



Environmental Protection Act 1986

Hon Reece Whitby MLA
Minister for Environment; Climate Action

MINISTER'S APPEAL DETERMINATION

APPEAL AGAINST CONDITIONS OF WORKS APPROVAL W6490/2021/1 TALLOMAN RENDERING FACILITY LOT 115 LAKES ROAD HAZELMERE

Purpose of this document

This document sets out the Minister's decision on an appeal lodged under section 102(3)(a) of the *Environmental Protection Act 1986* in objection to the conditions of the above works approval. This document is produced by the Office of the Appeals Convenor for the Minister but is not the Appeals Convenor's own report, which can be downloaded from the Appeals Convenor's website at www.appealsconvenor.wa.gov.au.

Appellant:	Hazelmere Progress Association
Applicant:	Derby Industries Pty Ltd
Proposal description:	The works approval authorises the construction, commissioning and time limited operations of a new low temperature poultry rendering line and associated works at the premises.
Minister's Decision:	The Minister dismissed the appeal
Date of Decision:	15 March 2023

REASONS FOR MINISTER'S DECISION

An appeal was received 7 July 2022 from the Hazelmere Progress Association (the appellant) in objection to the conditions of the works approval granted to Derby Industries Pty Ltd (the works approval holder) by the Department of Water and Environmental Regulation (the Department).

The works approval, granted on 16 June 2022, authorises the construction, commissioning and time limited operations of a new low temperature poultry rendering line and associated works at the Talloman Rendering Facility, Lot 115 Lakes Road, Hazelmere (the premises). Multiple rendering activities are undertaken at the premises and the new poultry line will replace the existing high temperature poultry line within the premises boundary.

In summary, the Minister understood the appeal raised a number of concerns about the premises as there is a history of odour emissions impacting nearby residents, particularly during breakdowns and at peak processing times. The appellant was concerned that the Department's assessment of the works approval application, most particularly in relation to risks associated with odour and wastewater emissions from the premises was inadequate.

As noted in the Appeals Convenor's report, the right of appeal in this case is in relation to the conditions of the works approval. The Minister's consideration of the appeal is therefore limited to the adequacy of the conditions relating to the construction, commissioning and time-limited operations of the new poultry rendering facility only, and cannot consider some of the broader concerns raised by the appeal.

Decision

Taking into account the matters raised by the appeal, as well as the advice of the Appeals Convenor and the Department, the Minister considered the environmental risks posed by the proposal have been appropriately considered and that the conditions applied to the works approval are adequate. The Minister therefore dismissed the appeal.

The reasons for the decision and the Minister's consideration of the key issues raised in the appeal are set out below.

Odour management

The Minister was advised that the works proposed under this works approval include replacing the existing high temperature poultry rendering process with a low temperature process that is predicted to generate significantly less odour and improved quality wastewater.

The Minister noted that the Department applied a risk-based approach to its decision-making with respect to potential emissions and discharges from the new poultry rendering facility. Based on the outcome of its assessment, the Department applied a range of infrastructure and equipment controls through the works approval conditions to manage odour.

In relation to concerns about the risk of odour escaping from the poultry rendering plant during equipment breakdowns, the Minister noted that the conditions contain a number of redundancy measures to ensure negative pressure is maintained within the building to avoid odour escaping. For example, should the ventilation system and the doors fail at the same time, there are three continuous negative pressure gauges that detect loss of negative pressure within the building, notifying site operators who can manually close doors prior to odour emissions escaping the building.

With regards to the new poultry biofilter, the Minister was advised that the biofilters are the principle odorous air treatment system, and that the new plant only requires two biofilter beds to treat odour when operating at full capacity. The Minister noted that three biofiltration beds will be constructed to allow for one biofilter bed being offline to provide redundancy.

Furthermore, condition 7 requires the works approval holder to monitor a range of physical air parameters, including odour, at specified locations within the poultry rendering facility during time limited operations to ensure that actual emissions from the plant are acceptable. The works approval holder must provide the results of this monitoring to the Department for review and validation of air emissions.

Given the foregoing, the Minister considered that the requirements applied are appropriate for the control of odour emissions from the new poultry rendering plant, and no changes to the conditions are required at this time.

Wastewater management

The appeal raised concerns about potential leakage from the wastewater treatment plant (WWTP) at the premises, and that the addition of the new poultry rendering facility may compound the issue. On this basis, the appellant questioned the adequacy of the works approval conditions with respect to wastewater management.

On the advice of the Department, the Minister noted that treated wastewater is either discharged to evaporation ponds or reused on the premises, or discharged to a Water Corporation sewer. The Minister was advised by the Department that there are currently no unauthorised discharges to the environment from the premises, and that historical discharges from the site have been investigated under the *Contaminated Sites Act 2003*.

The Minister noted that all wastewater from the poultry rendering facility will be conveyed to the existing WWTP, which has sufficient capacity to treat the additional volume of poultry effluent, and that no changes are proposed to the WWTP under the works approval.

The Minister understood that the Department's risk assessment found that existing regulatory controls in place under existing licence L4297/1983/17 are appropriate and adequate to prevent and control the risk of wastewater spills and stormwater contamination during the construction, environmental commissioning and time limited operations phases authorised under the works approval.

On this basis, the Minister was satisfied the existing regulatory controls are sufficient to ensure that no unauthorised discharges to the environment occur, and that no changes to the works approval conditions are required.

As to the other issues raised in the appeal, the Minister referred the appellant to the Appeals Convenor's report for further information.

Next steps

The Minister noted the Department's advice that the works approval holder will require an amendment to licence L4297/1983/17, to authorise emissions associated with the continued operation of the premises. The Department's assessment conducted as part of an application to amend the licence may make further determinations about appropriate licence conditions to control emissions from the premises.

The Minister understood that representatives of the Hazelmere Progress Association attended a joint meeting and site visit with the works approval holder and the Appeals Convenor and some of her staff. The Minister was advised that at the meeting, the works approval holder expressed a willingness to work cooperatively with the Hazelmere Progress Association and the community to address any concerns in respect to odour or other emissions from the premises. Should the appellant be concerned about emissions or discharges from the premises, the Minister encouraged the Hazelmere Progress Association to report these concerns to the works approval holder and the Department.

Note: this decision is published pursuant to the terms of section 110 of the *Environmental Protection Act 1986* and regulation 8 of the *Environmental Protection Regulations 1987*.

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