



Application for Licence Amendment

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

Licence Number	L6932/1988/11
Licence Holder	Derby Industries Pty Ltd
ACN	009 033 612
File Number	DER2010/002314
Premises	CM Farms – Nambeelup Piggery 230 Gull Road, NAMBEELUP WA 6207 Legal description – Lot 89 on Plan 741 Certificate of Title Volume 1112 Folio 243 As defined by the Premises maps attached to the Revised Licence
Date of Report	13/03/2026
Proposed Decision	Revised licence granted

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1. Decision summary

The Delegated Officer has determined to grant the requested amendments to Licence L6932/1988/11. The amendments relate to updates to monitoring requirements, adjustments to improvement-work completion timeframes, the addition or clarification of proposed infrastructure, and correction of minor administrative errors.

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 Background

Derby Industries Pty Ltd (licence holder) operates the CM Farms – Nambeelup Piggery under Licence L6932/1988/11. A department-initiated amendment in 2025 introduced several improvement conditions following the issue of Environmental Protection Notice (EPN) 202402 and subsequent departmental site inspections and compliance assessments.

Following the granting of the previous amendment, the licence holder determined that the required improvement works could not be completed within the specified timeframes due to project lead times, design and procurement constraints, and the seasonal availability of contractors. In addition, the licence holder identified technical limitations associated with the water balance monitoring requirements, specifically the requirement to install flow meters on gravity-fed pond systems, where such equipment cannot reliably operate.

As a result, the licence holder submitted an application to amend the licence to ensure that the improvement conditions and monitoring requirements remain technically feasible, achievable and in a manner consistent with the intent of the conditions.

2.3 Application summary

On 30 January 2026, the licence holder applied to amend Licence L6932/1988/11 under section

59B of the Environmental Protection Act 1986. The application seeks to:

- Extend completion dates for existing improvement works, including the construction and installation of a roof structure over the carcass composting tunnel;
- Replace the requirement to install flow meters on gravity-fed pond transfers with the use of a Halo hydrostatic monitoring system; and
- Retaining flow meters only on pressurised wastewater lines, such as those associated with the wastewater treatment plant and pumped pond transfers.

No changes to production capacity, emissions, processes, or receptors were requested.

3. Decision rationale

The Delegated Officer has assessed the amendments requested by the licence holder with regard to the Environmental Protection Act 1986, existing licence conditions, and the environmental risk profile of the Premises. The rationale for accepting the amendments is as follows:

Improvement works timeframes

The evidence provided by the licence holder demonstrates that the original completion dates are no longer achievable due to practical project scheduling constraints, including design finalisation, procurement lead times and contractor availability. Extending the deadlines maintains the intent and environmental benefit of the improvement program while ensuring the works can be completed to an appropriate standard.

Flow monitoring requirements

The requirement to install flow meters on gravity-fed pond transfers was determined to be technically impractical. Gravity-fed systems at the Premises do not generate sufficient pressure or consistent hydraulic conditions for flow meters to operate accurately. The proposed Halo hydrostatic monitoring system provides an alternative means to quantify water movement and support the site water balance. Flow meters will remain a requirement for all pressurised lines including the Wastewater Treatment Plant (WWTP) and Pond 0 (anaerobic), ensuring accurate volumetric monitoring where the technology is suited.

Overall risk profile

The amendments do not alter the type, scale or complexity of emissions, nor do they change the production capacity or infrastructure footprint of the Premises. The Delegated Officer is satisfied that the amendments maintain the environmental protection intent of the existing licence and do not result in any increase to risk.

4. Department initiated amendments

Carcass composting tunnel

The Delegated Officer has determined that additional regulatory controls are required for Condition 18, item 2 'carcass composting tunnel'. While the proposed roof structure will significantly reduce leachate generation by preventing stormwater ingress, small amounts of leachate will continue to form through the natural decomposition of carcasses. As this leachate is inherent to the composting process, complete elimination is not expected.

Given this, the intent of the amended licence conditions is to ensure that the composting tunnel is designed and maintained to effectively contain leachate under normal operating conditions, and that any leachate produced is managed through an appropriate treatment or disposal pathway. The controls are not intended to unreasonably penalise incidental or momentary releases associated with routine handling, but rather to prevent uncontrolled or avoidable discharges that could impact the environment. These conditions ensure that the composting

tunnel is adequately sealed, protected from stormwater intrusion, and equipped to manage the unavoidable quantities of leachate produced through decomposition, without imposing unreasonable expectations on the licence holder.

Flow meters

As part of the previous amendment, the licence required installation of flow meters across all ponds and the WWTP. In the current application, the licence holder advised that only three flow meters are operational at the WWTP inflow, Pond 0 outflow, and Pond 5 outflow to the piggery. Due to the presence of pressurised flow, flow reading can be recorded at these points. All other pond transfers are gravity-fed and cannot reliably support flow metering.

To reflect the actual infrastructure onsite, the three existing flow meters have now been added to Table 1: Infrastructure and equipment operational controls. A revised site plan showing their locations will be requested to ensure accurate documentation. As the licence holder is not installing additional flow meters, requirements for new meter installations have been removed from Table 5: Infrastructure and equipment design requirements.

5. Consultation

The licence holder was provided with the draft Amendment Report on 3 March 2026. On 10 March 2026 the licence holder waived the comment period.

6. 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.

References

1. Derby Industries Pty Ltd (January 2026). *Licence Application Form*.
2. Craig Mostyn Group (January 2026). *Licence Amendment Supporting Information* January 2026.