



Application for licence

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

Licence number	L9243/2020/1
Applicant	Semini Custom Feeds Pty Ltd
ACN	066 199 184
DWER file number	DER2020/000142
Premises	Semini Custom Feeds 1417 Jindong-Treeton Road COWARAMUP 6284 Legal description Lot 2 on Diagram 77441 Certificate of title Volume 1876 Folio 302
Date of report	9 June 2020
Decision	Final

1. Definitions

Key terms relevant to this decision report and their associated definitions are listed in Table 1.

Table 1: Definitions

Term	Definition
Applicant	Semini Custom Feeds Pty Ltd
Category / categories	Categories of prescribed premises as set out in Schedule 1 of the EP Regulations.
Decision Report	refers to this document.
Delegated Officer	An officer delegated under section 20 of the EP Act.
Department	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.
DPIRD	Department of Primary Industries and Regional Development
DWER	Department of Water and Environmental Regulation
Emission	has the same meaning given to that term under the EP Act.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Licence Holder	Semini Custom Feeds Pty Ltd
Minister	the Minister responsible for the EP Act and associated regulations
MS	Ministerial Statement
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
Occupier	has the same meaning given to that term under the EP Act.
Prescribed premises	This has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report
Risk Event	As described in <i>Guidance Statement: Risk Assessment</i>
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>

2. Application details

Table 2 lists the documents submitted during the assessment process.

Table 2: Documents and information submitted during the assessment process

Document/information description	Date received
DWERDT265642 Application email 1 of 3	20/03/2020
DWERDT265645 Application email 2 of 3	20/03/2020
DWERDT265646 Application email 3 of 3	20/03/2020
DWERDT286694 and DWERDT286696 - Request for further information reply	21/05/2020

2.1 Purpose and scope of assessment

Semini Custom Feeds Pty Ltd (the Applicant) operates an animal feed manufacturing facility (the Premises) that has been operating for 25 years. The Applicant currently does not hold a licence under the *Environmental Protection Act 1986* (EP Act) to operate the Premises, which is classified as a Prescribed Premises in accordance with Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations).

The Applicant lodged a licence application on 20 March 2020 to obtain a licence to operate the Premises. This decision report documents the assessment of this application in accordance with DWER's published Regulatory Framework. The scope of the assessment includes:

- The design of the existing infrastructure.
- A risk-based assessment of the emissions and discharges associated with the operation of the animal feed manufacturing.

The guidance statements that have informed the assessment and decision outlined in this Decision Report are listed in Appendix 1.

Table 3 outlines the classification of the premises under this assessment.

Table 3: Classification of premises and assessed design capacity

Category	Description	Assessed throughput
Category 23	Animal feed manufacturing: premises (other than premises within category 15 or 16) on which animal food is manufactured or processed.	Not more than 20,000 tonnes per annual period

2.2 Description of proposed activity

The Applicant manufactures up to 20 000 tonnes of animal feed per year for beef and dairy markets. The Premises is located at Lot 2 on Diagram 77441, 1417 Jindong-Treeton Road, Cowaramup. Figure 1 outlines the Premises location.

The manufactured feed comprises of crushed and whole cereals and legumes, seedcakes products, pellets and minerals. The grains are custom mixed based on clientele's nutritional instructions, thus there is no set product line. A process diagram for the feed mill is contained in Schedule 1.

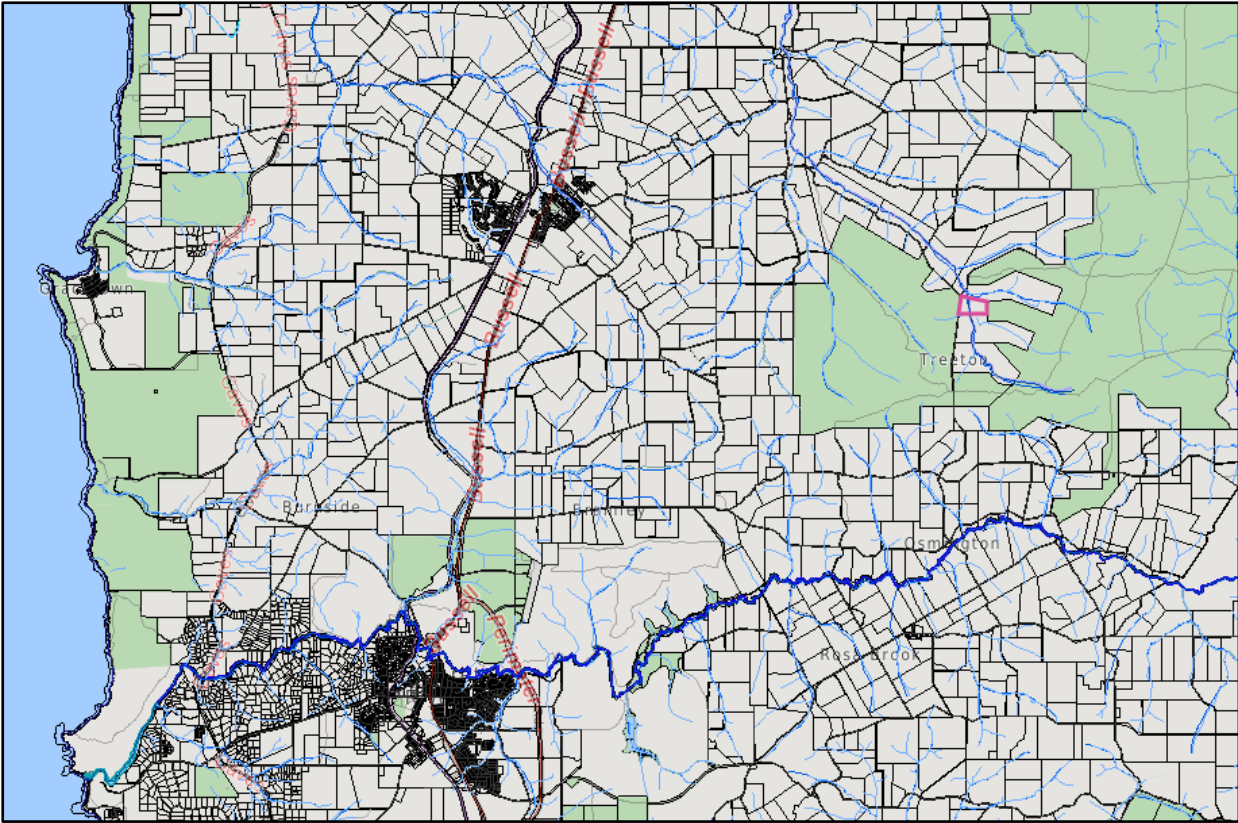


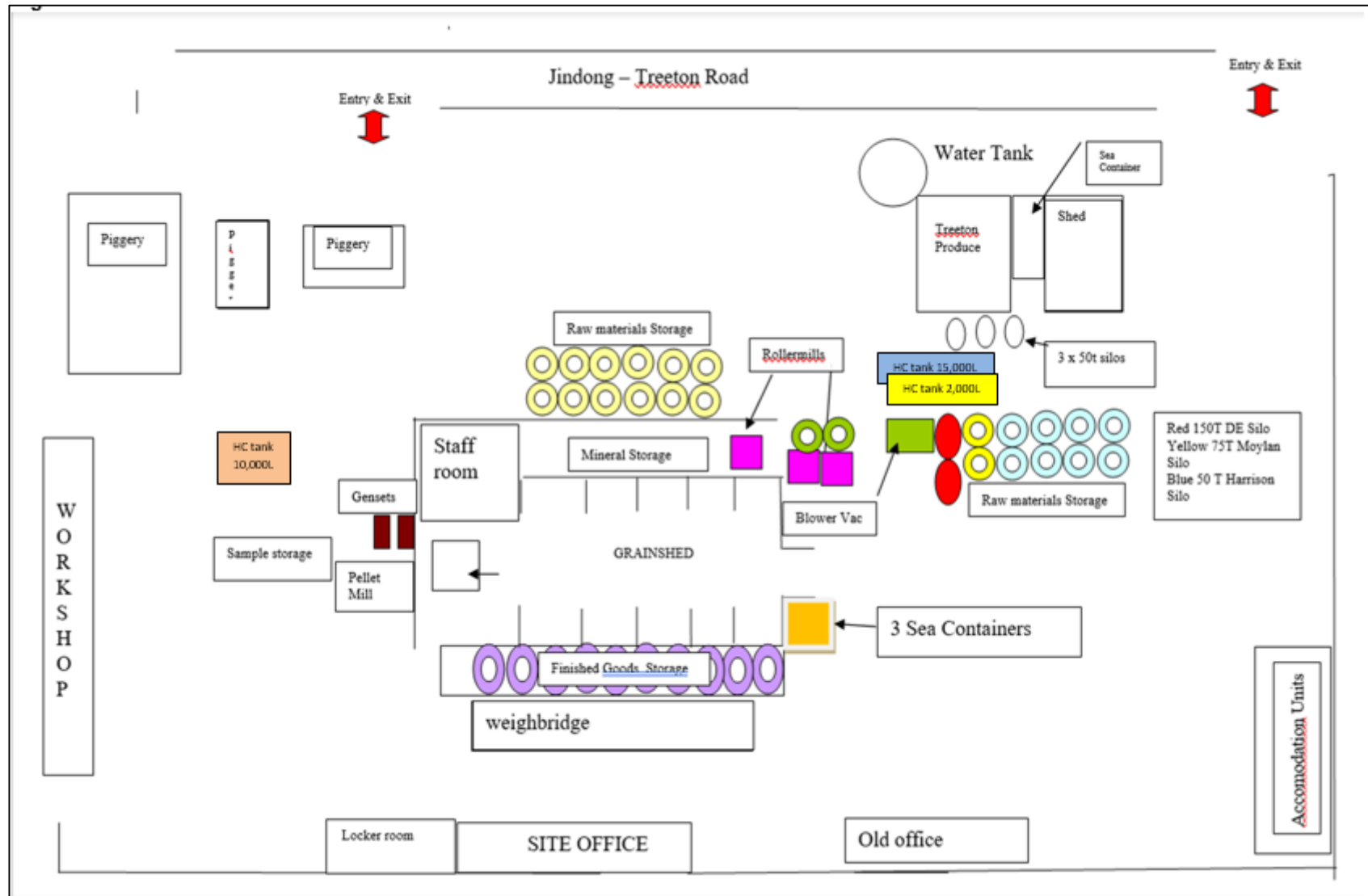
Figure 1: Location of Premises (outlined in pink border)

The manufacturing of animal feed infrastructure, as it relates to Prescribed Premises category 23, is detailed in Table 4 and the infrastructure references in the Site Plan area are outlined in Figure 2.

Table 4: Animal Feed Manufacturing Category 23 infrastructure

Infrastructure		Site Plan Reference
Site plan map, Figure 2		
Prescribed Activity Category 23		
A stock feed manufacturing facility operating with a throughput of 20 000 tonnes per year.		
1.	Grain storage (including raw materials and finished goods in various silos)	Material storage
2.	Pellet Mill	Pellet Mill
3.	3 x Roller Mills	Roller Mills
4.	Processing shed (refer to Figure 3 in Schedule 1: Feed Mill Process) this includes: <ul style="list-style-type: none"> • Mineral storage bins • Grain storage bins • Mixing tub • Augers • Drag chain • Conveyor • Vertical bucket elevator and • Loader 	Grainshed
5.	Blower Vac	Blower Vac
6.	4 x generators with soundproof enclosures (Gensets)	Gensets
7.	3 x Hydrocarbon storage tanks double walled, self bunded	HC tank
8.	Weighbridge	Weighbridge

Figure 2: Site Plan



3. Other approvals and consultation

Tables 5 and 6 outlines the relevant approvals and consultation.

Table 5: Relevant approvals.

Legislation	Number	Approval
<i>Rights to Water and Irrigation 1914</i>	GWL171620(2)	The Applicant does not hold a license to take water from a proclaimed resource (DWERDT274181).The applicant has an informal agreement to take water from a bore on adjacent land held by PJ and LM Semini.
<i>Planning and Development Act 2005</i>	No approval	The Shire of Augusta Margaret River have contacted the landowners to validate their existing land use. (A1887577)

Table 6: Consultation

Method	Comments received	DWER response
Application advertised on DWER website 8/04/2020 to seek public comments	No comments received	N/A
Local Government Authority advised of proposal on 14/04/2020	The Shire of Augusta Margaret River replied on 23/04/2020 confirming that a Change of Use application would likely be required for the proposal and noted that none had been received to date. The Shire has contacted the landowner and will work with them to validate the existing land use.	The Delegated Officer will not make a final determination on the application until evidence has been provided to support that planning approval has been granted.
DPIRD advised of proposal on 14/04/2020	DPIRD replied on 22/04/2020 advising that they did not object to the manufacturing of feed products from the Premises.	The Delegate Officer acknowledges DPIRDs advice.

4. Location and receptors

Risk is assessed as a combination of emission sources, the proximity and sensitivity of receptors to those emission sources and any pathways that can allow the emission to reach and potentially harm the receptor. Table 7 below provides a summary of human and environmental receptors in proximity to the premises which have a potential to be impacted from site activities. The risk assessment in Section 5 considers these receptors in the context of emissions and potential pathways.

Table 7: Sensitive receptors

Human receptors	Distance from activity or prescribed premises
Residential premises	Seven residents (zoned general farming) are located within 1km of the manufacturing facility. The closest residential premises is 450m north of the activity.
Environmental receptors	Distance from activity / prescribed premises
Surface water	Carbunup River is located 70m east of the manufacturing activity. The surface water is located within the Geographe Bay Rivers Surface Water Area proclaimed under the <i>Rights to Water and Irrigation Act 1914</i> (RIWI).
Groundwater	The groundwater is located within the proclaimed Busselton Capel Groundwater Area under RIWI. The Busselton Capel, Cowaramup, Perth – Blackwood Surficial and Perth- Leederville groundwater resources are linked to surface activities. Any nutrient leaching from this proposal can directly impact on the quality of this managed resource and current licensed users. There are three active bores within 1km north of the Premises.
Parks and Wildlife Managed Lands and Waters	Blackwood State Forest is located approximately 20m immediately west and 490m east of the manufacturing activity.

5. Risk assessment

Risk ratings have been assessed for each key emission source and take into account potential source-pathway-receptor linkages. The mitigation measures / controls proposed by the Applicant have been considered in determining the risk rating. Emissions during operation have been assessed. A licence under the EP Act is required to operate the premises.

Table 8 below describe the Risk Events associated with the application consistent with the *Guidance Statement: Risk Assessments*. The table identifies whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

5.1 Risk assessment – operation

Table 8: Risk assessment for operation

Risk Event				Consequence rating**	Likelihood rating**	Risk**	Reasoning
Source/Activities*	Potential emissions	Potential receptors, pathway and impact	Applicant controls				
Operation of the grain storage and processing facility, including delivery and dispatch of product and hydrocarbon storage and generator activity.	Dust	Air/windborne pathway causing impacts to health and amenity of closest human receptors. The closest rural residential property lies 450 m north of the activity. An additional 6 other rural residential properties lie within 1km of the activity.	Process dust emissions are managed through an enclosed inline process and the addition of dust suppression additives (canola oil) at the point of crushing.	Slight	Unlikely	Low	General provisions of the EP Act make it an offence to cause or allow pollution, including fugitive dust emissions that unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person. No DWER verified records of dust complaints from the premises. The Delegated Officer expects the Applicant's proposed dust mitigation controls to be reasonable and appropriate to mitigate dust emissions and these will be included in the Licence as regulatory controls.
		Air/windborne pathway causing impacts to surface water quality on the seasonal surface waterway, located 70m east from activity.	All grain handling is via enclosed augers, conveyors, blower and vacuum systems and product stored in enclosed silos. Site traffic is limited to control dust levels to a low level.	Slight	Unlikely	Low	
	Noise	Air/windborne pathway causing impacts to health and amenity of closest human receptors. The closest rural residential property lies 450 m north of the activity. An additional 6 other rural residential properties lie within 1km of the activity.	Regular machinery servicing. All noise generating activities are enclosed within the process shed or and generators within soundproof structures that are used during operational hours only.	Moderate	Possible	Medium	The <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations) are applicable for the operation at the premises. The applicant has provided a noise evaluation demonstrating that at maximum output the boundary noise readings range from 60 to 70Db. The Delegated Officer does not expect noise exceeding the assigned levels impacting on receptors to occur. No DWER verified records of noise complaints from the premises. The Delegated Officer expects the Applicant's proposed noise mitigation controls to be reasonable and appropriate to mitigate noise emissions and these will be included in the Licence as regulatory controls.
	Odour	Air/windborne pathway causing impacts to health and amenity of closest human receptors. The closest rural residential property lies 450 m north of the activity. An additional 6 other rural residential properties lie within 1km of the activity.	All grain handling is via enclosed augers, conveyors, blower and vacuum systems and product stored in enclosed silos. All inputs used in manufacturing process are vegetable/grain based and unlikely to generate odour.	Slight	Unlikely	Low	No DWER verified records of odour complaints from the premises. The Delegated Officer expects the Applicant's proposed odour mitigation controls to be reasonable and appropriate to mitigate odour emissions.
	Stormwater	Overland runoff causing impacts to surface water quality on the seasonal surface waterway, located 70m east from activity. Infiltration of contaminated stormwater to groundwater.	Stormwater does not enter the grainshed. Grainshed has gutters and drain pipes that direct all rainfall through underground pipes to the discharge pasture area. All outdoor silos (material storage areas) are on concrete pads that have drainage points installed that divert stormwater through underground pipes to discharge pasture area. Stormwater from weighbridge and commodity cartage trucks are diverted to a sump to allow solids to be retained and water diverted to the discharge pasture area. Infiltration of stormwater is through unsealed roads with an exit pathway for flows through a grassed paddock towards the waterway. Hydrocarbon storage areas are on concrete pads that are bunded.	Slight	Possible	Low	The Applicant's proposed stormwater mitigation controls will require regular maintenance to ensure underground drains are keep free of blockages. Bunding of all hydrocarbon storage areas and the sumps from loading areas are released to overland flow pathways exiting the premises. <i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i> are applicable for the operation at the premises.
	Solid waste from spills	Wind and stormwater pathways causing dust and / or blockages to drains and sumps and may move towards seasonal surface waterway located 70m east of activity.	Spilled grains or debris are swept up regularly and removed using shovels. Solid waste are stored in bulka bags and stored within storage areas and emptied weekly offsite. The facility has a regular cleaning procedure outlined in the <i>Semini Custom Feeds Quality Assurance Manual</i> and all activities are documented.	Slight	Possible	Low	The Applicant's proposed routine manual cleaning controls will reduce the likelihood of grain being carried to nearest environmental receptors and will be included in the Licence as regulatory controls. <i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i> are applicable for the operation at the premises.

**Consequence ratings, likelihood ratings and risk descriptions are detailed in the Department's Guidance Statement: Risk Assessments (February 2017)

6. Decision

As outlined in Table 8 given the design and positioning of the proposed infrastructure and the emission controls proposed by the Applicant, it is not anticipated that the operation of the facility will result in adverse impacts to the environment or local receptors. However, it has been identified that the following additional regulatory controls should be implemented in accordance with the outcomes of this assessment, these controls are:

1. Updated record keeping and reporting conditions. This is necessary for effective administration of the licence.

7. Applicant comments

A copy of the draft Decision Report and draft Licence were provided to the Applicant for comment on 4 June 2020. The Applicant provided a response on 4 June 2020 requesting that the assessed throughput and capacity be increased from 20,000 tonnes per annum (tpa) to 50,000 tpa. The Applicant's stated reason for this was its forecasted annual production increases and streamlining and modifications to the current production systems. The Applicant noted that system modifications will allow a greater production capacity within the same operating hours.

The Delegated Officer assessed the licence application and the associated risk of impacts from emissions on the basis of 20,000 tpa as was stated in the original application. The Applicant indicated that system modifications will occur to achieve the increase to 50,000 tpa, however has not provided specific detail on the modifications. Modifications have the potential to significantly alter the assessed risk profile of emissions and therefore alter the level of risk and the level of regulatory control proposed in the licence.

The Delegated Officer therefore decided to retain the assessed capacity of 20,000 tpa in the granted licence. The Applicant is encouraged to review section 53 of the EP Act which outlines obligations for certain types of changes to an existing prescribed premises to be approved. Under the department's Regulatory Framework, the appropriate mechanism for obtaining approval (if required) for the modifications and associated production capacity increase is through a works approval or potential a licence amendment. This approach allows the department to carry out a proper assessment of the risks associated with any proposed modifications and set controls in a works approval or amended licence accordingly, if required.

8. Conclusion

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

DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the licence under the EP Act.

Chris Malley
A/Manager, Process Industries

An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Key documents

Document title	Availability
DWER Application for Licence form and supporting documentation submitted by Applicant (March 2020)	DWER records: DWERDT265642; DWERDT265645 and DWERDT265646
DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	accessed at www.dwer.wa.gov.au
DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	
DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	
DER, February 2017 <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	
DWER, June 2019. <i>Guideline: Decision Making</i> . Department of Environment Regulation, Perth.	
DWER, June 2019. <i>Guideline: Industry Regulation Guide to Licensing</i> . Department of Water and Environmental Regulation, Perth.	

Schedule 1: Feed mill operational process

Figure 3: Feed mill operational process diagram (blue is located outdoors, red is located within the enclosed grainshed)

