



Amendment Notice #2

Licence Number L8344/2009/2

Licence Holder Australian Indigenous Agribusiness Company Pty Ltd

ACN 912 679 254

File Number: DER2016/001679

Premises
Roebuck Export Depot
Lot 382 on Plan 193561
BROOME WA 6725

Date of Amendment 6 November 2017

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act) as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 6 November 2017

Caron Goodbourn

A/Manager Licensing (Process Industries)

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info-der@dwer.wa.gov.au
Delegated Officer	an officer under section 20 of the EP Act
Department	means 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.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	Australian Indigenous Agribusiness Company Pty Ltd
mbgl	metres below ground level
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	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>

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence 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.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Environmental Siting (November 2016)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*

Amendment description

An application for an amendment to Existing Licence L8344/2009/2 was submitted by Australian Indigenous Agribusiness Company Pty Ltd (the Licence Holder) on 9 August 2017. The Licence Holder operates the Roebuck Export Depot (the Premises), a Prescribed Premises Category 55 Livestock saleyard or holding pen located 39km east of Broome on Broome Road.

The application to amend the licence has been requested in order to:

1. Update the company business name of the Licence Holder, which recently changed from National Indigenous Pastoral Enterprises Pty Ltd to Australian Indigenous Agribusiness Company Pty Ltd (maintaining the same ACN); and
2. To request removal of Existing Licence condition 1.2.10 to allow for liquid chemical to remain in the Premises cattle dip over the wet season. Upon arrival at the Premises, cattle are weighed, fed, watered and dipped in a chemical treatment solution to remove ticks prior to being exported.

During a DWER site inspection on 7 April 2017, the Licence Holder advised that the cattle dip had not been emptied during the previous wet season, and outlined the engineering and management controls that are in place to mitigate the risk of the cattle dip receiving any stormwater inputs during rainfall events. The Licence Holder advised that they would be seeking to amend the Licence to remove the requirement to empty the dip every year at the end of the operating season (prior to wet season).

The cattle dip is covered (roofed) with splash barriers on the side walls and entry and exit draining back into the dip. The dip has an overall length of approximately 10 metres, which consists of a 3-metre swim and a 7-metre walk out. It is a concrete lined drop-in dip which means the entrance is vertical. The dip has a total depth of 2.5 metres which allows for water (or chemical) depth of 2.1 metres and a capacity of approximately 17,000 litres.

The Licence Holder has outlined controls that reduce the risk of overflows from the cattle dip in the Application (AIAC 2017), which are listed in Table 2 below.

Table 2: Controls for management of Roebuck Export Depot cattle dip over the wet season.

Infrastructure	Controls
Premises Cattle Dip	<ul style="list-style-type: none">• Dip is roofed;• Dip has splash barriers on either side of the dip to prevent splashing of chemical outside of the dip or rainwater entering from the sides;• Both the entry and exit of the dip and the cattle draining areas are impervious concrete, sloped such that they drain back into the dip.

Figure 1 below shows a photo of the Premises cattle dip.



Figure 1: Roebuck Export Depot cattle dip

Amendment history

Table 3 provides the amendment history for L8344/2009/2.

Table 3: Licence amendments

Instrument	Issued	Amendment
L8344/2009/2	07/05/2012	Re-issued licence upon expiry of previous version
L8344/2009/2	18/12/2014	Licence amendment to new licence format
L8344/2009/2	18/02/2016	Licence amendment to change occupier details, increase production design capacity, and incorporate stormwater improvements
L8344/2009/2	31/03/2016	Licence amendment to extend the completion date for improvement requirements IR1 and IR2 required under condition 2.1.2
L8344/2009/2	09/09/2016	Amendment Notice 1 Licence amendment to remove the requirement to submit a design report for a new stormwater retention pond and extend the construction completion date for the stormwater retention pond system

L8344/2009/2	6/11/2017	Amendment Notice 2 Licence amendment to update company business name and remove condition 1.2.10 to allow for liquid chemical to remain in the dip over the wet season.
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Location and receptors

Table 4 below lists the relevant sensitive land uses in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 4: Receptors and distance from activity boundary

Residential and sensitive premises	Distance from Prescribed Premises
Roebuck Roadhouse (including caravan accommodation)	1.6km east-northeast

Table 5 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 5: Environmental receptors and distance from activity boundary

Environmental receptors	Distance from Prescribed Premises
Groundwater	Approximately 35mbgl
Minor river (unnamed)	3.2km east
ANCA Wetland – Roebuck Plains System	5.8km southeast

Risk assessment

Table 6 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. Table 5 identifies whether the emissions presents a material risk to public health or the environment, requiring regulatory controls.

Table 6: Risk assessment for proposed amendments during operation

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts					
Cat 55 Livestock saleyard or holding pen	Operation of the cattle chemical dip	Overflows, leaks, spills of dipping chemical (parasiticide)	Soils, groundwater resource (depth to groundwater around 35mbgl)	Direct discharge	Contamination of soils and / or groundwater with parasitidal dip chemical	Slight: onsite impact: minimal	Unlikely: the risk event will probably not occur in most circumstances	Low	<p>The Delegated Officer has considered the engineering controls and the separation distance between the emission source and potential receptors as a guide to inform the risk of overflows, leaks, spills from the cattle dip.</p> <p>Engineering controls in place include:</p> <ul style="list-style-type: none"> • The dip is roofed; • The dip has splash barriers on either side to prevent splashing of chemical outside of the dip and rainwater entering the dip; and • Both the entry and exit of the dip and the cattle draining areas are impervious concrete, sloped such that they drain back into the dip. <p>The Delegated Officer considers the risk of overflows during the wet season is appropriately managed. No additional conditions are required on the Existing Licence as a result of the amendment application.</p>

Decision

The Delegated Officer has granted the amendment to the Existing Licence. Condition 1.2.10 has been removed. The Delegated Officer notes the requirements of Existing Licence condition 1.2.9 which requires the Licence Holder to operate the dip and dipping area to prevent the loss or overflow of chemicals. This condition, along with the engineering controls outlined in Table 6 above, is sufficient to ensure the operation of the cattle dip will continue to present a low risk to public health and the environment.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 20 September 2017. No comments were received from the Licence Holder.

Amendment

1. The Licence is amended by the deletion of the following Condition 1.2.10:

1.2.10 The Licensee shall remove liquid chemical from the dip pit by no later than 15 December each year (prior to the wet season).

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8344/2009/2 – Roebuck Export Depot	L8344/2009/2	accessed at www.dwer.wa.gov.au
2	Licence Amendment Application, Australian Indigenous Agribusiness Company Pty Ltd 2017	AIAC 2017	DWER records (A1502598)
3	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	accessed at www.dwer.wa.gov.au	
4	DWER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.		
5	DWER, November 2016. <i>Guidance Statement: Environmental Siting</i> . Department of Environment Regulation, Perth.		
6	DWER, February 2017. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.		
7	DWER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.		