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|------------------------------------|---|
| <b>Works Approval Number</b>       | W5687/2014/1  |
| <b>Works Approval Holder</b>       | G D Pork Pty Ltd <b>ACN</b> 126 978 685   |
| <b>Registered business address</b> | Level 3, 35 Outram Street<br>WEST PERTH WA 6005   |
| <b>Date of amendment</b>           | 9 June 2016   |
| <b>Prescribed Premises</b>         | Category 2 – Intensive piggery: premises on which pigs are fed, watered and housed in pens  |
| <b>Premises</b>                    | G D Pork Pinjarra<br>Lot 502 on Deposited Plan 54832<br>Certificate of Title Volume 2677 Folio 599<br>Sutters Lane<br>WEST PINJARRA WA 6208 |

## Amendment

The Department of Environment Regulation (DER) has amended the above works approval in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act) as set out in this Amendment Notice.

## Jonathan Bailes

### Manager Licensing (Process Industries)

*an officer delegated under section 20 of the Environmental Protection Act 1986 (WA)*

## Amendment Notice

This Notice is issued under section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the works approval issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

## Amendment Description

Works Approval W5687/2014/1 was granted by DER on 27 September 2015 to allow works for an expansion of the existing intensive piggery. Key elements of the expansion include additional sheds, a covered anaerobic pond, an evaporation pond, and a carcass composting facility. The amendment was subject to an appeal lodged under section 102(3)(b) of the EP Act.

The Minister's appeal determination was made on 7 April 2016 and recommended the appeal be allowed in part to the extent that:

1. Conditions be amended to reflect the updated *Code of Practice for On-farm Biogas Production and Use (Piggeries) 2015* published by Australian Pork Limited.
2. Conditions be amended to include aspects relevant to the construction and installation of the biogas flare (including schematic drawings); and
3. Conditions specify that the anaerobic pond cover must be gas-tight.

## Decision

This amendment is made pursuant to section 59(1)(j) of the EP Act, being an amendment to give effect to a decision of the Minister under the EP Act.

A copy of the Minister's Appeal Determination and Appeals Convenor's report can be downloaded from the Appeals Convenor's website at [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au).

The Minister's Appeal Determination recommends the inclusion of biogas flare schematic drawings as an aspect relevant to the construction and installation of a biogas flare. Condition 5 of the works approval states the following:

5. *Subject to Condition 7, at least 10 business days prior to the commencement of the Works, the Works Approval Holder must provide to the CEO engineering or building certification from a suitably qualified professional confirming that the detailed construction drawings and plans for the Works include each item of infrastructure or component of infrastructure specified in column 1 with the requirements specified in column 2, as set out in the Infrastructure Requirements Table below.*

The insertion of biogas transport and flare infrastructure requirements in Condition 8 (Amendment No. 2) has the effect of requiring the works approval holder to have construction drawings and plans for the biogas flare so as to provide the CEO of DER with the engineering or building certification required by Condition 5. No other amendments are considered necessary to give effect to this recommendation.

## Amendment History

| Instrument   | Issued     | Amendment   |
|--------------|------------|---|
| W5687/2014/1 | 09/06/2016 | Works Approval Amendment Notice 1<br>Works Approval amendment to include the recommendations of the Minister's Appeal Determination (Appeal Number 77 of 2015). |

## Amendments

- Condition 8 of the works approval is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below specifying the anaerobic pond requirements in the Infrastructure Requirements Table:

| Infrastructure Requirements Table |  |
|-----------------------------------|--|
| Column 1                          | Column 2   |
| Infrastructure                    | Requirements (design and construction)   |
| Anaerobic pond                    | <p>(a) The anaerobic pond must:</p> <ul style="list-style-type: none"> <li>(i) <del>be constructed in accordance with the Code of Practice for On-farm Biogas Production and Use (Piggeries), 4<sup>th</sup> Edition (Prime Consulting International, 2013)</del> <u>Australian Pork Limited (2015), APL Project 2011/1013.423;</u></li> <li>(ii) have a water depth of 4 m excluding freeboard;</li> <li>(iii) be designed for 30 day retention; <del>and</del></li> <li>(iv) be completely covered with <del>an</del> <u>a gas-tight HDPE liner which will enable biogas capture and allow all biogas captured to be directed to a flare; and</u></li> <li>(v) <u>allow</u> stormwater runoff collection.</li> </ul> <p>(b) Subject to paragraph (c) or (d), the anaerobic pond capacity must correlate to the m<sup>3</sup> per SPUs, as calculated in accordance with the PIGBAL model and applying:</p> <ul style="list-style-type: none"> <li>(i) a desludging assumption of every 10 years or more;</li> <li>(ii) freeboard of 500 mm;</li> <li>(iii) 90% monthly rainfall; and</li> <li>(iv) overtopping to not occur on average more than once every 10 years, consistent with section 12.1.1 of the National Guidelines.</li> </ul> <p><i>This requirement may be satisfied by the Applicant increasing the capacity of the anaerobic pond or reducing the number of SPUs.</i></p> <p>(c) Paragraph (b) does not apply if the Applicant:</p> <ul style="list-style-type: none"> <li>(i) implements a desludging system which removes sludge from the anaerobic pond on a continuous basis; and</li> <li>(ii) the sludge is dewatered and removed from the premises.</li> </ul> <p>(d) The anaerobic pond must be covered by a HDPE liner that has been certified as meeting the following specifications:</p> <ul style="list-style-type: none"> <li>(i) the liner is suitably UV stabilised with demonstrated operating life within the climatic conditions for at least 10 years;</li> <li>(ii) the liner is suitably framed for stability;</li> <li>(iii) the rainwater impact on the liner is mitigated; and</li> <li>(iv) the liner is adequately fitted to <u>be gas-tight and</u> retain biogas emissions <u>for direction to a flare.</u></li> </ul> |

2. Condition 8 of the works approval is amended by the insertion of an additional row and the insertion of the red text shown in underline below specifying requirements for biogas transport and flaring in the Infrastructure Requirements Table:

| <b>Infrastructure Requirements Table</b> |  |
|--|--|
| <b>Column 1</b>                          | <b>Column 2</b>  |
| <b>Infrastructure</b>                    | <b>Requirements (design and construction)</b>  |
| <i>Biogas transport and flaring</i>      | <ul style="list-style-type: none"> <li>(a) <u>A flare must be installed for the combustion of biogas generated by the covered anaerobic pond.</u></li> <li>(b) <u>The flare must be designed, constructed and sited in accordance with the Code of On-farm Biogas Production and Use (Piggeries) Australian Pork Limited (2015), APL Project 2011/1013.423, inclusive of:</u> <ul style="list-style-type: none"> <li>(i) <u>biogas transfer pipelines and fittings; and</u></li> <li>(ii) <u>biogas conditioning prior to combustion in the flare;</u></li> </ul> </li> <li>(c) <u>The biogas flare design specifications must include:</u> <ul style="list-style-type: none"> <li>(i) <u>a rated capacity to safely combust all biogas in storage under the covered anaerobic pond;</u></li> <li>(ii) <u>a measurement device to monitor flare operational status during periods when the flame is invisible; and</u></li> <li>(iii) <u>a flowmeter to monitor the quantity of biogas sent to the flare.</u></li> </ul> </li> <li>(d) <u>The design and construction of the flare including any ancillary components must be completed by a suitably qualified professional.</u></li> </ul> |