



Licence Number	L5008/1991/13
Licence Holder	Kamarah Pty Ltd
Registered business address	Suite 2, 990 Albany Highway East Victoria Park WA 6101
File Number	2010/005964-1
Duration	19/10/2011 to 18/10/2026
Date of amendment	26/09/2019
Prescribed Premises	Category 2: Intensive piggery
Premises	Kamarah Piggery 310 West Wannamal Road Mindarra WA 6503 Legal description - Lot 21 on Plan 74381 Certificate of Title Volume 2807 Folio 573 As depicted in Schedule 1

This Amended Licence is granted to the Licence Holder, subject to the following conditions, on 26 September 2019, by:

Paul Byrnes
MANAGER, PROCESS INDUSTRIES
REGULATORY SERVICES

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

Explanatory notes

These explanatory notes do not form part of this Licence.

Defined terms

Definition of terms used in this Licence can be found at the start of this Licence. Terms which are defined have the first letter of each word capitalised throughout this Licence.

Department of Water and Environmental Regulation

The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986 (WA)* (EP Act). The Department also monitors and audits compliance with licences, takes enforcement action and develops and implements licensing and industry regulation policy.

Licence

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased, or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered, or permitted to be altered, from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987 (WA)* (EP Regulations).

This Licence does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Licence Holder to ensure that any action or activity referred to in this Licence is permitted by, and is carried out in compliance with, other statutory requirements.

The Licence Holder must comply with the Licence. Contravening a Licence Condition is an offence under s.58 of the EP Act.

Responsibilities of a Licence Holder

Separate to the requirements of this Licence, general obligations of Licence Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Licence Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under section 61; and
- 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 (s.53).

Strict penalties apply for offences under the EP Act.

Reporting of incidents

The Licence Holder has a duty to report to DWER all discharges of waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

Offences and defences

The EP Act and its regulations set out a number of offences, including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Licence Holder commits an offence if Emissions are caused, or altered from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a Closure Notice or an Environmental Protection Notice.

Defences to certain offences may be available to a Licence Holder and these are set out in the EP Act. Section 74A(b)(iv) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Licence Holder can prove that an Emission or Discharge occurred in accordance with a Licence.

This Licence specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of Specified Emissions and Discharges, in order for the defence to offence provision to be available.

[Authorised Emissions and Discharges](#)

The Specified and General Emissions and Discharges from Primary Activities conducted on the Prescribed Premises are authorised to be conducted in accordance with the Conditions of this Licence.

Emissions and Discharges caused from other activities not related to the Primary Activities at the Premises have not been Conditioned in this Licence. Emissions and Discharges from other activities at the Premises are subject to the general provisions of the EP Act.

[Amendment of licence](#)

The Licence Holder can apply to amend the Conditions of this Licence under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Licence at any time on the initiative of the CEO without an application being made. Amendment Notices constitute written notice of the amendment in accordance with s.59B(9) of the EP Act.

[Duration of Licence](#)

The Licence will remain in force for the duration set out on the first page of this Licence or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

[Suspension or revocation](#)

The CEO may suspend or revoke this Licence in accordance with s.59A of the EP Act.

[Fees](#)

The Licence Holder must pay an annual licence fee. Late payment of annual licence fees may result in the licence ceasing to have effect. A licence that has ceased to have effect due to non-payment of annual licence fees continues to exist; however, it ceases to provide a defence to an offence under s.74A of the EP Act.

Late fees are a component of annual licence fees and should a Licence Holder fail to pay late fees within the time specified the licence will similarly cease to have effect.

Definitions and interpretation

Definitions

In this Licence, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
Annual Period	means a 12 month period commencing from 1 September until 31 August in the following year.
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
Compliance Report	means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
Department Request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to: <ul style="list-style-type: none"> (a) compliance with the EP Act or this Licence; (b) the Books or other sources of information maintained in accordance with this Licence; or (c) the Books or other sources of information relating to Emissions from the Premises.
DWER	Department of Water and Environmental Regulation.
EP Act	means the <i>Environmental Protection Act 1986</i> (WA).
EP Regulations	means the <i>Environmental Protection Regulations 1987</i> (WA).
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
Licence	refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.
Licence Holder	refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at the front of this Licence.
m ³ /ha	means cubic metres per hectare
NEGIP	refers to the <i>National Environmental Guidelines for Indoor Piggeries</i> , Australian Pork Limited, 2018
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.

Term	Definition
Primary Activities	refers to the Prescribed Premises activities listed on the front of this Licence as described in Schedule 2, at the locations shown in Schedule 1.
SPU	refers to standard pig units, as defined in NEGIP.

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;
- (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; and
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

Conditions

Emissions

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

Table 2: Authorised Emissions table

Emission type	Exclusions/Limitations/Requirements
Specified Emissions	
Application of spent ecoshelter bedding to land	Subject to compliance with the requirements of condition 4 and Table 4.
General Emissions (excluding Specified Emissions)	
Emissions which arise from the Primary Activities set out in Schedule 2.	Emissions excluded from General Emissions are: <ul style="list-style-type: none"> • Unreasonable Emissions; or • Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or • Discharges of Waste in circumstances likely to cause Pollution; or • Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or • Emissions or Discharges which do not comply with an Approved Policy; or • Emissions or Discharges which do not comply with a prescribed standard; or • Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or • Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.

Infrastructure and equipment

- The Licence Holder must ensure that the site infrastructure and equipment listed in Table 3 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in Table 3.

Table 3: Infrastructure and equipment operational requirements

Site infrastructure and equipment	Operational requirements
Conventional sheds	<p>Pull-plug effluent management system with ability to reuse treated wastewater from the evaporation pond for flushing, or a flushing effluent drainage system.</p> <p>Effluent directed to anaerobic ponds via screw press fan separator.</p> <p>Piggery effluent and spilt feed material remains contained within the sheds.</p>
Ecoshelters	<p>Piggery effluent, bedding material and spilt feed material remains contained within the eco-shelter hardstand area.</p> <p>Eco-shelters have a high tensile fabric roof to minimise rainfall ingress.</p>
Anaerobic Pond 1	<p>A minimum of a 300 mm thick layer of inert granular or gravel material is maintained on top of the Anaerobic Pond 3 clay liner to protect it during desludging activities.</p>
Anaerobic Pond 2	<p>Desludging activities shall not impact the integrity of the Anaerobic Pond 1 or 2 pond lining.</p> <p>A minimum top of embankment freeboard of 500 mm is maintained to contain rainfall from a 1 in 10 ARI rainfall event of 72-hours without overtopping.</p>
Anaerobic Pond 3	<p>At least one anaerobic pond is online at any given time while the other two may be offline in stages of desludging or sludge drying.</p> <p>At least one pond must be desludged within each annual period of the licence.</p>
Evaporation Pond	<p>A minimum top of embankment freeboard of 500 mm is maintained to contain rainfall from a 1 in 10 ARI rainfall event of 72-hours without overtopping.</p> <p>Recirculation of treated effluent for conventional shed flushing water commences once the evaporation pond reaches a top of embankment freeboard level of 1 m.</p>
Screw press fan separator	<p>Separated solids are contained within the screw press fan separator collection bunker by a concrete floor and three concrete sides.</p>
Composting bunkers	<p>Active or finished compost remains contained within the hardstand area of the composting bunkers.</p> <p>Leachate and stormwater runoff remains contained within the hardstand area of the composting bunkers.</p> <p>Composting bunkers remain secured from feral animals by a fence with a gate that remains closed outside of daytime operating hours.</p>

Limits – stocking rates

3. The Licence Holder must ensure the total number of pigs held on the premises does not exceed 25,384 SPU at any one time, including:
 - (a) no more than a total number of pigs held in conventional sheds of 17,954 SPU at any one time; and
 - (b) no more than a total number of pigs held in ecoshelters of 7,429 SPU at any one time.

Specified Emissions

Application of ecoshelter spent bedding to land

4. The Licence Holder must ensure that the application of ecoshelter spent bedding to land within the premises is in accordance with the corresponding requirements specified in Table 4.

Table 4: Ecoshelter spent bedding application to land requirements

Waste type	Requirements	Location
Ecoshelter spent bedding	<p>The Licence Holder must ensure ecoshelter spent bedding applied to land occurs:</p> <ol style="list-style-type: none"> (a) only within the premises boundary depicted in the Schedule 1: Application of ecoshelter spent bedding map; (b) not within 100 m of wetland areas as depicted in the Schedule 1: Application of ecoshelter spent bedding map; (c) not within any portion of the premises within: <ol style="list-style-type: none"> (i) 300 m of a rural dwelling excluding any dwellings located within the premises; and (ii) 25 m of the premises boundary. (d) at a maximum application rate of 15 m³ of spend bedding per hectare; (e) using a mechanical spreader; (f) evenly and not during periods of rainfall; and (g) preferentially to crops prior to sowing or during active growth. 	Schedule 1: Application of ecoshelter spent bedding map

Pig waste management requirements

5. The Licence Holder must ensure piggery wastes types listed in Table 5 only undergo the corresponding treatment and disposal methods and only in accordance with the corresponding requirements set out in Table 5.

Table 5: Piggery waste treatment and disposal requirements table

Waste type	Treatment and disposal method	Requirements
Conventional shed effluent	Treatment through screw press fan separator for solids reduction and anaerobic treatment. Disposal of treated effluent via evaporation or reuse as flushing water within the conventional sheds	No disposal of untreated or treated effluent occurs within the premises.
Ecoshelter spent bedding	Application to land within the premises or disposal offsite.	As specified in condition 4.
Pig mortalities	Composted within the composting bunkers or removal from the premises	Pig mortalities for composting are placed within a compost bunker and covered with a minimum 300 mm layer of compostable organic material within 24 hours of becoming aware of the pig mortality. Any pig mortalities for offsite disposal are removed from the premises within 24 hours of becoming aware of the pig mortality. No burial of pig mortalities occurs within the premises.
Pond sludge	Not specified	No disposal of pond sludge within the premises.
Screw press fan separator solids	Extracted solids are collected in the bunker beneath the fan separator. Liquid is directed to an anaerobic pond.	Solids collected within the fan separator bunker are removed from the premises by a third party.

Records and reporting

Record-keeping

- 6.** The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
- the calculation of fees payable in respect of this Licence;
 - the maintenance of infrastructure required to ensure that it is kept in good working order in accordance with Condition 2 of this Licence; and
 - complaints received under Condition 8 of this Licence; and
- In addition, the Books must:
- be legible;
 - if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - be retained for at least 3 years from the date the Books were made; and
 - be available to be produced to an Inspector or the CEO.
- 7.** The Licence Holder must maintain a weekly record of the number of pigs on the

premises and shall include records of the :

- (a) total number of pigs and SPU held in conventional sheds;
- (b) total number of pigs and SPU held in ecoshelters;
- (c) number of pigs leaving the premises with each load; and
- (d) number of mortalities per week.

Complaints management

- 8.** The Licence Holder must record the following information in relation to complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
- (a) the name and contact details of the complainant, (if provided);
 - (b) the time and date of the complaint;
 - (c) the complete details of the complaint and any other concerns or other issues raised; and
 - (d) the complete details and dates of any action taken by the Licence Holder to investigate or respond to any complaint.

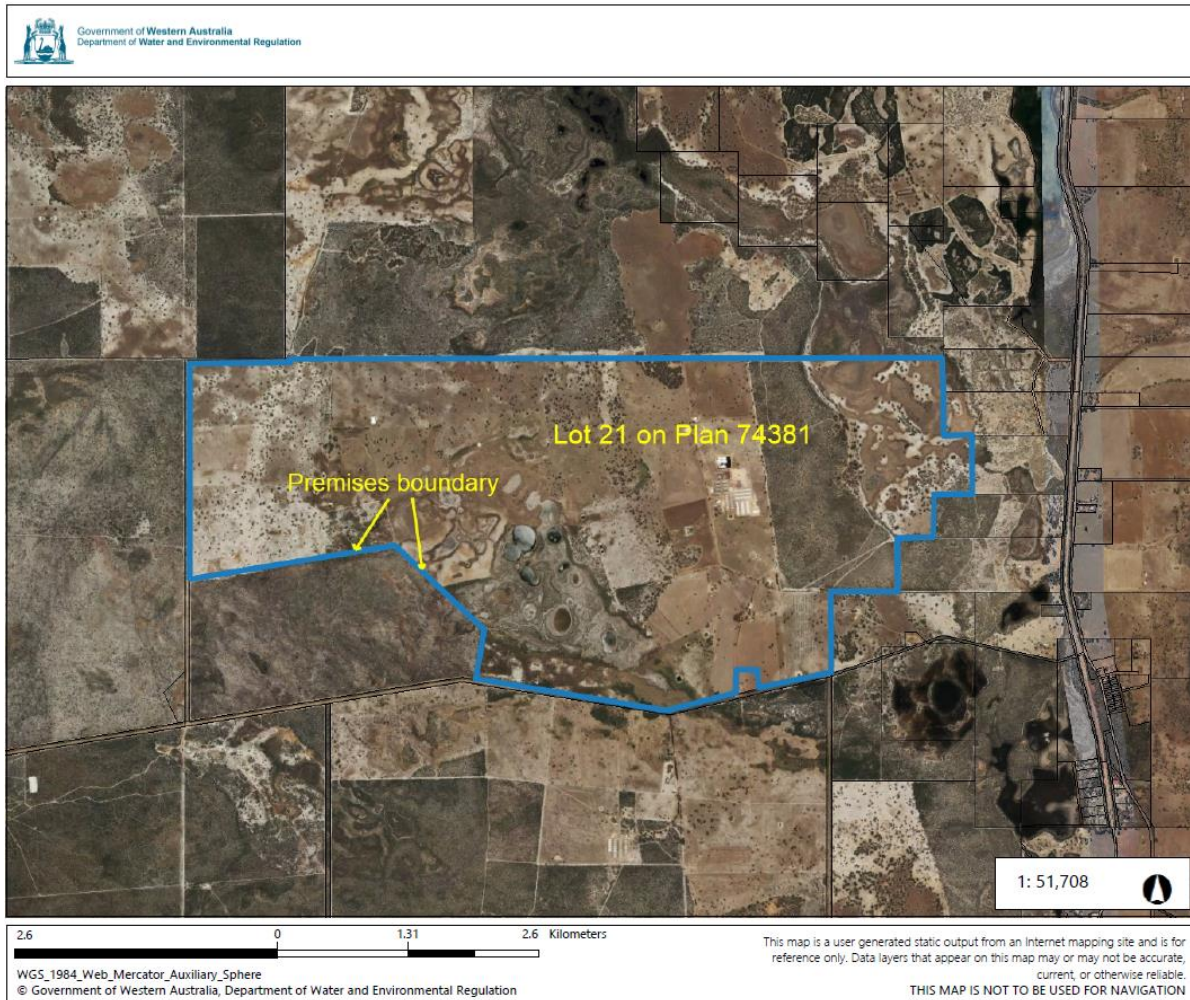
Annual Audit Compliance Report

- 9.** The Licence Holder must:
- (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period;
 - (b) prepare and submit to the CEO an Annual Audit Compliance Report in the approved form indicating the extent to which the Licence Holder has complied with the conditions in this Licence for the preceding annual period
- 10.** The Licence Holder must submit to the CEO no later than 60 days after the end of each annual period, a compliance report for the preceding annual period inclusive of the following:
- (a) The Annual Audit Compliance Report;
 - (b) The maximum number of animals and SPU held on the premises for each month during the previous annual period as recorded in accordance with condition 7; and
 - (c) A summary of complaints recorded in accordance with condition 8.

Schedule 1: Maps

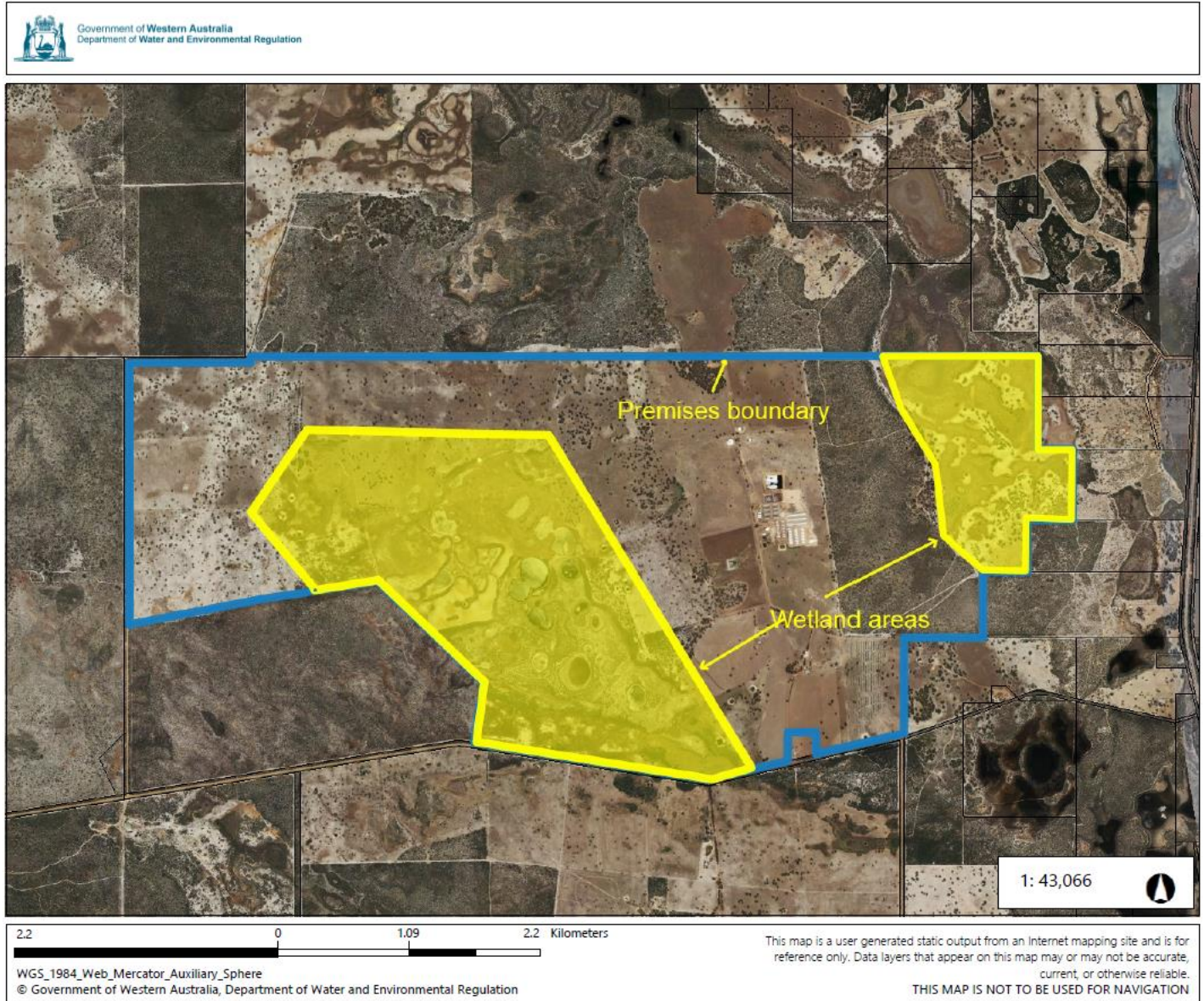
Premises map

The Premises are shown in the map below.

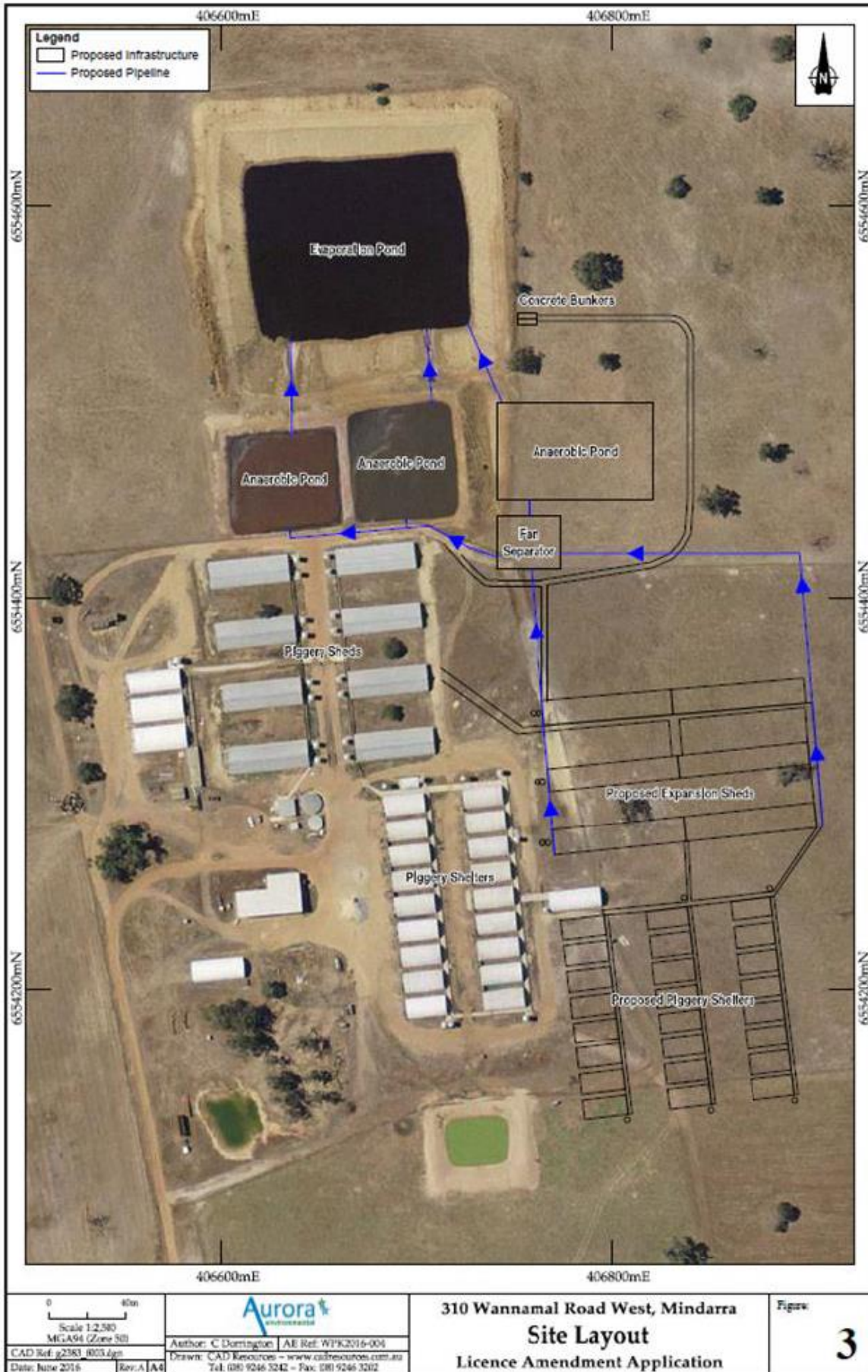


Application of ecoshelter spent bedding map

Wetland areas within the Premises excluded from the application of ecoshelter spent bedding are shown in yellow in the map below



Infrastructure and equipment layout map



Schedule 2: Primary Activities

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

The Primary Activities are listed in Table 6:

Table 6: Primary Activities

Primary Activity	Premises production or design capacity
Category 2: Intensive piggery – premises on which pigs are fed, watered and housed in pens.	25,384 SPU

Infrastructure and equipment

The Primary Activity infrastructure and equipment situated on the Premises is listed in Table 7.

Table 7: Infrastructure and equipment

Infrastructure and equipment	Schedule 1: Infrastructure and equipment layout map reference
3 x Conventional sheds with “pull plug” effluent drainage system	‘Piggery Sheds’ and ‘Proposed Expansion Sheds’
8 x Conventional sheds with flushing effluent drainage system	
47 x Ecoshelters	‘Piggery Shelters’ and ‘Proposed Piggery Shelters’
1x Screw press fan separator with concrete solid storage bunker with a roof	‘Fan Separator’
3 x Anaerobic Ponds	‘Anaerobic Pond’
1 x Evaporation Pond	‘Evaporation Pond’
2 x Composting bunkers Bunkers with a concrete floor, three concrete sides, a roof and a front gate to prevent animal access.	‘Concrete bunkers’

Site layout

The Primary Activity infrastructure and equipment is set out on the Premises in accordance with the Infrastructure and equipment layout map in Schedule 1.