



Government of **Western Australia**
Department of **Environment Regulation**

Your ref: L6859/1987/12
Our ref: DER2015/000044
Enquiries: Nanette Schapel
Phone: 9333 7486
Fax: 9333 7550
Email: nanette.schapel@der.wa.gov.au

Mr Nicholas Hanigan
Alternate Director
Pearls Pty. Limited
Level 3
69 Smith Street
DARWIN NT 0800

Dear Mr Hanigan

ENVIRONMENTAL PROTECTION ACT 1986 – AMENDMENT TO LICENCE

Licence: L6859/1987/12
Premise name: Narrogin Farm, Lot 2581 on Plan 109130 and Lot 2582 on Plan 109129,
Wanerie Road, Dumberning 6312

Further to my letter dated 28 April 2015, please find enclosed your amended *Environmental Protection Act 1986* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on (08) 9333 7486 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment, you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely

Ed Schuller
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

21 May 2015

Encl: Amended Licence, partial Decision Document



Licence

Environmental Protection Act 1986, Part V

Licensee: Pearls Pty. Limited

Licence: L6859/1987/12

Registered office: Level 3
69 Smith Street
DARWIN NT 0800

ACN: 008 396 825

Premises address: Narrogin Farm
394 Narrakine Road South and 202 Wanerie Road,
DUMBERNING WA 6312
Being Lot 2581 on Plan 109130 and Lot 2582 on Plan 109129
as depicted in Schedule 1

Issue date: Thursday, 8 September 2011

Commencement date: Sunday, 2 October 2011

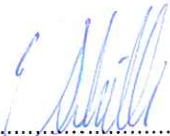
Expiry date: Saturday, 1 October 2016

Prescribed premises category
Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
2	Intensive Piggery: premises on which pigs are fed, watered and housed in pens.	Production capacity more than 1,000 animals	Design capacity of 9,500 animals

Conditions

Subject to this Licence and the conditions set out in the attached pages.


.....
Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the Act. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.



- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Other guidelines and relevant industry standards which you should be aware of include:

- National Environmental Guidelines for Piggeries, 2nd edition, published by Australia Pork Limited, 2010; and
- 'Water Quality Protection Notes (WQPN)' published by Department of Water.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for the Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Pearls Pty. Limited (Pearls) is the Licensee for Narrogin Farm, which is a 'prescribed Premises' under Category 2, Schedule 1 of the *Environmental Protection Regulations 1987* - Premises on which pigs are fed, watered and housed in pens.

The piggery operates with a combination of eco-shelters and conventional sheds, where the design capacity of the conventional sheds is 9,500 pigs. The previous Occupier was Craig Mostyn Farms Pty Ltd where pigs were received at approximately 11 – 12 weeks old and conditioned for approximately 10 weeks prior removal off site at 21 weeks of age.

Current Licence Amendment:

This Licence is the result of an amendment sought by the Licensee due to a transfer of Occupier from Craig Mostyn Farms Pty Ltd to Pearls Pty. Limited, where Craig Mostyn Farms Pty Ltd ceased piggery production at the end of November 2014. This licence amendment will require confirmation that the groundwater will be protected from on-site operations and the wastewater ponds and areas where solid waste are stored meet the necessary permeability of 10⁻⁹m/second.

Odour generation is a potentially significant emission from the premises because of the solid and liquid waste created during operations. Odour emissions can be generated from both the conventional sheds and the wastewater treatment process if not properly managed.

The Premises is located adjacent to the Narrogin Beef Feedlot and the size of the Premises is 96.7 Hectares in area. It is about 5 km south of the Narrogin town site and the nearest residential dwelling is approximately 1,500 metres north of the Premises boundary where the dwelling is located adjacent to an open farm piggery not associated with this Premises.



There are no groundwater bores on site and no known groundwater users within 2 km of the Premises. There is insufficient information on the depth, quality and direction of the groundwater in the vicinity of the wastewater ponds. An analysis of the soil profile shows that the piggery is located on clayey sand soils with a trace of gravel. The nearest surface water body is Bottle Creek, located 2.3 km in a north west direction and the Williams River is 4 km south of the Premises. The average rainfall of the area is recorded at 494 mm per year.

All wastewater from the conventional sheds is channelled below ground to the wastewater treatment system via a concrete lined sump. The wastewater is pumped through a vertical screen where solids fall into a concrete hardstand and the effluent is diverted to a large, clay lined anaerobic pond (Pond 1). The wastewater is then gravity fed into a series of two clay lined aerobic ponds (Ponds 2 and 3). From Pond 3, it is pumped back to a concrete lined settling tank and then into a recycling tank where it can be used on site for cleaning and flushing operations. Both scheme and recycled wastewater are used to hand spray the pens and flush the drains beneath the conventional sheds, where the flushing occurs every 7 – 10 days on a rotation system for each pen. Recycled water is not irrigated on the premises.

Pond 4 is a large evaporation pond but, due to the recycling of wastewater, this pond is rarely used. All wastewater storage ponds were desludged in 2009. There are two stormwater dams located in the south and east of the Premises used to capture stormwater runoff.

Solid waste from the screening process and from the eco-shelters are stored onsite on concrete or clay hardstand areas and removed from the Premises fortnightly for distribution on local agricultural land. Deceased animals are buried on the Premises in designated clay lined burial pits and covered with suitable covering to limit odour, vermin and feral animals.

The licences and works approvals issued for the Premises since 1987 include:

Instrument log		
Instrument	Issued	Description
L6859/1987/5	27/09/2000	Licence Reissue
L6859/1987/6	26/09/2001	Licence Reissue
L6859/1987/7	16/09/2002	Licence Reissue
L6859/1987/8	8/09/2003	Licence Reissue
L6859/1987/9	14/09/2004	Licence Reissue
L6859/1987/10	11/07/2005	Licence Reissue
L6859/1987/11	25/09/2008	Licence Reissue
L6859/1987/11	18/8/2011	Licence Amended to reflect change in pig numbers
L6859/1987/12	8/09/2011	Licence Reissue
L6859/1987/12	25/11/2011	Licence Amended to reflect change in pig numbers
L6859/1987/12	20/09/2013	Licence Amendment to reflect new REFIRE licensing format
L6859/1987/12	21/05/2015	Licence Amendment following a change in Occupiers

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 In the Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 June to 31 May in the following year;

'carcass' means the dead body of animal (pig);

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Manager Licensing Process Industries (Metro)
Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: industry.regulation@der.wa.gov.au;

'Code of Practice for the Storage and handling of dangerous goods' means the "Storage and handling of dangerous goods, Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

'dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'freeboard' means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point.;

'fugitive emissions' means all emissions not arising from point sources;

'hardstand' means a surface with a permeability of 10^{-9} metres/second or less;

'leachate' means liquid released by or water that has percolated through waste and which contains some of its constituents.



'Licence' means this Licence numbered L6859/1987/12 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'NEGP' means the current version of the National Environmental Guidelines for Piggeries, as amended from time to time;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'sludge' means any mud-like deposit or mixtures of faecal matter and spilt feed derived from the pens;

'solids' means any solid or spadeable faecal matter and spilt feed derived from the pens; and

'wastewater treatment system' means a wastewater and effluent management system consisting of catch drain, anaerobic and aerobic ponds, evaporative pond, settling tank(s) and storage tank(s);

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.2 General conditions

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.



- 1.2.5 The Licensee shall:
- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: The Environmental Protection (Unauthorised Discharges) Regulations 2004 make it an offence to discharge certain materials into the environment.

1.3 Premises operation

- 1.3.1 The Licensee shall ensure that all wastewaters from piggery operations including wash down water, by-products wastewater and contaminated run-off are directed to the wastewater treatment system.
- 1.3.2 The Licensee shall maintain an effective wastewater treatment system that shall include:
- (a) a solids separation system; and
 - (b) an impervious pond system for treatment of wastewater to reduce nitrogen, phosphorous and biochemical oxygen demand levels.
- 1.3.3 The Licensee shall ensure that waste material is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.3.3.

Table 1.3.3: Containment infrastructure

Structure	Material	Infrastructure requirements
Pond 1 (anaerobic pond)	Wastewater	Compacted clay. Permeability of the liner on the pond to be verified (see IR2, Section 4)
Pond 2 and 3 (aerobic ponds)	Wastewater	Compacted clay. Permeability of the liner on the ponds to be verified (see IR2, Section 4)
Evaporation pond	Wastewater	Compacted clay. Permeability of the liner of the pond to be verified (see IR2, Section 4)
Solids separator	Wastewater	Concrete lined
Screened solids storage area	Screened solids	A bunded hardstand area capable of preventing surface run-off of leachate and sludge and which returns sludge leachate to the wastewater treatment system.
Solid waste interim storage area	Piggery solids and pond sludge	A bunded hardstand area capable of preventing surface run-off of leachate, sludge and contaminated stormwater and which returns sludge leachate to the wastewater treatment system.
Catch drains	Contaminated stormwater; Wastewater	Compacted clay. Permeability of the liner of the catch drains to be verified (see IR4, Section 4)
Burial pits	Carcasses	Compacted clay. Permeability of the liner of the burial pit(s) to be verified (see IR3, Section 4)

- 1.3.4 The Licensee shall manage all wastewater treatment and evaporation ponds such that:
- (a) overtopping of the ponds does not occur;
 - (b) a minimum top of embankment freeboard of 500mm is maintained;
 - (c) the integrity of the containment infrastructure is maintained;
 - (d) trapped overflows are maintained on the outlet of ponds to prevent carry-over of surface floating matter; and
 - (e) vegetation and floating debris (emergent or otherwise) is prevented from encroaching onto pond surfaces or inner pond embankments.



- 1.3.5 The Licensee shall ensure that where wastes produced on the Premises are not taken off-site for lawful use or disposal, they are managed in accordance with the process requirements in Table 1.3.5.

Table 1.3.5 Processing of materials		
Waste type	Process	Process requirements
Treated wastewater	Evaporation	None specified
	Reuse for wash down / flushing	The animal pens shall only be flushed between 0700 and 1500 hours and where possible, not undertaken when winds are from the south east quadrant.
Carcasses and spadeable animal materials	On-site burial	(i) Carcasses and waste material are covered with at least 500 mm of soil immediately upon deposit; (ii) Burial sites are 100 m away from watercourses and 50 m away from the premises boundary; (iii) Burial of carcasses and spadeable animal materials occur within 2 hours; and (iv) The number of animal carcasses buried is recorded for the duration of the licence.
Piggery solids, piggery sludge and pond sludge	Interim storage	Interim storage not to exceed two weeks

- 1.3.6 The Licensee shall ensure that treated wastewaters are only disposed of via evaporation or used for wash down.
- 1.3.7 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin on the premises.
- 1.3.8 The Licensee shall flush the underfloor channels in conventional holding sheds at least once every 10 days for each pen.

2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

2.2-2.4 Point source emissions to air, surface water and groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.

2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

2.6 Fugitive emissions

There are no specified conditions relating to fugitive emissions in this section.



2.7 Odour

- 2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

2.8 Noise

There are no specified conditions relating to noise in this section.

3 Monitoring

There are no specified conditions relating to monitoring in this section.

4 Improvements

4.1 Improvement program

- 4.1.1 The Licensee shall complete the improvements in Table 4.1.1 by the date of completion in Table 4.1.1.
- 4.1.2 The Licensee, for improvements not specifically requiring a written submission, shall write to the CEO stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 4.1.1.

Table 4.1.1: Improvement program

Improvement reference	Improvement	Date of completion
IR1	The Occupier of the Premises shall provide a Report to the CEO which provides information on the depth (in metres below ground level), quality (including total dissolved solids, total nitrogen and total phosphorus with the results to be expressed in mg/L) and the direction of the groundwater in the proximity of the wastewater treatment system.	01/11/2015
IR2	The Occupier of the Premises shall provide a Report to the CEO which provides the results of testing carried out on the clay liners on all wastewater ponds which demonstrates that they meet a permeability of $<1 \times 10^{-9}$ m/s.	01/11/2015
IR3	The Occupier of the Premises shall provide a Report to the CEO which provides information on the permeability testing to be carried out on all areas where solid waste is stored and/or buried. The testing is to exclude concrete hardstanding. The information is to demonstrate that all sludge temporary storage areas and the carcass burial areas meet the required permeability of $<1 \times 10^{-9}$ m/second.	01/11/2015
IR4	The Occupier of the Premises shall provide a Report to the CEO which provides information on the permeability testing to be carried out on all areas where liquid waste is channelled, in particular the catch drains used to divert process liquid waste and contaminated stormwater to holding ponds. The information is to demonstrate that all catch drains meet the required permeability of $<1 \times 10^{-9}$ m/second.	01/11/2015



5 Information

5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the annual period.

5.1.4 The Licensee shall:

- (a) implement a complaints management system that shall record the following information (if known or provided) about complaints received at the Premises concerning any environmental impact of the activities undertaken at the Premises:
 - (i) name and address of the complainants (if consented);
 - (ii) date and time of complaint;
 - (iii) date and time of alleged incident;
 - (iv) alleged source of the incident;
 - (v) general description of the alleged incident, including any environmental or health impacts reported by the complainant;
 - (vi) wind direction, wind speed and temperature at time of alleged incident;
 - (vii) likely source of the alleged incident; and
 - (viii) actions taken by the Licensee to address the complaint, including the outcome of any investigation(s) and action(s) to verify any impacts.
- (b) complete an annual analysis and review of complaints recorded under 5.1.4(a) to identify any common factors and root cause of complaints and proposals to address these.



5.2 Reporting

5.2.1 The Licensee shall submit to the CEO at the Contact Address an annual environmental report within 28 calendar days after of the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual environmental report

Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified
-	Total number of animals	Tabular format: monthly maximum including annual total

Note 1: Forms are in Schedule 2

5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO at the Contact Address and in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements

Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
-	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	Part B: As soon as practicable	N1

Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

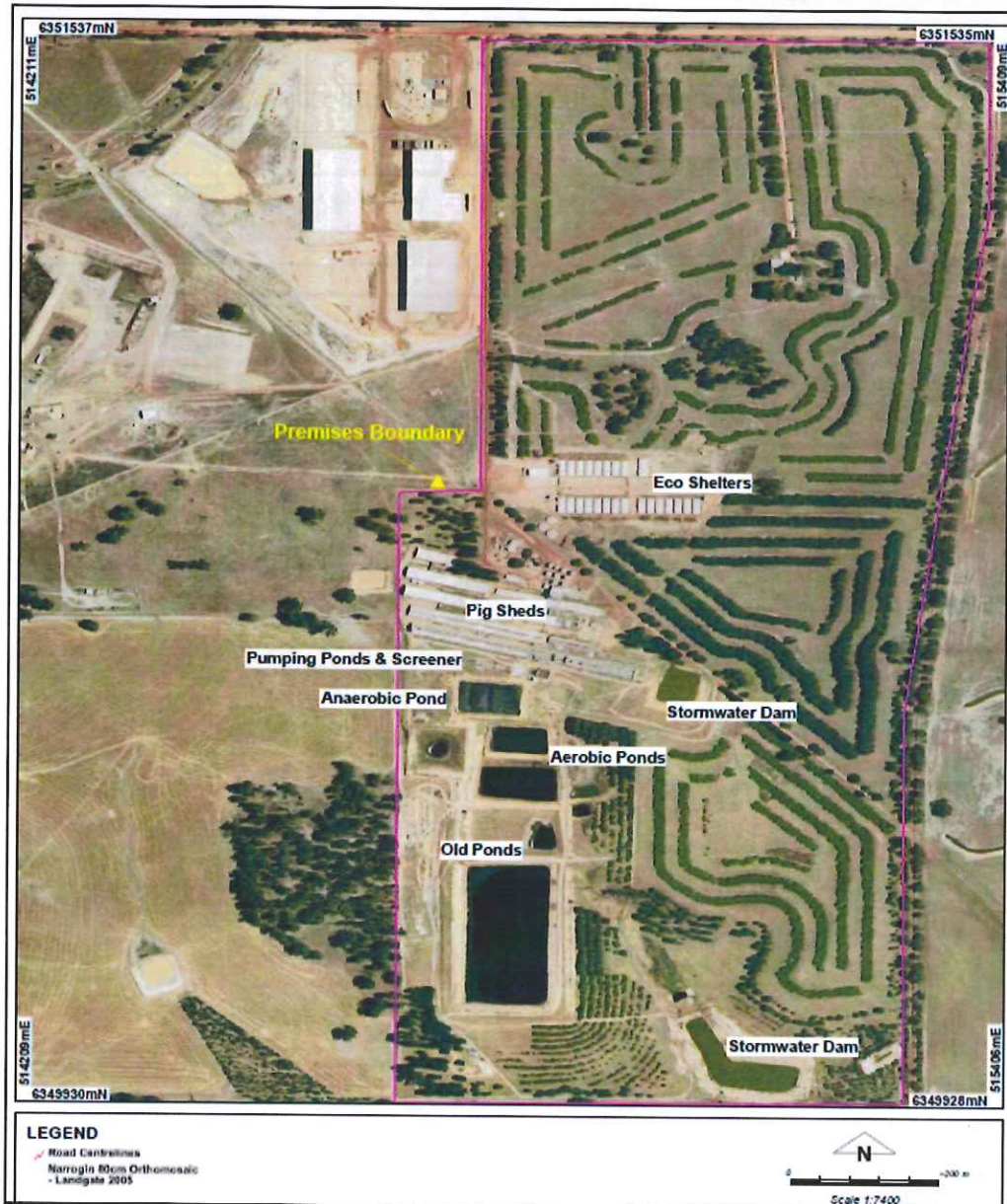
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

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. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L6859/1987/12
Form: N1

Licensee: Pearls Pty. Limited
Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any unauthorised emissions from the installation in the preceding 24 months.	

Name*	
Post	
Signature on behalf of Pearls Pty. Limited	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Pearls Pty. Limited

Licence: L6859/1987/12

Registered office: Level 3
69 Smith Street
DARWIN NT 0800

ACN: 008 396 825

Premises address: Narrogin Farm
394 Narrakine Road South and 202 Wanerie Road,
DUMBERNING WA 6312
Being Lot 2581 on Plan 109130 and Lot 2582 on Plan 109129
as depicted in Schedule 1.

Issue date: Thursday, 8 September 2011

Commencement date: Sunday, 2 October 2011

Expiry date: Saturday, 1 October 2016

Decision

Based on the assessment detailed in this document, the Department of Environment Regulation (DER), has decided to amend the current license to reflect the new change of owner. DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document amended by: Nanette Schapel, Licensing Officer

Decision Document authorised by: Ed Schuller, Manager, Process Industries (Metro)



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions are justified in Section 4 of this document.

Non standard conditions (NSC)

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in Section 4.



2 Administrative summary

Administrative details		
Application Type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence Reissue <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the Premises to become prescribed premises	Category number(s) 2	Assessed design capacity 9,500 animals
Application verified	Date: 24/6/2011	
Application fee paid	Date: 07/07/2011	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.		



3 Executive summary of proposal

Overview:

Pearls Pty. Limited (Pearls) is the Licensee for Narrogin Farm, which is a 'prescribed Premises' under Category 2, Schedule 1 of the *Environmental Protection Regulations 1987* - Premises on which pigs are fed, watered and housed in pens.

The Licensee operates a combination of eco-shelters and conventional sheds. Due to RSPCA specifications based on aging infrastructure, the design capacity of the conventional sheds is 9,500 pigs at any one time. Odour generation is a potentially significant emission from the premises. Due to the solid and liquid wastes created by piggery operations, odour emissions can be generated from both the grower sheds and the wastewater treatment process if not properly managed.

Licence amendment:

This licence amendment is for a transfer of owners from Craig Mostyn Farms Pty Ltd to Pearls Pty. Limited. Based on correspondence received from the previous Licensee (Craig Mostyn Farms Pty Ltd) no pigs have been on site since the end of November 2014.

As part of this amendment, DER has not re-assessed the acceptability or impacts of emissions and discharges from the Premises or re-visited any existing emission control levels. Minor changes to the licence have been made to ensure that all conditions are in keeping with DER's current licence recommendations for Category 2 - Intensive Piggeries. Condition 4.1 has been updated to require the new Occupier to provide background information on the groundwater in the vicinity of the wastewater ponds. Similarly, because piggery production ceased in November 2014, there has not been any wastewater through the clay-lined wastewater treatment system. It is therefore necessary for the next Occupier of the Premises to demonstrate that the wastewater ponds and any hardstands where solid wastes are stored meet the required permeability of 1×10^{-9} metres/second.

Location:

The Premises is approximately 96.7 Hectares (239 acres) in area. It is located adjacent to the Narrogin Beef Feedlot and about 5 km south of the Narrogin town site. The nearest residential dwelling is approximately 1,500 metres north of the Premises boundary where the dwelling is located adjacent to an open farm piggery not associated with this Premises. The proximity of this residence is less than the Environmental Protection Authority's Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* which recommends a buffer of 5,000 metres or more for intensive piggeries with more than 5,000 pigs.

There are no groundwater bores on site and no known groundwater users within 2 km of the Premises. The previous Licensee was not required to monitor groundwater. However, it is integral that information on the depth, quality and direction of the groundwater in the vicinity of the wastewater treatment system be provided to ensure that operations on site do not impact on the underlying groundwater.

An analysis of a composite sample of soil shows that the Premises is located on clayey sand soils with a trace of gravel. The nearest surface water body is Bottle Creek, located approximately 2.3 km from the Premises boundary in a north west direction. The Williams River is located 4 km south of the Premises and the area surrounding the Premises is part of the Arthur River catchment system.

Narrogin experiences prevailing moderate south-easterly winds in summer and moderate north-westerly winds in winter. The average rainfall of the area is recorded at 494 mm per year. However, over recent years the rainfall has been significantly lower than the average predictions.



Operations:

The piggery consists of straw-based eco-shelters and conventional indoor sheds that house grower and finisher pigs prior to dispatch. This licence does not apply to the pigs raised in the eco-shelters. When operational, pigs are received at approximately 11 – 12 weeks old from breeders in the Albany area. The pigs are conditioned for approximately 10 weeks prior removal off site at 21 weeks of age.

Conventional sheds:

The facility was initially constructed in the 1980s as an indoor 'grow-out' unit to house grower/finisher pigs using conventional sheds with pull-plug underfloor flushing. Six of the nine sheds were being utilised for the 'grow-out' process with one other shed used to temporarily store pigs either arriving or being transported off the premises.

Eco-shelters:

The piggery also includes 23 eco-shelters with deep litter straw lining on the Premises. The holding capacity is approximately 180 pigs in each shelter and the pigs are fed on grazing pellets and water is sourced from a combination of scheme and bore water. The shelter floors are concrete with a deep litter straw lining where the depth of straw varies according to the age of the pigs. Straw becomes contaminated with pig wastes and excess feed and it is replaced in each eco-shelter when the pigs are moved to another shed or transported off site.

Wastewater treatment system:

The wastewater treatment system has been established to screen solid waste and recycle wastewater for use on the Premises. All wastewater from the conventional sheds is channelled below ground to the wastewater treatment system via a concrete lined sump. The wastewater is pumped through a vertical screen where solids fall into a concrete hardstand and the effluent is diverted to a large, clay lined anaerobic pond (Pond 1), which is sectioned on the surface with floating tubing to promote the formation of an anaerobic crust in individual sections of the pond. Capacity is 5.6ML and depth is 2.4m at the outlet.

The wastewater is then gravity fed into a series of two clay lined aerobic ponds (Ponds 2 and 3). Capacity of Pond 2 is 5 ML and Pond 3 is 26 ML. When it reaches a certain height in Pond 3, the wastewater is pumped back to a concrete lined settling tank and then into a recycling tank where it can be used on site for cleaning and flushing operations. Both scheme and recycled wastewater are used to hand spray the pens and flush the drains beneath the conventional sheds, where the flushing occurs every 7 – 10 days on a rotation system for each pen (based on pig numbers and weather conditions). The flushing frequency is in keeping with the recommendations in the *National Environmental Guidelines for Piggeries* (Australian Pork Limited, revised 2010). Recycled water is not irrigated on the premises.

The wastewater treatment system includes a large evaporation pond (Pond 4) with a capacity of 75 ML. There are also two stormwater dams located in the south and east of the Premises which are used to capture stormwater runoff and retain the water within the Premises boundary.

The pond system and pond sizes were originally constructed for larger volumes than the throughput when the piggery was operating prior to November 2014. As a result, the second aerobic pond (Pond 3) rarely receives any wastewater over flow from the first aerobic pond (Pond 2) and, similarly, very little wastewater is discharged to the evaporation pond.

During a previous transfer of ownership of the piggery Licence (from the Great Southern Pig Company to Craig Mostyn Farms Ltd Pty), the wastewater ponds had dried during a period of non-operation. As a result, the ponds were desludged in 2009.



Solid waste:

Solid waste consists of the solids from the screening process and solid waste mixed with straw from the eco-shelters. These wastes are stored onsite on concrete or clay hardstand areas and removed from the Premises fortnightly for distribution on local agricultural land.

Deceased animals are buried on the Premises in designated clay lined burial pits and covered with suitable covering to limit odour, vermin and feral animals.

Other activities:

The Premises previously included a feed manufacturing plant and silos (Category 23). However, because these activities have ceased, Category 23 was removed from the licence when it was amended in 2011.

The instrument was issued for a five-year period, commencing 2 October 2011 and expiring 1 October 2016.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE				Reference documents
Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	
Premises operation	L1.3.3, L1.3.4, L1.3.5 and L4.1	OSC	<p>Operation:</p> <p><u>Emission Description:</u></p> <p><i>Emission:</i> Overflows from the wastewater treatment ponds and infiltration of wastewater from the ponds and areas where solid and liquid wastes are stored or buried.</p> <p><i>Impact:</i> Stormwater contaminated with nutrient high wastewater can overflow from the ponds and impact on the surrounding land. The closest surface water body is 2.3 km distance. Leachate from areas where solid and liquid wastes are stored or buried can infiltrate and impact on the underlying groundwater.</p> <p><i>Controls:</i> There are 4 wastewater ponds in series, with sufficient capacity to contain all wastewater associated with piggery operations. Ponds, burial pits and hardstanding areas are clay lined but further information is required regarding the permeability of the liners and hardstands and the depth, quality and direction of the groundwater are not known.</p> <p><u>Risk Assessment</u></p> <p><i>Consequence:</i> Moderate</p> <p><i>Likelihood:</i> Possible</p> <p><i>Risk Rating:</i> Moderate</p> <p><u>Regulatory controls:</u></p> <p>L1.3.3 (Table 1.3.3) requires that the clay liner on the wastewater ponds, catch drains, burial pits and catch drains meet a permeability of $<1 \times 10^{-9}$ m/s.</p> <p>Condition 1.3.4 has been updated to a standard REFIRE and requires that overtopping of the ponds does not occur and a minimum freeboard of 500 mm is maintained.</p> <p>Condition 1.3.5 (Table 1.3.5) requires carcass burial pits to be located 100 m away from</p>	General provisions of the <i>Environmental Protection Act 1986</i> .



			watercourses. Condition 4.1 (IR2, IR3 and IR4) requires the Occupier to provide information which demonstrates that the clay liner on the wastewater ponds and all areas where solid waste is stored or buried and liquid waste is channelled meets the required permeability of $<1 \times 10^{-9}$ m/s. <u>Residual Risk</u> <u>Consequence</u> : Moderate <u>Likelihood</u> : Possible <u>Risk Rating</u> : Moderate	
Improve-ments	L4.1.1 and L4.1.2	NSC	As noted above, piggery operations have the potential to impact on the underlying groundwater. As the depth, quality and direction of the groundwater in the vicinity of the wastewater ponds, solid waste storage and carcass burial areas require further understanding, the following Improvement Conditions are required: IR1: Provide information on the depth, quality and direction of the groundwater beneath the wastewater treatment system on the premises IR2: Provide information on the permeability of the clay liners on all wastewater treatment ponds which demonstrates the clay liners meet the required permeability of $<1 \times 10^{-9}$ m/second: IR3: Carry out testing to ensure that all areas where solid waste is stored and the liner on the carcass burial pits meet the required permeability of $<1 \times 10^{-9}$ m/second. The current licence is issued for a period of 5 years, expiring on Sunday 1 October 2016.	General provisions of the <i>Environmental Protection Act 1986</i> .
Licence Duration	N/A	N/A		

5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
28/04/15	Proponent sent a copy of draft instrument	Licensee has requested a compliance date of 1 November 2015 to allow permeability testing and groundwater monitoring as required by Condition 4.1.1	Licence 4.1.1 compliance date changed to 1 November 2015



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High



Appendix A

Premises Boundary and operations Plan of Pearls Pty. Limited

