



## Application for licence amendment

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence number</b>	L6932/1988/11
<b>Licence holder</b>	Derby Industries Pty Ltd
<b>Premises</b>	CM Farms – Nambeelup Piggery 230 Gull Road NAMBEELUP WA 6207
<b>Date of report</b>	24 April 2025
<b>Status of report</b>	Final

## Amendment description

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the existing licence issued in respect the prescribed premises as set out below. This notice of amendment is hereby given under section 59B(9) of the EP Act.

This amendment was initiated by the licence holder and is limited to the reinstatement of an effluent treatment pond at the Nambeelup Piggery.

In completing the assessment documented in this report, the department has considered and given due regard to its regulatory framework and relevant policy documents which are available at <http://dwer.wa.gov.au/regulatory-documents>.

## Purpose and scope of assessment

Derby Industries Pty Ltd trading as CM Farms (CM Farms/licence holder) is seeking changes to its existing licence (L6932/1988/11) following the completion of works to reinstate an effluent pond at the premises.

### Background

In June 2024, CM Farms sought to re-line and reinstate Pond 3, being a historical pond that was decommissioned in 2010, for the purpose of temporarily functioning as a replacement for Pond 2, whilst it is taken offline and desludged.

Once desludged, Pond 2 will be put back into service, creating additional storage capacity within the wastewater treatment system.

In August 2024, L6932 was amended to include provision for reinstatement works on Pond 3, including installation of a new 1.5 mm thick HDPE geomembrane liner, and a 150 mm balance pipe connecting Pond 3 to Pond 5.

Works were subsequently completed, and a construction compliance report received by the department on 29 November 2024, demonstrating how the completed works comply with the specified requirements.

### Proposed amendment

CM Farms seeks amendments to L6932 to include the now re-lined Pond 3 as authorised infrastructure at the premises, and for its ongoing use as part of the site's wastewater treatment system.

Additionally, CM Farms seeks to remove the current restriction of using the sprinklers on Ponds 5 and 6 before 10 am and after 4 pm on weekdays; this is to increase the time that the sprinklers are used to aide in evaporation and reduce the volume of wastewater in Ponds 5 and 6, particularly during periods of heavy rainfall, and increase overall pond performance by increasing dissolved oxygen levels.

## Decision

### Inclusion of Pond 3

The department has reviewed the construction compliance report for Pond 3 and is satisfied the pond has been appropriately re-lined and is fit-for-purpose. As such, Pond 3 has been added to Table 2 in the licence as authorised infrastructure on the premises.

Improvement works conditions 23 – 27 have also been deleted, as the relevant works have now been completed and compliance with these conditions are considered to have been closed out.

Other conditions have also been updated to include reference to Pond 3, where relevant.

### Change restrictions on pond sprinklers

Restricting use of sprinklers on the ponds was first imposed on L6932 in 2018, to minimise pond disturbance outside of normal daytime hours, as one of several strategies to mitigate the risk of off-site odour impacts from the Nambeelup precinct.

A recent assessment of the functional performance of the wastewater ponds at the adjacent C-Wise premises (GHD 2024) did not identify the use of sprinklers on the ponds as a potential source and/or cause of odour from the premises, which the delegated officer accepts and agrees the restriction is no longer necessary.

As such, Condition 11 has been deleted.

### Administrative changes

In amending the licence, the delegated officer has also determined to:

- remove redundant conditions relating to Pond 2 receiving contaminated runoff from the adjacent C-wise premises, a practice which has since been discontinued and the infrastructure removed; and
- realigned condition numbers for numerical consistency.

### **Consultation**

The licence holder was provided with drafts of the amended licence and this report on 8 April 2025 and waived the consultation period with no additional comments.

## **Conclusion**

The delegated officer has determined to amend the existing licence, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

## **Summary of amendments**

The below table provides a summary of the proposed updates and will act as a record of implemented changes. All proposed changes have been incorporated into the amended licence.

<b>Condition / table</b>	<b>Description</b>
Definitions	'Wastewater Treatment Ponds' amended to include Pond 3
Condition 3, Table 2	Pond 3 added, including capacity, lining and overflow specifications
	WWTP amended to specify bypass valve discharges to Pond 2 or Pond 3, whichever is active at the time
	Pond 0 amended to specify discharge to Pond 2 or Pond 3, whichever is active at the time
	Pond 2 amended to remove reference to receiving runoff from the C-Wise premises
Condition 11	Restriction on use of pond sprinklers – deleted
Condition 14, Table 4	Pond 3 added to monitoring schedule, with either Pond 2 or Pond 3 to be monitored, whichever is active at the time
Condition 16	Condition amended to incorporate footnote for excluding field parameters and volume of pond sludge from being analysed by a NATA-accredited laboratory
Conditions 23 - 27	Improvement works conditions – deleted
Schedule 1, Drainage Map	Deleted
Schedule 2, Table 8	Pond 3 added to primary infrastructure table

## References

1. GHD 2024, *Nambeelup Wastewater Storage and Treatment Ponds Performance Review – Final Report per EPN 202401*. Report prepared by GHD for WA Composts Pty Ltd (C-Wise), April 2024.