of Environment and Conservation
Locked Bag 104
BENTLEY DC WA 6983
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550;

“controlled waste” has the definition in Environmental Protection (Controlled Waste) Regulations 2004;

“dangerous goods” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

“Director” means Director, Environmental Regulation Division of the Department of Environment and Conservation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;



“environmentally hazardous material” means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm;

“fugitive emissions” means all emissions not arising from point sources identified in Sections 2.2, 2.3, 2.4 and 2.5;

“hardstanding” means a surface with a permeability of 10^{-9} metres/second or less;

“leachate” means a liquid containing contaminants leached from the waste mass produced as water percolates through a landfill;

“Licence” means this Licence numbered L4323/1988/10 and issued under the *Environmental Protection Act 1986*;

“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;

“NEGP” means the current version of the National Environmental Guidelines for Piggeries;

“placard quantity” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

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

“six monthly” means the 2 inclusive periods from 1 December to 31 May and 1 June to 30 November in the following year;

“spot sample” means a discrete sample representative at the time and place at which the sample is taken;

“USEPA” means United States (of America) Environmental Protection Agency;

“usual working day” means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

“waste” has the meaning defined in the *Environmental Protection Act 1986*;



1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

1.2 General conditions

1.2.1 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.

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

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall only store substances that are classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if they are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods.

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

Stormwater control

1.2.5 The Licensee shall ensure that uncontaminated stormwater is kept separate from contaminated or potentially contaminated stormwater. Where stormwater has come into contact with a possible source of contamination, it should be treated as contaminated.

1.3 Premises operation

1.3.1 The Licensee shall ensure that all wastewaters from piggery operations including wash down water, by-products wastewater and contaminated run-off are directed to a wastewater treatment system.

1.3.2 The Licensee shall maintain an effective wastewater treatment system that shall include:
(a) an impervious pond system for treatment of wastewater to reduce nitrogen and biological oxygen demand levels.

1.3.3 The Licensee shall ensure that wastewater is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.3.3.

Table 1.3.3: Containment infrastructure		
Storage vessel or compound	Material	Infrastructure requirements
Solids separator	Wastewater	Concrete lined
Ponds 1-7	Wastewater	Lined to achieve a permeability of at least $<10^{-9}$ m/s or equivalent
Sewage sludge compound	Sewage sludge	A bunded hardstand area capable of preventing surface run-off of leachate and sludge and which returns sludge leachate to the start of the treatment process.



- 1.3.4 The Licensee shall manage the wastewater treatment ponds such that:
- (a) a minimum top of embankment freeboard of 500mm is maintained;
 - (b) storm water runoff is prevented from causing the erosion of outer pond embankments;
 - (c) overtopping of the wastewater treatment ponds does not occur except as a result of an extreme rainfall event (greater than 1 in 10 year event of 72 hours duration);
 - (d) vegetation and floating debris (emergent or otherwise) is prevented from encroaching onto aerobic pond surfaces or inner pond embankments;
 - (e) trapped overflows shall be maintained between treatment ponds to prevent carry-over of surface floating matter to subsequent ponds; and
 - (f) no overflow leaves the Premises.
- 1.3.5 The Licensee shall ensure only treated wastewaters are disposed of via evaporation or used for washdown.
- 1.3.6 The Licensee shall ensure that animal carcasses, spadeable animal material and other piggery solids are disposed of to a licensed rendering plant, composting facility or to on-site burial pits.
- 1.3.7 The Licensee shall ensure that where carcasses and spadeable animal materials are disposed of on-site the licensee shall ensure:
- (a) carcasses and waste material are covered with at least 500mm of soil immediately upon deposit;
 - (b) burial sites are 300m away from watercourses and 35m away from nearest properties; and
 - (c) the number of animal carcasses buried is recorded for the duration of the licence.

2 Emissions

2.1 General

2.1.1 There are no specified conditions in this section.

2.2-2.3 Point source emissions to air, surface water

There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.

2.4 -2.5 Emissions to land and groundwater

There are no specified conditions relating to emissions to land or groundwater in this section.

2.6 Fugitive emissions

2.6.1 The Licensee shall ensure that no visible dust generated by the activities of the premises crosses the boundary of the Premises.

2.7 Odour

2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.



2.8 Noise

There are no specified conditions relating to noise in this section.

3 Monitoring

3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11
- (c) all samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured [unless indicated otherwise in relevant table].

3.1.2 The Licensee shall ensure that six monthly monitoring is undertaken at least 5 months apart.

3.1.3 The Licensee shall record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.

3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.

3.5 Monitoring of emissions to land

There are no specified conditions relating to monitoring of emissions to land in this section.

3.6 Monitoring of inputs and outputs

There are no specified conditions relating to monitoring of inputs and outputs in this section.

3.7 Process monitoring

There are no specified conditions relating to process monitoring in this section.

3.8 Ambient environmental quality monitoring

3.8.1 The Licensee shall undertake the monitoring specified in Table 3.8.1 and record and investigate the exceedance of any target specified.

Monitoring point reference	Parameter	Units	Averaging period	Frequency
MB1	Total nitrogen, Total Kjeldahl nitrogen, Nitrate nitrogen, nitrite nitrogen, Total Phosphorus, Total dissolved solids, Depth to groundwater and pH	mg/L except for pH and groundwater depth (BGL) in meters	Spot sample	Six monthly (May and November)
MB2			Spot sample	
MB5			Spot sample	
MB7			Spot sample	
MB11			Spot sample	
MB13			Spot sample	



3.9 Meteorological monitoring

There are no specified conditions relating to meteorological monitoring in this section.

4 Improvements

4.1 Improvement programme

There are no specified improvement conditions in this section.

5 Information

5.1 Records

5.1.1 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 5.1.1(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 groundwater.

5.1.2 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.

5.1.3 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 annual period.

5.1.4 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.

5.2 Reporting

5.2.1 The Licensee shall submit to the Director at the Contact Address an Annual Environmental Report within 28 calendar days after of the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual environmental report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken	None specified



5.1.3	Compliance	AACR
5.1.4	Complaints summary	None specified
Table 3.8.1	Monitoring data of all parameters	None specified

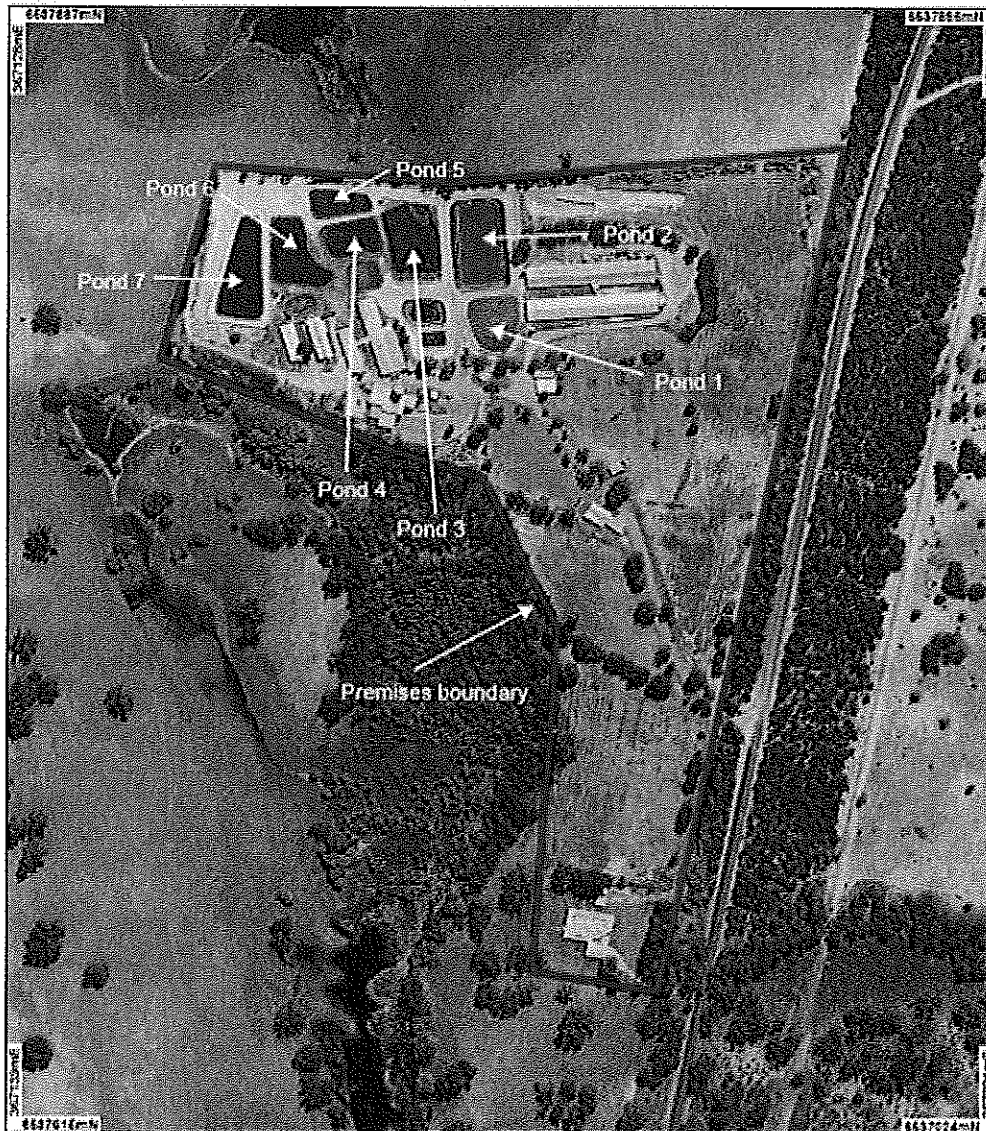
Note 1: Forms are in Schedule 2

- 5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under Condition 3.1.3;
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and
 - (c) a list of any original monitoring reports submitted to the Licensee from third parties in the reporting period and make these reports available on request.
- 5.2.3 The Licensee shall submit the information in Table 5.2.1 to the Director at the Contact Address according to the specifications in that table.

Schedule 1: Maps

Premises map

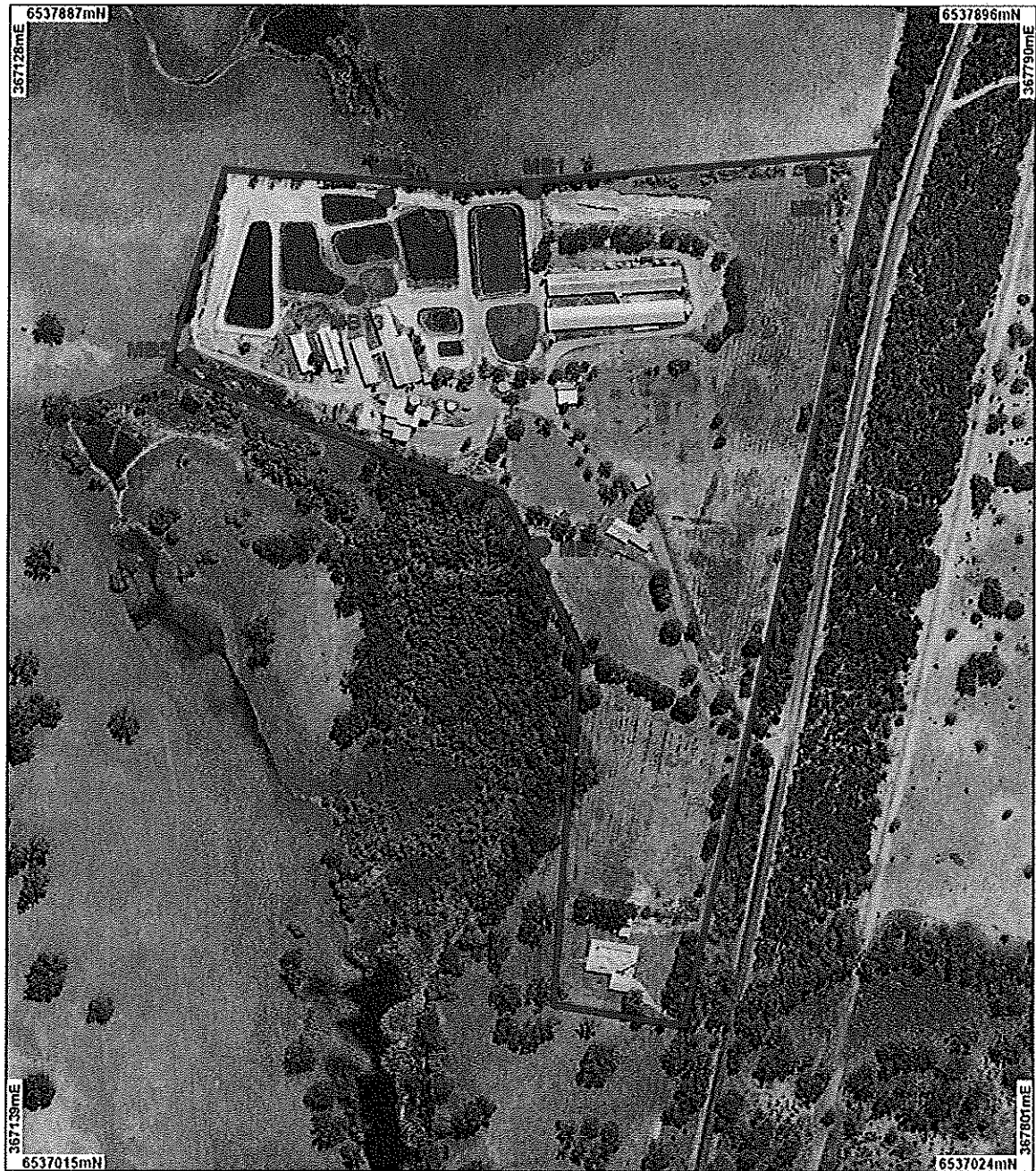
The Premises is shown in the map[s] below. The pink line depicts the Premises boundary.





Map of monitoring locations

The locations of the monitoring points defined in Tables 3.8.1 are 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.

Copies of the original monitoring reports must also be submitted.

Licence: L4323/1988/10

Licensee: Craig Mostyn Farms Pty Ltd

Form: AACR

Period :

Name: Annual Audit Compliance Report

Annual audit compliance report

Section A: Statement of compliance with Licence conditions

Were all conditions of licence complied with within the reporting period?	
Yes	<input type="checkbox"/> Initial Sections A & B, then proceed to Section C
No	<input type="checkbox"/> Initial Section A, then 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

a) Licence condition not complied with?	
b) Date(s) and time(s) the non compliance occurred, if applicable?	
c) Was this non compliance reported to DEC?	
<input type="checkbox"/> Yes, and <input type="checkbox"/> Reported to DEC verbally Date <input type="checkbox"/> Reported to DEC in writing Date	<input type="checkbox"/> No
d) Has DEC taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of 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	

Please use a separate page for each Licence condition that was not complied with. Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



Section C: Signature and certification

This AACR may only be signed by a person(s) with legal authority to sign it as defined 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 AACR must be signed and certified:
an individual	<input type="checkbox"/> by the individual Licence holder, or <input type="checkbox"/> by a person approved in writing by the Chief Executive Officer (CEO) of DEC to sign on the Licensee's behalf.
a corporation	<input type="checkbox"/> by affixing the common seal of the Licensee in accordance with the Corporations Act 2001; or <input type="checkbox"/> by two directors of the Licensee; or <input type="checkbox"/> by a director and a company secretary of the Licensee, or <input type="checkbox"/> if the Licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or <input type="checkbox"/> by the principal executive officer of the Licensee; or <input type="checkbox"/> by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DEC.
A public authority (other than a local government)	<input type="checkbox"/> by the principal executive officer of the Licensee; or <input type="checkbox"/> by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DEC.
a local government	<input type="checkbox"/> by the CEO of the Licensee; or <input type="checkbox"/> 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 AACR 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: Craig Mostyn Farms Pty Ltd

Licence: L4323/1988/10

Registered office: Craig Mostyn Farms Pty Ltd
6 Short Street
FREMANTLE
WA 6959

ACN: 127 068 115

Premises address: Craig Mostyn Piggery Farm
Lot 2 on Diagram 90694
Telephone Road
GINGIN
WA 6503
Being Lot 2 on Diagram 90694 as depicted in Schedule 1.

Expiry date: Sunday, 18 February 2018

Issue date: Tuesday, 12 February 2013

Commencement date: Tuesday, 19 February 2013

Decision

Based on the assessment detailed in this document, the Department of Environment and Conservation (DEC), has decided to issue a licence. DEC considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document Prepared By: Dr Bhabesh Das
.....
Regional Officer

Decision Document Authorised By: Marko Pasalich
.....
Regional Leader



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1 Purpose of this Document

This decision document explains how DEC has determined the application, provides a record of our decision-making process and shows how all relevant factors have been taken into account in reaching our decision. Stakeholders should note that this document is limited to DEC's assessment and decision making under Part V of the *Environmental Protection Act 1986* and does not consider other approvals which may be required for the proposal. It is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

Works Approval and Licence Conditions

DEC has three types of works approval and licence conditions that may be imposed on works approvals and licences:

Standard Conditions (SC)

DEC has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1, 1.2.2-1.2.4, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1, 1.2.1, 1.2.2, 1.2.4-1.2.6, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional Standard Conditions (OSC)

In the interests of regulatory consistency DEC has also prepared a set of optional standard conditions that can be imposed on works approvals and licences. DEC will include optional standard conditions where they deem it necessary. The inclusion of any optional standard conditions is justified in Section 4 of this document.

Optional standard conditions are likely to constitute the majority of the conditions in any licence.

Non Standard Conditions (NSC)



Where the proposed activities require conditions outside the standard conditions suite DEC will impose non-standard conditions. These include both premises and sector specific conditions. The intention is to keep non-standard conditions to a minimum.

Where used, justification for the application of these conditions will be included in Section 4.

2 Administrative Summary

Administrative Details		
Application Type	Works Approval New Licence <input checked="" type="checkbox"/> Licence Amendment <input type="checkbox"/> Works Approval Amendment <input type="checkbox"/>	
Prescribed Activities	Category Number(s) 2	Design Capacity 1000 animals or more
Application Validated	Date: 03/12/2012	
Application Fee Paid	Date: 17/12/2012	
Works Approval has been complied with and Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Confidential Information Claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Confidential 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"/>	Referral Decision: N/A
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial Statement No: N/A. EPA Report No: N/A.
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"/> Department of Water has been consulted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.	



3 Executive Summary of Proposal

The premises has been licensed under Category 2: Intensive piggery within Schedule 1 of the Environmental Protection Regulations 1987 since the year 1988 and is located at Lot 2 on Diagram 90694, Telephone Road, Gingin. Craig Mostyn Farms acquired the site in 2008.

The piggery currently operates as abreeder only facility with around 1300 breeding sows plus some gilts and boars with a maximum pig population of 3500. The pigs are housed in conventional sheds with concrete floors that are water flushed on a regular basis. Wastewater from the sheds is directed to the anaerobic pond.

The wastewater from piggery flushing and hosing down is directed to a series of seven waste treatment holding ponds system. The first pond is an anaerobic pond which is clay lined and the other six ponds are aerobic and are High Density Poly Ethylene (HDPE) lined. The wastewater treatment ponds is a closed system in that there is no discharge of wastewater from the ponds to the environment.

There are six groundwater monitoring bores surrounding the wastewater treatment ponds for monitoring groundwater quality in terms of nutrients, pH and total dissolved solids. Historical monitoring data demonstrate elevated levels of nutrients. However, the Annual monitoring data during 2011 and 2012 period demonstrates that nutrients levels are much more improved following the refurbishment of the ponds.

The nearest sensitive receptor is about 1.5 km away from the premises. Although, DEC has not recorded any odour complaints to date odour is a significant environmental factor for the piggery. Odour is minimised by regular house keeping and keeping the sheds clean. Carcass burial area is covered with fill quickly.

Other key environmental features within the vicinity of the premises include a wetland to the south of the site. Wetland does not appear to be affected by the piggery operations. It is not located within an EPP area. There is no concern in the context of socio political interest.

Solid wastes comprises mainly of animal carcasses which are disposed of on-site within burial pits. Odour from the burial site is minimal because the carcasses are covered with fill every day. Manure is water flushed from the sheds to the anaerobic pond. There is no application of solid wastes on the premises. Any sludge removed from the ponds is taken away to composting facilities.

It is a low risk premises and the licence can be issued for period of five years.

4 Decision Table

All applications are assessed against the *Environmental Protection Act, 1986*, the Environmental Protection Regulations 1987 and DEC's Limits and Targets Policy. Where other references have been used in making our decision they are detailed in the decision table.



DECISION TABLE				
Works Approval / Licence Section	Condition Number/ Licence Section ¹	NSC	Justification (including risk description & decision methodology where relevant)	Reference Documents
General Conditions	L1.2.1- 1.2.5	OSC	OSC L1.2.1-1.2.4 The optional standard condition 1.2.5 has been added to the licence to ensure adequate management of contaminated stormwater.	Licence application supporting documentation. General provisions of the <i>Environmental Protection Act 1986</i> . Environmental Protection (Unauthorised Discharges Regulations, 2004).
	L1.3.1 – 1.3.9	OSC	<u>Operation</u> Emission Significance -3 Socio- political context - Medium Risk assessment - B- Regulation is required L1.3.1 – 1.3.5 relate to wastewater management at the premises from the piggery operation, which ensures the effective management of the wastewater treatment pond system. The existing ponds are synthetically lined or clay compacted to achieve permeability of at least 10^{-9} m/s or equivalent. The storage of sewage sludge produced from the ponds is contained within a hard stand area which is also impermeable and the liquid component is returned to the ponds. The wastewater ponds will be managed to ensure 500mm freeboard at all times. The capacity of the ponds is such that the ponds can cater for a 1 in 10 year rainfall event for a 72 hour duration. Any overflow must not leave the premises boundary. Treated wastewater is disposed of by evaporation in the lined ponds. Washdown of the sheds by recycle water is directed back to the anaerobic pond. L1.3.6 – 1.3.8 relate to the management of solid waste generated on the premises which includes animal carcasses, spadeable animal material and other piggery solids. These conditions ensure that these animal wastes are disposed of to a licensed rendering plant or to on-site burial pits. When carcasses and spadeable animal materials are disposed of on-site, carcasses and waste material will be covered with at least 500mm of soil immediately upon deposit, burial sites will be 300m away from watercourses and 50m away from nearest properties	



			and the number of animal carcasses buried will be recorded for the duration of the licence. There is no application of solid waste on the premises. Any sludge removed from the ponds every 5-10 years are taken off site to composting facilities.	
Emissions General	L2.1	N/A	There is no monitoring requirement for this operation. No specified conditions for targets and limits are included.	
Point source emissions to air including monitoring	L2.2	N/A	<u>Operation</u> Emission Significance: 1 Socio- political Context: N/A Risk assessment: E- No regulation required No significant point source emissions are expected from the operation. No specified conditions have been included in this section.	General provisions of the <i>Environmental Protection Act 1986</i> . Environmental Protection (Unauthorised Discharges Regulations, 2004).
Point source emissions to surface water including monitoring	L2.3	OSC	<u>Operation</u> Emission Significance 1 Socio- political Context: requi Low Risk assessment: D- Regulation is required Condition is added to the licence to ensure uncontaminated water is kept separate from contaminated or potentially contaminated stormwater.	General provisions of the <i>Environmental Protection Act 1986</i> . Environmental Protection (Unauthorised Discharges Regulations, 2004). Works application supporting documentation.



Emissions to land including monitoring	L2.4.1 -2.4.3	N/A	<p><u>Operation</u> Emission Significance 1 Socio- political Context: N/A Risk assessment: E- No Regulation required</p> <p>There is no application of solid waste to land on this premises. No specified conditions have been included in this section.</p>	<p>Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007.</p> <p>Code of Practice for the Storage and Handling of Dangerous Goods, Department of Mines and Petroleum, Government of Western Australia</p> <p>Environmental Protection (Controlled waste) Regulations</p> <p>Works approval application supporting documentation.</p>
Point source emissions to groundwater including monitoring	L2.5	OSC	<p><u>Operation</u> Emission Significance rating 1 Socio- political Context: N/A Risk assessment: E- No Regulation required</p> <p>There are no specific conditions are included in the licence.</p>	<p>Environmental Protection (Unauthorised Discharges Regulations, 2004)</p>
Fugitive Emissions	L2.6.1	N/A	<p><u>Operation</u> Emission Significance rating 1 Socio- political Context: required N/A Risk assessment: E- No regulation required The licensee shall take practical measures to control dust ensuring that visible dust does not cross the premises boundary.</p> <p>No specified conditions have been included in this section.</p>	<p>General provisions of the Environmental Protection Act 1986.</p>



<p>Odour</p>	<p>L2.7.1</p>	<p>OSC</p>	<p><u>Operation</u> Emission Significance rating 1 Socio- political Context: Low Risk assessment: D- Regulation is required</p> <p>The impact of odour emission off site is considered to be insignificant based on no registered odour complaints on DEC's Incident and Complaint . Odour is managed by regular house keeping and keeping the pens clean. The nearest resident is 1.5 kilometer away from the premises.</p> <p>Standard odour condition is included to ensure odour does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.</p>	<p>General provisions of the Environmental Protection Act 1986.</p>
<p>Noise</p>	<p>L2.8</p>	<p>N/A</p>	<p><u>Operation</u> Emission Significance rating 1 Socio- political Context: N/A Risk assessment: E- No regulation required</p> <p>Noise emissions are not likely to have significant on the off site environment considering the nearest resident is 1.5 kilometer away.</p> <p>No specified conditions have been included in this section.</p>	<p>Environmental Protection (Noise) Regulations 1997.</p>
<p>General Monitoring</p>	<p>L3.1.1-3.1.2</p>	<p>OSC</p>	<p><u>Operation</u> Emission Significance rating 1 Socio- political Context: Some concerns Risk assessment: D EIPs, other management mechanisms/licence conditions/monitoring/reporting)/other regulatory tools Standard conditions for groundwater monitoring are included in the licence to ensure water samples are collected and preserved as per Australian Standard and the samples are analysed by NATA accredited laboratory.</p>	<p>General provisions of the Environmental Protection Act 1986.</p>



Monitoring of point source emissions to air, surface water and groundwater	L3.2-3.4	N/A	<p><u>Operation</u> Emission Significance rating 1 Socio- political Context: No interest Risk assessment: E- No regulation required</p> <p>There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.</p>	General provisions of the <i>Environmental Protection Act 1986</i> .
Monitoring of emissions to land	L3.5	N/A	<p><u>Operation</u> Emission Significance rating 1 Socio- political Context: N/A Risk assessment: E- No regulation required</p> <p>There are no specified conditions relating to monitoring of emissions to land in this section.</p>	General provisions of the <i>Environmental Protection Act 1986</i> .
Monitoring of inputs and outputs	L3.6	N/A	<p><u>Operation</u> Emission Significance rating 1 Socio political context: N/A Risk assessment: E- No regulation required</p> <p>There are no specified conditions relating to monitoring of emissions to land in this section.</p>	
Process monitoring	L3.7	N/A	<p><u>Operation</u> Emission Significance rating 1 Socio political context: N/A Risk assessment: E- No regulation required</p> <p>There are no specified conditions relating to monitoring of emissions to land in this section.</p>	



Ambient environmental quality monitoring	L3.8.1	OSC	<p><u>Operation</u> Emission Significance rating 2 Socio-political Context: Low Risk assessment: C- regulation required</p> <p>Groundwater quality monitoring at the monitoring bores surrounding the wastewater treatment ponds is required to ensure any changes to the water quality is identified. Groundwater monitoring condition is included in this licence.</p>	General provisions of the <i>Environmental Protection Act 1986</i>
Improvements	L4	N/A	<p><u>Operation</u> Emission Significance rating 1 Socio political context: N/A Risk assessment: E- No regulation required</p> <p>No specific improvements are required by DEC. No specific conditions have been included in this section.</p>	General provisions of the <i>Environmental Protection Act 1986</i> .
Information	L5.1.1 – L5.1.4	OSC	Standard conditions for record keeping, complaints management and annual auditing.	General provisions of the <i>Environmental Protection Act 1986</i> .
Reporting	L5.2.1- 5.2.3	OSC	Standard conditions for Annual reporting	General provisions of the <i>Environmental Protection Act 1986</i> .

Note 1: L= Licence

5 Stakeholder Consultation Table

[Drafting note: add additional lines to document any other stakeholder consultation carried out, eg Department of Health (DoH), Department of Water (DoW), etc.]

Date	Event	Comments received/Notes	How comments were taken into consideration
24/12/2012	Application advertised in West Australian (or other relevant newspaper)	No comments received.	Not applicable.
29/01/2013	Proponent sent copy of draft instrument	Comments received	Considered and incorporated

Premises map

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

