



Government of Western Australia
Department of Environment Regulation

Your ref: W5107/2011/1
Our ref: 2011/011386
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Mr Rami Koyu
Company Director
Shark Lake Food Group Pty Ltd
PO Box 41
ESPERANCE WA 6450

Dear Mr Koyu

ENVIRONMENTAL PROTECTION ACT 1986 – AMENDMENT TO WORKS APPROVAL

WORKS APPROVAL: W5107/2011/1

PREMISES: Shark Lake Food Group Pty Ltd

Further to my letter dated 27 October 2014, please find enclosed your amended *Environmental Protection Act 1986* works approval.

If you have any questions or objections relating to the works approval, please do not hesitate to contact the enquiries officer above on (08) 9083 2125 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 works approval 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

Alan Sands
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

27 October 2014

enc: Works Approval W5107/2011/1
copy to: Shire of Esperance

TL0571 v2.0

WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT REGULATION

Environmental Protection Act 1986

WORKS APPROVAL NUMBER: W5107/2011/1

WORKS APPROVAL HOLDER:

Shark Lake Food Group Pty Ltd
Suite 2, 70 Lincoln Road
Essendon VIC 3040
ACN: 129 816 360

PREMISES:

Shark Lake Food Group
Lot 21 on Plan 180121 and Lot 1043 on Plan 152576
Coolgardie-Esperance Highway
Myrup WA 6450
(as depicted in Attachment 1)

Environmental Protection Regulations 1987

PRESCRIBED PREMISES CATEGORY:

Category 15 – Abattoir
Category 16 – Rendering operations
Category 55 – Livestock saleyard or holding pen
Category 83 – Fellmongering

COMMENCEMENT DATE OF WORKS APPROVAL: Wednesday, 25 January 2012


EXPIRY DATE OF WORKS APPROVAL: Wednesday, 24 January 2018

CONDITIONS OF WORKS APPROVAL:

As described and attached:

DEFINITION(S) (2)

GENERAL CONDITION(S) (5)


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

Date of Issue: Wednesday, 25 January 2012

Date of Amendment: Monday, 27 October 2014

WESTERN AUSTRALIA
DEPARTMENT OF ENVIRONMENT REGULATION

Environmental Protection Act 1986

WORKS APPROVAL NUMBER: W5107/2011/1

CONDITIONS OF WORKS APPROVAL

DEFINITIONS

In these conditions of Works Approval, unless inconsistent with the text or subject matter:

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

"CEO" for the purpose of correspondence means:

Manager Licensing (Goldfields)
Department of Environment Regulation
PO Box 10173
KALGOORLIE WA 6433
Telephone: (08) 9080 5555
Facsimile: (08) 9021 7831
Email: Goldfields@der.wa.gov.au

"HDPE" means high density polyethylene;

"Stage 1" means construction and lining of ponds 7 and 8 with an HDPE liner; and

"Stage 2" means construction and lining of pond 9 with an HDPE liner.

WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT REGULATION

Environmental Protection Act 1986

WORKS APPROVAL NUMBER: W5107/2011/1

GENERAL CONDITIONS

GENERAL CONSTRUCTION AND OPERATIONAL DESCRIPTION

- G1 The Works Approval Holder shall construct the works in accordance with the works approval application form dated 18 October 2011 and the following documentation:
- (i) *Works approval application to construct 3 new wastewater evaporation ponds*, Shark Lake Food Group, 2 December 2011;
 - (ii) *Determination on application for planning approval*, application number 10.2011.1861.1, Shire of Esperance, 13 December 2011;
 - (iii) *Consolidated addendum to Works Approval for Evaporation Ponds Submitted December 2011*, Shark Lake Food Group, 4 January 2012; and
 - (iv) *Request to amend WA W5107/2011/1*, Shark Lake Food Group, 15 October 2014.

Where the details and commitments of the documents listed in condition G1 above are inconsistent with any other condition of this Works Approval, the latter shall prevail.

DUST – GENERAL REQUIREMENT

- G2 The Works Approval Holder shall ensure that dust emitted from construction activities associated with the works detailed in condition G1 does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the premises.

GROUNDWATER MONITORING BORES

- G3 The Works Approval Holder shall install five (5) new groundwater monitoring bores as part of the works detailed in condition G1, as detailed in attachment 1:
- (a) Three (3) new monitoring bores as labelled '*New groundwater sampling sites*'; and
 - (b) Two (2) new monitoring bores within the areas labelled '*Additional new groundwater sampling sites required by DER*'.
- G4 Upon submission of the works approval compliance documentation for Stage 1 required by condition G5 the Works Approval Holder shall submit initial groundwater monitoring sample results. The groundwater monitoring sample results will meet the specifications required by licence condition 3.1.1 for groundwater monitoring bores under L7294/1998/11 as issued 17 October 2014.

WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT REGULATION

Environmental Protection Act 1986

WORKS APPROVAL NUMBER: W5107/2011/1

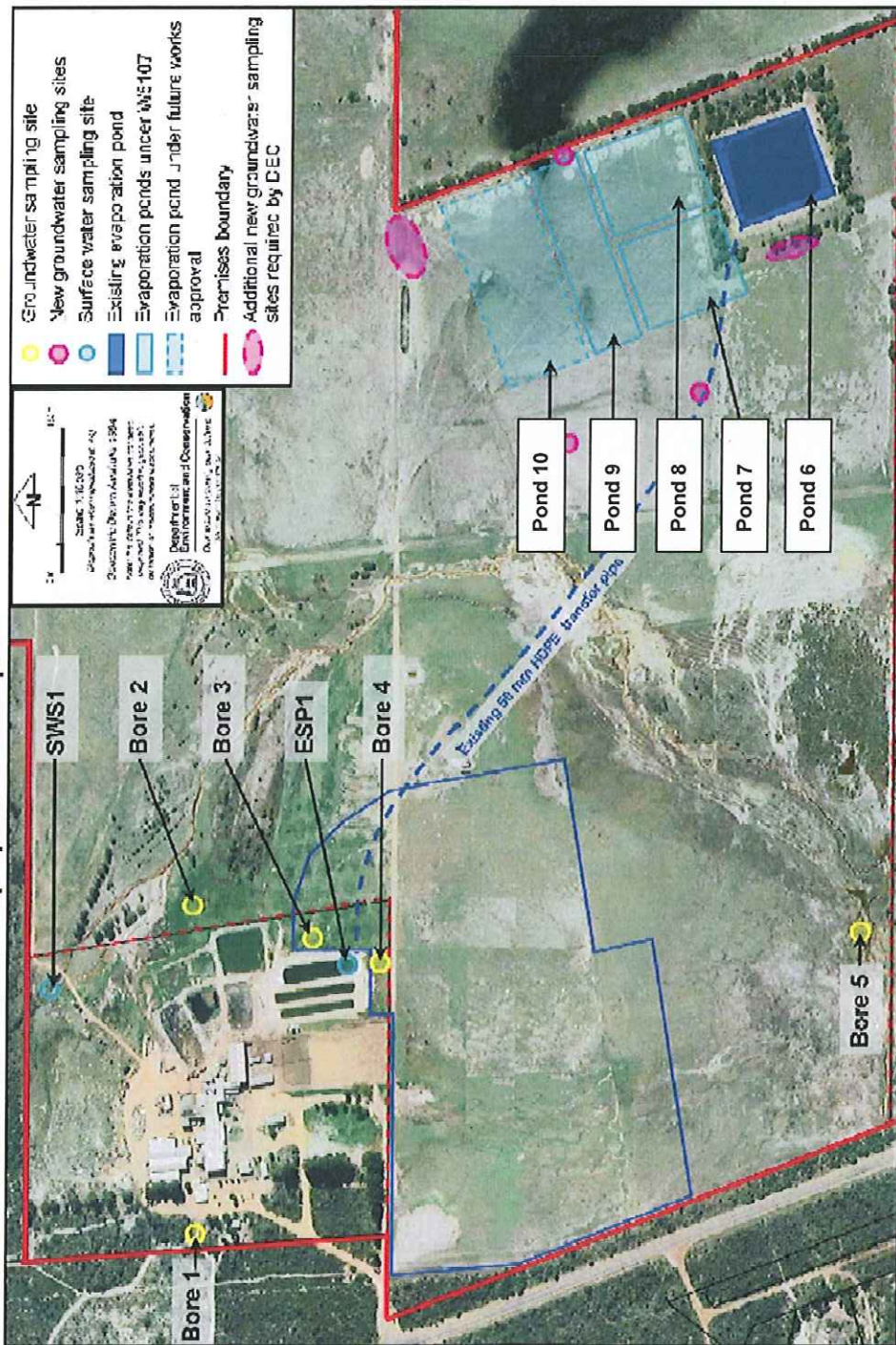
SUBMISSION OF COMPLIANCE DOCUMENT

G5 Subject to condition G1, the Works Approval Holder shall submit compliance documents to the CEO following the construction of Stage 1 and Stage 2 of the works outlined in the works approval application and supporting documentation. The compliance documents shall certify that each stage of the works were constructed in accordance with the conditions of Works Approval and documentation supporting the application to construct the works, and shall be signed by an authorised officer of Shark Lake Food Group, with the printed name and position of that person within the company, and preferably will contain the Company seal.

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

Date of Issue: Wednesday, 25 January 2012
Date of Amendment: Monday, 27 October 2014

Attachment 1: Shark Lake Food Group operation site plan.





Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shark Lake Food Group Pty Ltd
Works Approval: W5107/2011/1

Registered office: Suite 2
70 Lincoln Road
ESSENDON VIC 3040

ACN: 129 816 360

Premises address: Lot 21 on Plan 180121 and Lot 1043 on Plan 152576
Coolgardie-Esperance Highway
MYRUP WA 6450

Issue date: Wednesday, 25 January 2012

Commencement date: Wednesday, 25 January 2012

Expiry date: Wednesday, 24 January 2018

Decision

Based on the assessment detailed in this document, the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Clarrie Green
Licensing Officer

Decision Document authorised by: James Milne
Manager Licensing (Goldfields)



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1 Purpose of this document

This Decision Document explains how DER has assessed and determined the application for a works approval or licence, 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

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

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 is justified in section 4 of this document.

Non standard conditions

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 amendment <input type="checkbox"/> Works Approval amendment <input checked="" type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	15	Not more than 7,350 tonnes (animal live weight) or 5,000 tonnes (hot carcass weight) per annual period
	16	Not more than 10 000 tonnes per annual period
	55	Not more than 300 000 animals per annual period
	83	Not more than 300 000 skins or hides per annual period
Application verified	Date: N/A	
Application fee paid	Date:	
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	N/A	
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 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 checked="" type="checkbox"/> No <input 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 and assessment

Shark Lake Food Group Pty Ltd (SLFG) has held a licence to operate an abattoir, fellmongering and rendering facility since 1998. The Premises was not constructed through a works approval. The licence was transferred to the current occupiers SLFG in April 2008. The abattoir processes a mix of stock including beef, goat and sheep and has an approved processing capacity 7,350 tonnes live weight (LW) per annual period.

Effluent generated is discharged to a pond-based wastewater treatment system which treats effluent to a primary standard. Treated effluent is disposed of through evaporation from an existing evaporation pond, Pond 6 (referred to as Pond 11 in previous versions of the SLFG works approval and licence) that has an average annual evaporative capacity of 6ML.

Key issues associated with operation of the facility include effluent management, waste management, smoke and odour emissions. DER notes that the Premises infrastructure is old and not ideally located. DER's assessment of the water balance for the Premises, accounting for holding and evaporative capacity of existing treatment and evaporative ponds, shows that significant upgrades are required to the system. The proponent needs to investigate water usage (and wastewater generation) reduction options through efficiency measures and production throughput reduction until such time as the required upgrades and new evaporation ponds are completed. There is significant risk of groundwater and surface water contamination given the location of the Premises and existing infrastructure.

The reissued licence (L7294/1998/11) requires SLFG to address environmental issues at the Premises and commit to increasing the capacity of the effluent treatment system by constructing additional evaporation ponds, through works approval W5107/2011/1. SLFG has also committed to achieve zero wastewater discharge from the Premises by 2016.

Works approval amendment DRAFT 2014:

SLFG has advised DER that under current throughput rates it is incapable of storing effluent within its current infrastructure prior to the completion of Stage 1 of works approval W5107/2011/1. Stages under works approval W5107/2011/1 include:

- Stage 1 – Construction and lining of Ponds 7 and 8 (formerly referred to as Ponds 12 and 13 in the works approval application). Completion is anticipated for late October 2014; and
- Stage 2 - Construction of pond 9 (formerly pond 14).

This works approval amendment will allow for a staged approach to works approval compliance, enabling SLFG to discharge final effluent to Ponds 7 and 8 once lined and ahead of Stage 2 completion. Although this was the original intention of the works approval, condition G5 did not enable such an approach.

As Pond 7 and 8 were originally designed to overflow into Pond 9, SLFG has requested to remove the requirement for spillways to be constructed on Ponds 7 and 8 to increase the storage capacity of the evaporation ponds and reduce the likelihood of a pond overflow.

Finally, an extension to the works approval has been requested to allow SLFG time to investigate alternative methods for disposing treated effluent in place of completing Stage 2 of the works approval. However, as these alternatives have not been assessed or approved by DER, SLFG wishes to hold the works approval open to allow for the construction of the final evaporation pond should DER not accept future proposals.

An amendment to licence L7294/1998/11 will be required to allow SLFG to accept up to 2.5 ML of effluent from the Myrup Truck Wash and Liquid Waste Facility (L8793/2013/1) to Pond 8 as per an agreement with the Shire of Esperance and assessed under licence L7294/1998/11. Amendments will also be required to allow the operation of Ponds 7 and 8.



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.

OSC – optional standard conditions
NSC = non-standard conditions

DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	G1	NSC	Works Approval condition G1 has been amended to remove requirements for construction of spillways on Ponds 7 and 8. This will increase the storage capacity of the new evaporation ponds, thereby reducing the likelihood of a pond overflow and a discharge to land at the premises. A freeboard requirement of 300 mm will remain on the Licence. In the unlikely occurrence of a severe (more than 300mm) rainfall event, the supernatant water in the evaporation ponds would largely be rainwater overlying the more dense, saline and nutrient rich wastewater. Given that the entire catchment area in this event would be inundated with rainwater, the impacts of an overflow as a result of a severe rainfall event on the Lake Warden System are likely to be low. Therefore the removal of spillways at Pond 7 and 8 is highly unlikely to impact on the local environment and is in fact more likely to have a small net benefit.	N/A
	G5	NSC	General condition G5 has been amended to allow for a staged approach to complying with the works approval allowing for SLFG to operate Ponds 7 and 8 ahead of completing Pond 9. This change is in line with the original intent of the Works Approval.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
27/10/2014	Proponent sent a copy of draft instrument	No comments received	N/A



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