



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L5724/1993/11
Licence Holder	Westpork Pty Ltd
ACN	009 148 789
File Number	DER2015/000045-1
Premises	Mindarra Farm Piggery 1340 Wannamal Road BOONANARRING Legal description – Lot 10 on Diagram 80101 As defined by the coordinates in Schedule 1 of the Revised Licence
Date of Report	16/08/2022
Decision	Revised licence granted

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1. Decision summary

The Delegated Officer has determined to make amendments to Licence L5724/1993/11. The amendments are largely administrative in nature therefore they do not significantly alter the risk profile of the premises, providing those activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

2. Scope of assessment

2.1 Regulatory framework

In amending the licence, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary

Licence L5724/1993/11 is held by Westpork Pty Ltd (licence holder) for the Mindarra Farm Piggery (the premises), located at 1340 Wannamal Road, Boonanning.

On 13 May 2022, the licence holder submitted an application to the department to amend licence L5724/1993/11 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is seeking to amend the current boundaries for licence L5724/1993/11 to exclude the operational areas of the composting facility, in particular the lined pond that forms part of the composting operation but is not used by the piggery. This portion is operated under W5632/2014/1 and is currently the subject of a licence application (L9317/2022/1 – DWERDT596139).

2.3 Administrative changes

As part of this amendment package, the Department has incorporated administrative changes to the licence. The Department has not undertaken any additional risk assessment of the premises related to these changes.

In updating the licence, the CEO has:

- updated the format and appearance of the licence;
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this revised licence are detailed in Section 4.1.

If the licence holder would like to request the change or removal of any conditions, it is encouraged that this be addressed in a future licence amendment application accompanied by the relevant supporting information.

3. Consultation

The licence holder was provided with the draft Amendment Report on 11 July 2022. Comments received from the licence holder on 21 July 2022 have been considered by the Delegated Officer as detailed in Appendix 1.

4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

4.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 1: Summary of Licence amendments

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Applicability Nominal rated throughput Other relevant information Other legal requirements Emergency, accident or malfunction General requirements Alteration to premises Odour control requirements	N/A	Revised to current licensing format. Requirements removed from Licence as these are generally required by other regulatory instruments. Information has been incorporated into the Licence conditions.
N/A	Definitions	Definitions moved into Table 5	New terms added to the definitions table.
G1(a)	Submission of annual monitoring reporting	Condition 7	In accordance with the Notice of amendment for amended reporting conditions (2022), reporting condition have been updated to biennial submissions.
G1(b)	Annual monitoring report contents and complaints record keeping	Table 4 Condition 6	Reporting requirements have been updated to the current licensing format. Generalised requirements have been removed. Proposed changes to infrastructure and site boundaries may require a works approval and/or licence amendment. Complaints record keeping relocated into a standalone condition.

Existing condition	Condition summary	Revised licence condition	Conversion notes
G2	Annual Audit Compliance Report	Condition 8	Revised to current licensing format. Licence holder advised to source the current AACR form from the Department's website.
N/A	Infrastructure and equipment requirements	Condition 1 Table 1	An infrastructure and equipment table has been added in accordance with the Department's current licensing format. Information has been sourced from the licence, previously submitted works approval and licence amendment applications and comments provided during the consultation process.
W1	Wastewater treatment and disposal	N/A	Condition revised and relocated into Table 1.
W2	Wastewater treatment ponds operation	N/A	Condition revised and relocated into Table 1.
W3(a)	Wastewater irrigation	N/A	Condition revised and relocated into Table 1.
W3(b)	Wastewater irrigation requirements	N/A	Condition revised and relocated into Table 1.
W4(a)	Monitoring requirements	Condition 2 Table 2	Condition requirements moved into Table 2.
W4(b) Table 1	Wastewater monitoring locations and frequency	Condition 3 Table 3	Conditions have been merged and moved into a Table 3. Sampling locations clarified with the licence holder – evaporation pond 2 and water supply bore locations indicated in Schedule 1, Figure 2
W4(c)	Sample analysis requirements		
W4(d)	Water sample collection requirement		

Existing condition	Condition summary	Revised licence condition	Conversion notes
W4(e)	NATA accredited laboratory sample submission requirements	Condition 4	Updated into current licensing format.
S1(a)	Carcass disposal	N/A	Condition relocated into Table 1.
S1(b)	Carcass covering requirements	N/A	Condition relocated into Table 1.
S2	Wastewater pond desludging	Condition 5	No change.
S3(a)	Sludge drying and temporary storage	N/A	Condition revised and relocated into Table 1.
S3(b)	Sludge storage area bunding requirements	N/A	Condition revised and relocated into Table 1.
S3(c)	Sludge storage area leachate requirements	N/A	Condition revised and relocated into Table 1.
S4	Storage of other solid waste	N/A	Condition revised and relocated into Table 1.
S5	Disposal of solid wastes	N/A	Condition revised and relocated into Table 1.
N/A	Record-keeping	Condition 9	New condition added in accordance with current licensing format.
N/A	Record requirements	Condition 10	New condition added in accordance with current licensing format.
Attachment 1	Premises map	Schedule 1: Maps Figure 1: Map of the boundary of the prescribed premises Figure 2: Map showing premises infrastructure	Figure numbers assigned. Figure 1 has been updated in accordance with the amendment excising the composting operation area. Piggery waster supply bore locations added. Figure 2 added showing premises infrastructure, operational areas and irrigation areas defined by geographical coordinate points.

Existing condition	Condition summary	Revised licence condition	Conversion notes
Attachment 2	Annual Audit Compliance Report	N/A	Template removed from the licence. The licence holder is advised to source the current template from the Department's website.

References

1. DEC, May 2012. *Licence L5724/1993/11*. Department of Environment and Conservation., Perth. Accessed at www.dwer.wa.gov.au
2. DER, July 2015. *Guidance Statement: Regulatory principles*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
3. DER, October 2015. *Guidance Statement: Setting conditions*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
4. DER, November 2016. *Guidance Statement: Environmental Siting*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
5. DER, February 2017. *Guidance Statement: Risk Assessments*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
6. DWER, May 2018. *W6114/2017/1 Decision Report*. Department of Water and Environmental Regulation, Perth. Accessed at DWER record number A1677484.
7. DWER, June 2019. *Guideline: Decision Making*. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au
8. DWER, June 2019. *Guideline: Industry Regulation Guide to Licensing*. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au
9. Aurora Environmental, May 2022. *Licence Amendment Application*. Aurora Environmental, Perth. Accessed at DWER record number DWERDT603515
10. Aurora Environmental, July 2022. *Applicant comments on draft licence*. Department of Water and Environmental Regulation, Perth. Accessed at DWER record number DWERDT634693
11. Aurora Environmental, August 2022. *Final applicant comments on draft licence*. Department of Water and Environmental Regulation, Perth. Accessed at DWER record number DWERDT643778

Appendix 1: Summary of licence holder's comments on draft amendment

Condition/Table/Item	Summary of licence holder's comment	Department's response
Cover page assessed production/design capacity	<p>The draft updated licence design capacity (65,000 SPU) is not consistent with the current licence's design capacity of 65,000 animals.</p> <p>Given all new licences now quote design capacity in SPU, Westpork requests that the design capacity for the site is changed to 82,000 SPU. This figure includes all the suckers on the site and the pigs in the Mindarra 2 shelters which have not been previously included as part of the site licence.</p> <p>It is emphasised that this change is purely administrative in nature and there is no change to stocking numbers.</p>	<p>The Delegated Officer considers there was an error made in the draft and has updated the design capacity to reflect the original licences design capacity (65,000 animals).</p> <p>The Delegated Officer does not consider an increase to the sites SPU an administrative change and is outside of the scope of this administrative amendment to update the prescribed premises boundary and update the licence into the Department's current format. If the licence holder proposes to change the licensed design capacity, a separate licence amendment will need to be submitted to the Department with all necessary supporting documentation to enable a risk assessment to occur.</p>
Table 1, Item 1 (Mindarra 1)	<p>Suggestion that the note in relation to 950 sows in the entry for Mindarra 1 is deleted so this entry just reads as 3,800 pigs including suckers and sows as this will line up with the other descriptions.</p>	<p>The Delegated Officer accepts the deletion of the reference to 950 sows as this was not previously included in previous licence conditions and was only referenced in a description of previous operations.</p>
Table 1, Item 3 (Mindarra 3)	<p>The typographical error in capacity number "6.500" should be corrected to read "6,500 pigs".</p> <p>The compacted clay-lined bunded pad area is measures 35m x 45m. Site map provided indicating pad location.</p>	<p>Typographical error and pad area information noted - Licence updated accordingly.</p> <p>Schedule 1, Figure 2 added to licence indicating this pad location.</p>
Table 1, Item 4 (Mindarra 4)	<p>Confirmation that the HDPE lined pond indicated in red strikeout is the correct pond being excised from the licence.</p> <p>The HDPE lined pond of capacity 88,220m³ was built under W6114/2017/1. Specifications are detailed in the works approval application other than the pond was constructed in an L shape. Pond dimensions have been provided.</p>	<p>Confirmation of excised pond noted - Licence updated accordingly.</p> <p>Dimensions for this pond have been included within Schedule 1, Figure 2.</p>

Condition/Table/Item	Summary of licence holder's comment	Department's response
Table 1, Item 5 (Wastewater irrigation area)	<p>Irrigation water is sourced from evaporation pond 2. Wastewater irrigation area is shown in attached diagram with geographical coordinates delineating the area.</p> <p>When irrigation is used, it is applied to a seasonal crop. It is anticipated that irrigation will be used infrequently in the future.</p> <p>Irrigation water is pumped from Pond 2 to a 100 series Big Gun portable pivot end sprinkler. The Sprinkler is mounted on a travelling mount which is pulled out from valve location and then progressively retracts to cover a linear corridor. The starting position is varied to ensure full coverage of the irrigation area.</p>	<p>Table 1, 5, (a) has been included specifying the sourcing of wastewater from evaporation pond 2. Map and coordinates indicating the irrigation areas have been added to Schedule 1, Figure 2 of the Licence.</p> <p>Licence holder's operational activity and irrigation equipment updated into the Licence.</p>
Table 1, Item 6 (Carcass burial pits)	<p>Burial pits have been marked on an attached map. Area 1 is of size 50m x 20m and Area 2 is of size 50m x 10m.</p>	<p>Licence has been updated with these specifications, the location specified and shown in Schedule 1, Figure 2.</p>
Table 1, Item 7 (Bunded pond sludge storage areas)	<p>The site does not have a permanent sludge storage area.</p> <p>3 areas identified on attached plan are used to store fan separator solids (which are dry) and/or spent litter prior to removal off site. These areas are bunded to retain water and constructed as indicated below:</p> <p>Area 1. 15m x 20m (concrete base)</p> <p>Area 2. 35m x 140m (compacted clay base)</p> <p>Area 3. 35m x 45m (compacted clay base)</p> <p>Area 1 is the existing storage area for separator and straw-based manure prior to removal off site This area services Mindarra 4. The fan separated solids from Area 1 are periodically removed from the concrete pad and mixed with the straw-based litter in Area 2 before being removed from site. The mixing process produces a drier combined product that is easier to handle.</p> <p>At present no material is transferred to the proposed composting facility as it is not operational. When the composting facility becomes operational some, or all the solid waste from Areas 1-3, as well as the carcasses may be transferred to the composting facility. As the composting facility is a separate licensed facility, this approach can be regarded as directing the solids and manure for off-site disposal. Westpork will notify DWER if or when transfer of solid wastes to the proposed composting facility occurs.</p>	<p>Licence has been updated with these specifications, the location of Areas 1-3 is specified and shown in Schedule 1, Figure 2.</p>

Condition/Table/Item	Summary of licence holder's comment	Department's response
Table 3 (Monitoring locations – M1, M3 and Piggery water supply bores)	<p>There are no monitoring bores on site, the labels M1 and M3 refer to two irrigation areas and are not monitoring points as such. An agreement exists for Westpork to take monthly samples of the water being used to irrigate the nominated irrigation areas.</p> <p>All the irrigation water is sourced from Pond 2 and a valve is adjusted to direct the irrigation water to either area M1 or M3.</p> <p>Since construction of Pond 2, and also because of increased recycling or water from Pond 2, there has been no need to irrigate effluent for the last few years and Westpork considers it is unlikely that irrigation will occur in the near future but Westpork wishes to retain the right to do so to cover the possibility of extreme rainfall events.</p> <p>Geographical coordinates for piggery water supply locations provided.</p>	The licence has been updated to include the location of the piggery water supply bores on Schedule 1, Figure 1 and M1, M3 in Schedule 1, Figure 2.
Table 4 (highlighted text addition)	Acknowledged and no comment.	Noted.
Condition 8 (Annual Audit Compliance Report submission)	Consistent with other Westpork operated sites, it is requested that the period to submit the compliance report is extended to 60 days, or if a date is to be quoted 1 September.	The Delegated Officer accepts this request as this is considered an administrative change. Licence has been updated accordingly.
Condition 9 (standard reporting condition addition)	Acknowledged and no comment.	Noted.
Condition 10 (standard reporting condition addition)	Acknowledged and no comment.	Noted.