



<b>Licence Number</b>	L6932/1988/11
<b>Licence Holder</b>	Derby Industries Pty Ltd
<b>ACN</b>	009 033 612
<b>File Number:</b>	2010/002314
<b>Premises</b>	CM Farms - Nambeelup 230 Gull Road NAMBEELUP WA 6207 SHIRE OF MURRAY  Lot 89 on Plan 741 Certificate of Title Volume 1112 Folio 243 excluding the areas defined in Schedule 4  Lot 109 on Plan 741 Certificate of Title Volume 1113 Folio 439
<b>Date of Amendment</b>	11 October 2019

## Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Licence Amendment Report. The report constitutes written notice of an amendment to Licence L6932/1988/11 in accordance with section 59B(10) of the EP Act.

**Paul Byrnes**  
**Manager Process Industries**  
**Regulatory Services**

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

# Licence Amendment

## Amendment

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend Licence L6932/1988/11 granted to Derby Industries Pty Ltd for its Nambeelup piggery. This notice of amendment is given under section 59B(10) of the EP Act in the form of a revised licence.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Licence Duration* (August 2016)
- *Guidance Statement: Decision Making* (June 2019)
- *Guidance Statement: Risk Assessment* (February 2017)

## Amendment description

Licence L6932/1988/11 is held by Derby Industries Pty Ltd (Licence Holder) for an intensive piggery on Gull Road, Nambeelup. This licence was reviewed and an amended licence was issued on 16 August 2018.

DWER has initiated an amendment to extend the Licence duration by five years to allow the Licence Holder to continue to operate the piggery and complete the improvement works required by the licence.

The Licence Holder was provided a draft amended licence and amendment report on 3 October 2019. The Licence Holder did not make comment and waived the remainder of the 21 comment period by email on 10 October 2019.

## Licence history

Table 1 provides the works approval and amendment history for L6932/1988/11.

**Table 1: Licence history**

Instrument	Issued	Description
L6932/1988/10	22/01/2009	Licence L6932/1988/10 was transferred from George Weston Foods Ltd to the Licence Holder on 22 January 2009.
L6932/1988/11	21/10/2010	The eleventh version of Licence L6932/1988 was issued to the Licence Holder on 21 October 2010 with an expiry date of 26 October 2015.
W4720/2010/1	21/10/2010	Works Approval – Decommissioning Ponds 3 & 4 and construction of Pond 6 – HDPE lined.
W4997/2010/1	01/09/2011	Works Approval – Pond 5 (aerobic) refurbishment, extension and lined with HDPE.
L6932/1988/11	15/12/2011	Licence amendment following WA Composts Pty Ltd obtaining separate licence to operate a composting facility at Nambeelup Farm (L8410/2009).
W5679/2014/1	17/07/2014	Works Approval – Pond 2 (aerobic) lined with HDPE.
L6932/1988/11	23/10/2015	Licence Amendment – Extend licence duration by 12 months to allow for the re-assessment of the risk of all emissions and discharges from the Premises.
L6932/1988/11	28/01/2016	Licence amendment to allow construction of a second anaerobic pond (Pond 0).
L6932/1988/11	13/10/2016	Licence L6932/1988/11 was amended by notice on 13 October 2016 to extend the licence duration to 26 October 2017. This extension was to allow this licence Review to take place.
L6932/1988/11	11/10/2019	Licence L6932/1988/11 was amended by notice on 11 October 2019 to extend the licence duration to 26 October 2024. This extension was to allow the Licence Holder to continue to operate and finish improvement works on the premises.

## Decision

The Delegated Officer has extended the duration of the licence by 5 years (until 26 October 2024).

## Basis for the Decision

In amending the Licence to extend the duration of the Licence, the Delegated Officer considered the following:

- the current improvement works being under taken by the Licence Holder; and
- the outcome of the recent inspection conducted by DWER.

The Delegated Officer considers that extending the licence duration allows adequate time for The Licence Holder to complete the improvement works.

The duration of the licence beyond 26 October 2024 will be considered after the completion of the improvements and with regard to the *Guidance Statement: Licence duration*.

## Details of the Amendment

1. The licence duration has been extended from *26 October 2019* to *26 October 2024*.

## Appendix 1: Key documents

	Document title	In text ref	Availability
1.	Licence L6932/1988/11	L6932/1988/11	<a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2.	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	N/A	
3.	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.		
4.	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.		
5.	DER, February 2019. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.		