



Annual Audit Compliance Report Form

Environmental Protection Act 1986, Part V

Once completed, please submit this form either via email to info-der@dwer.wa.gov.au, or to the below postal address:

Department of Water and Environmental Regulation
Locked Bag 33 Cloisters Square
PERTH WA 6850

Section A – Licence Details

Licence number:	L7352/1989/10	Licence file number:	
Licence holder:	Derby Industries Pty Ltd		
Trading as:	Linley Valley Pork		
ACN:	009 033 612		
Registered address:	6 Short Street Fremantle WA 6160		
Reporting period:	01/04/2022 to 31/03/2023		

Section B – Statement of Compliance with Licence Conditions

Did you comply with all of your licence conditions during the reporting period?
(please tick the appropriate box)

- Yes – please complete:
- section C;
 - section D if required; and
 - sign the declaration in Section F.
- No – please complete:
- section C;
 - section D if required;
 - section E; and
 - sign the declaration at Section F.

Section C – Statement of Actual Production

Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.

Prescribed Premises Category	Actual Production Quantity
Abattoir	65,152 Tonnes

Section D – Statement of Actual Part 2 Waste Discharge Quantity

Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached.

Prescribed Premises Category	Actual Part 2 Waste Discharge Quantity
Abattoir	355,390 kL

Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	1.3.3 (c)	Date(s) of non-compliance:	9/11/2022
Details of non-compliance:			
<p>Pond 9 was observed to be in breach of the minimum freeboard requirement of 1 meter.</p> <p>A freeboard of approximately ~300mm below the 'spillway' was observed, including evidence (scouring noted) that wastewater had discharged from the 'spillway' into the environment.</p>			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>There was no suspected environmental impact of the non-compliance. Quarterly monitoring of the nearby Wooroloo Brook undertaken in December 2022 indicated no elevated levels of nutrients in the downstream sample location, beyond historical averages.</p>			
Cause (or suspected cause) of non-compliance:			
<p>It is believed that recent winter rainfall caused an increase in water supply within pond 9, resulting in the breach of freeboard license conditions.</p>			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>Marker added to Pond 9 to show water level and freeboard Upgrade floats and adjust the float levels in Pond 9 so pump is activated at a lower water level Include inspection of freeboard in Pond 9 in daily inspection checklist Update the water balance for the wastewater treatment system</p>			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and Discussed with DWER during site visit on 26 October 2022			
<input type="checkbox"/> Reported to DWER verbally		Date: / /	
<input type="checkbox"/> Reported to DWER in writing		Date: / /	

Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	1.3.2 (c) and 1.3.3 (f)	Date(s) of non-compliance:	9/11/2022
Details of non-compliance:			
Pond 8 was observed to be actively receiving a flow of wastewater.			
What was the actual (or suspected) environmental impact of the non-compliance? NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
There was no suspected environmental impact of the non-compliance. Quarterly monitoring of the nearby Wooroloo Brook undertaken in December 2022 indicated no elevated levels of nutrients in the downstream sample location, beyond historical averages.			
Cause (or suspected cause) of non-compliance:			
It is believed that the pipeline connection from pond 9 was inadvertently cracked open allowing a small amount of discharge into Pond 8.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
Discharge to Pond 8 has ceased, with the discharge water pipe now permanently capped to prevent flow			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and Discussed with DWER during site visit on 26 October 2022			
<input type="checkbox"/> Reported to DWER verbally		Date: / /	
<input type="checkbox"/> Reported to DWER in writing		Date: / /	

Section E – Details of Non-Compliance with Licence Condition

Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.

Condition no:	1.3.3 (d) and 1.3.3 (f)	Date(s) of non-compliance:	9/11/2022
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Details of non-compliance:

Pond 9 was observed to have significant erosion along the south pond embankment which also appeared to be impacted by tree roots. Evidence of wastewater seepage at the base of the embankment was also noted, indicating that the pond liner has been compromised.

What was the actual (or suspected) environmental impact of the non-compliance?

NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.

Investigation as to the potential impacts of this non-compliance is still underway

Cause (or suspected cause) of non-compliance:

The erosion of the pond embankment was caused by storm event. The pond embankment integrity is monitored daily.

Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:

Inspect all pond embankments for evidence of erosion and/or tree root impacts and document areas for repair.
 Add inspection of pond embankments for evidence of erosion and/or tree root impacts to daily inspection checklist
 Repaired erosion on pond embankments and rectify any impacts from tree roots

Was this non-compliance previously reported to DWER?

Yes, and Discussed with DWER during site visit on 26 October 2022

Reported to DWER verbally

Date: / /

Reported to DWER in writing

Date: / /

Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	1.3.3 (f)	Date(s) of non-compliance:	9/11/2022
Details of non-compliance:			
Livestock were observed to have access to pond embankment areas and livestock footprints were found on the pond embankment edges including damage to pond embankments in some places.			
What was the actual (or suspected) environmental impact of the non-compliance?			
NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
There was no suspected environmental impact of the non-compliance. Quarterly monitoring of the nearby Wooroloo Brook undertaken in December 2022 indicated no elevated levels of nutrients in the downstream sample location, beyond historical averages.			
Cause (or suspected cause) of non-compliance:			
Improper fencing allowing egress of livestock to pond embankments			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
Prevent cattle from accessing the pond area using existing paddock fencing Design alignment of additional fencing to prevent cattle from accessing the pond embankments Install additional fencing to prevent cattle from accessing the pond embankments -			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and Discussed with DWER during site visit on 26 October 2022			
<input type="checkbox"/> Reported to DWER verbally		Date: / /	
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Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	1.3.2	Date(s) of non-compliance:	9/11/2022
Details of non-compliance:			
Both anaerobic ponds 2 and 3 were observed to be overgrown with vegetation causing wastewater to pond along the outskirts of the vegetation mass.			
What was the actual (or suspected) environmental impact of the non-compliance? NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
There was no suspected environmental impact of the non-compliance.			
Cause (or suspected cause) of non-compliance:			
The suspected cause of what appeared to be ponding of wastewater along the outskirts of the vegetation mass, was cattle disturbing the formation of the crust near the edges of the pond.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>Condition 1.3.3 of amended Licence L7352/1989/10 allows for vegetation to be present on anaerobic Ponds 2 and 3 provided it does not interfere with the integrity of the crust. Derby Industries considers removal of the vegetation should be avoided as removal is likely to result in significant generation of odour.</p> <p>Investigation following the site inspection has shown there is a crust on Ponds 2 and 3, with water underneath the crust. Additionally, it has been observed that since exclusion of cattle from the area, the pond crusts have been building towards the edges of the ponds in the areas where it initially appeared the water may be 'short-circuiting' the treatment process. This observation indicates that cattle movements near the edges of the ponds were disturbing pond crust formation</p>			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and Discussed with DWER during site visit on 26 October 2022			
<input type="checkbox"/> Reported to DWER verbally		Date: / /	
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Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	1.2.5 (a)	Date(s) of non-compliance:	9/11/2022
Details of non-compliance:			
No measures were observed that prevented stormwater from the extensive hardstand area (administrative buildings area, carpark, truck access) from being mixed, thus contaminated by the abattoir wastewater stream. All stormwater from this area drains into the abattoir wastewater containment sump that is pumped into the wastewater treatment ponds.			
What was the actual (or suspected) environmental impact of the non-compliance?			
NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
There was no suspected environmental impact of the non-compliance. Stormwater incident on the hardstand areas surrounding the operational facility is potentially contaminated with animal waste and is, therefore, directed to the wastewater treatment ponds.			
Cause (or suspected cause) of non-compliance:			
Historical site. Storm water is potentially contaminated with animal waste and therefore as a conservative measure, is directed to wastewater treatment ponds.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
Stormwater external to the operational facility is managed as clean stormwater and is not directed to the wastewater treatment ponds. As part of the current site works, upgrades to drainage (scheduled for completion in August 2023) will result in stormwater incident on areas external to the premises e.g. Linley Valley Road, being diverted around the site.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and Discussed with DWER during site visit on 26 October 2022			
<input type="checkbox"/> Reported to DWER verbally		Date: / /	
<input type="checkbox"/> Reported to DWER in writing		Date: / /	

Section F – Declaration

I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular¹.

I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.

Signature ² :		Signature:	
Name: (printed)		Name: (printed)	
Position:	GENERAL MANAGER	Position:	
Date:	3-5-23	Date:	
Seal (if signing under seal):			

¹ It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular.

² AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.