Proposed updating and reopening of the Toodyay Abattoir at Lot 89 Church Gully Road, Toodyay - Extension of time limit and changes to ministerial conditions

Mr G J Johnson

Section 46(1) Report and recommendations of the Environmental Protection Authority

Summary and recommendations

Mr G J Johnson, the proponent, requested that the time limit of environmental approval for the proposed updating and reopening of the Toodyay Abattoir at Toodyay be extended.

The Minister for the Environment has requested the Environmental Protection Authority (EPA) to consider and provide advice on Mr G J Johnson's request under Section 46(1) of the Environmental Protection Act 1986.

Section 46(1) of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on whether or not the proposed changes to conditions and procedures should be allowed. In addition, the EPA may make recommendations as it sees fit.

This report provides the EPA's advice and recommendations to the Minister for the Environment on the environmental factors, conditions and procedures relevant to the proposal.

Relevant environmental factors

It is the EPA's opinion that the following are the environmental factors relevant to the proposal, which require detailed evaluation in the report:

- a) extension to the time limit of approval; and
- b) updating of other environmental conditions.

Conclusion

The EPA has considered the request by Mr G J Johnson to extend the time limit of environmental approval for the proposed updating and reopening of the Toodyay Abattoir, and has concluded that a three year extension should be allowed.

The EPA believes that the period since the above proposal was originally assessed has not given rise to any changes which would cause the EPA to reconsider its previous assessment of the project or its previous recommendation as to the environmental acceptability of the project.

In addition to reporting on an extension of the time limit, the EPA considers that conditions attaching to the environmental approval should be updated. It has therefore reported also on the updating of conditions.

Recommendations

The EPA submits the following recommendations to the Minister for the Environment:

- 1. That the Minister notes that this report is pursuant to Section 46(1) of the *Environmental Protection Act 1986* and thus is limited to consideration of proposed changes to the original conditions.
- 2. That the Minister notes that the proposed change is an extension of time for implementation.
- 3. That the Minister notes that the EPA has concluded that:
 - the extension of time limit of approval for another three years is acceptable; and
 - the Ministerial Conditions of environmental approval should also be updated to reflect current environmental standards and practice.
- 4. That the Minister imposes the conditions and procedures set out in Appendix 3 of this report.

Conditions

The EPA recommends that the following conditions, which are set out in detail in Appendix 3, be imposed if the time limit extension for the proposed updating and reopening of the Toodyay Abattoir by Mr G J Johnson is approved:

- 1. The existing Ministerial Conditions applied to the project (Ministerial Statement 221 dated 11 February 1992), subject to modifications necessary to:
 - extend the time limit of environmental approval;
 - update the statement into the current format; and
 - ensure compatibility with current environmental protection regulations.
- 2. Additional conditions which are now routinely applied to abattoir operations of this type and size, namely:
 - requirement for an environmental management system for the project;
 - requirement for a Wastewater Management Programme for the project;
 - a Noise Management Plan;
 - requirement for an environmental performance review after five years; and
 - requirement for periodic environmental auditing.

Contents

4.

		Page
Sum	nmary and recommendations	•
1.	Introduction and background	1
2.	The proposal	1
3.	Environmental factors	5
	3.1 Relevant environmental factors	5
	3.2 Extension of the time limit of approval	6
	3.3 Changes to other environmental conditions	6
4.	Conditions	7
5.	Conclusions	17
6.	Recommendations	13
Tab	le	
1.	Proposed changes to environmental conditions and proponent's commitment	8 8
Figu	ures	
1a.	Regional location of Toodyay Abattoir	2
1b.	Location of Toodyay Abattoir	3
2.	Site plan of existing abattoir	4
App	pendices	
1.	References	
2.	Statement of conditions of approval (11 February 1992)	
3.	Recommended Ministerial Conditions and proponent's consolidated commitr	nents

Copy of the DEP's letter to the Shire of Toodyay regarding the need for a 500m wide buffer zone around the Toodyay Abattoir, and the Shire's responses



1. Introduction and background

The Minister for the Environment has requested the Environmental Protection Authority (EPA) to consider and provide advice under Section 46(1) of the *Environmental Protection Act* 1986 on Mr G J Johnson's proposal to extend the time limit of environmental approval for the proposed updating and reopening of the Toodyay Abattoir at Toodyay.

The project was assessed by the EPA in 1991 at the level of a Public Environmental Review (PER). The Minister for the Environment gave environmental approval for the project, subject to conditions, on 11 February 1992. Condition 5 of the Minister's statement of approval (Appendix 2) set a time limit for commencing the project of five years. After this, any extension to that time limit would have to occur via a request to change the condition under Section 46(1) of the *Environmental Protection Act* 1986.

In accordance with Condition 5, Mr G J Johnson has requested that the time limit of approval be extended via a Section 46(1) change to conditions. This request was received on 3 January 1997, prior to the expiration date referred to in Condition 5.

Further details of the proposal are presented in Section 2 of this Report. Section 3 discusses environmental factors relevant to the proposal. Conditions and procedures to which it should be subject if the Minister determines that it may be implemented are set out in Section 4. Section 5 presents the EPA's conclusions and Section 6 the EPA's recommendations.

References are listed in Appendix 1, environmental conditions currently applying to the proposal are contained in Appendix 2, and recommended conditions and procedures are provided in Appendix 3. Copies of various correspondence from the DEP and the Shire of Toodyay regarding the establishment of a 500m wide buffer zone around the abattoir are included in Appendix 4.

2. The proposal

Approved proposal

In 1990, a proposal was received from Mr G J Johnson and Mr V Staszewski (the original proponents) to update and reopen the existing Toodyay Abattoir to comply with Local, State and Federal Government requirements, including meeting all Environmental Protection Authority and other relevant government department requirements. The proposed changes to the existing abattoir would ensure that it met the current Australian Code of Practice for Construction and Equipment of Abattoirs.

Mr G J Johnson and Mr V Staszewski purchased the Toodyay Abattoir in February 1988. The abattoir is located at Lot 89 Church Gully Road, approximately 14km north of Toodyay (Figures 1a and 1b). The site is located in a rural area but is approximately 0.5km from a farmlet subdivision which was rezoned after the abattoir commenced operations. A site plan for the existing abattoir is shown in Figure 2.

The abattoir commenced operations in March 1974 with a capacity to process 500 sheep per day, and temporarily ceased operating in May 1987. At the time of closure, the abattoir was subject to a Works Order from the Health Department of Western Australia, which required upgrading of facilities to meet the current Australian Code of Practice for Construction and Equipment of Abattoirs (Department of Primary Industry, 1986).

The proposal was assessed at Public Environmental Review (PER) level, and approval to implement the proposal was given by the Minister for the Environment on 11 February 1992, subject to certain conditions.

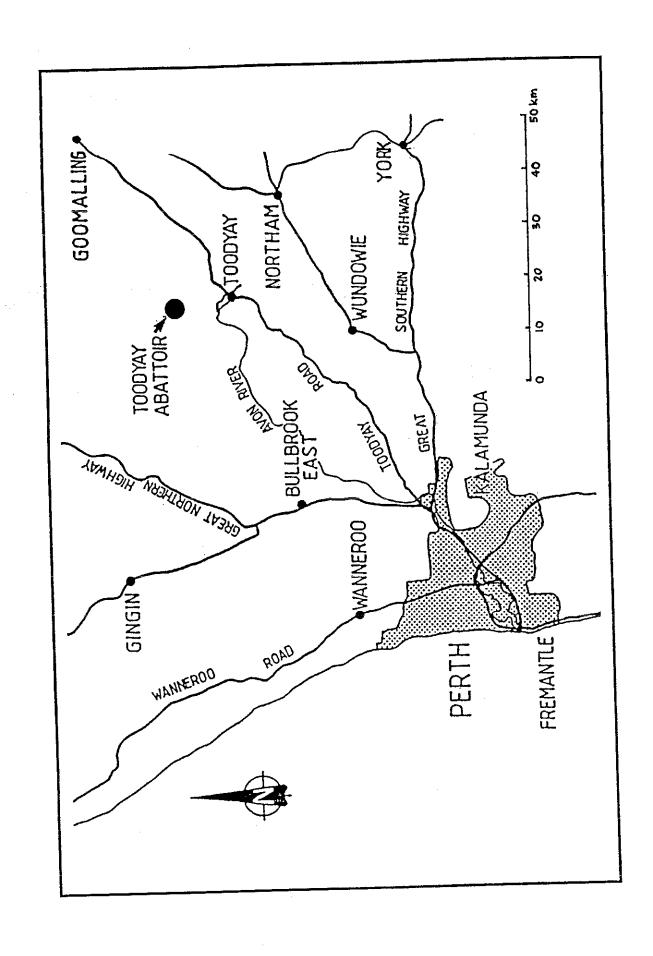


Figure 1a: Regional location of Toodyay Abattoir (Modified from PER)

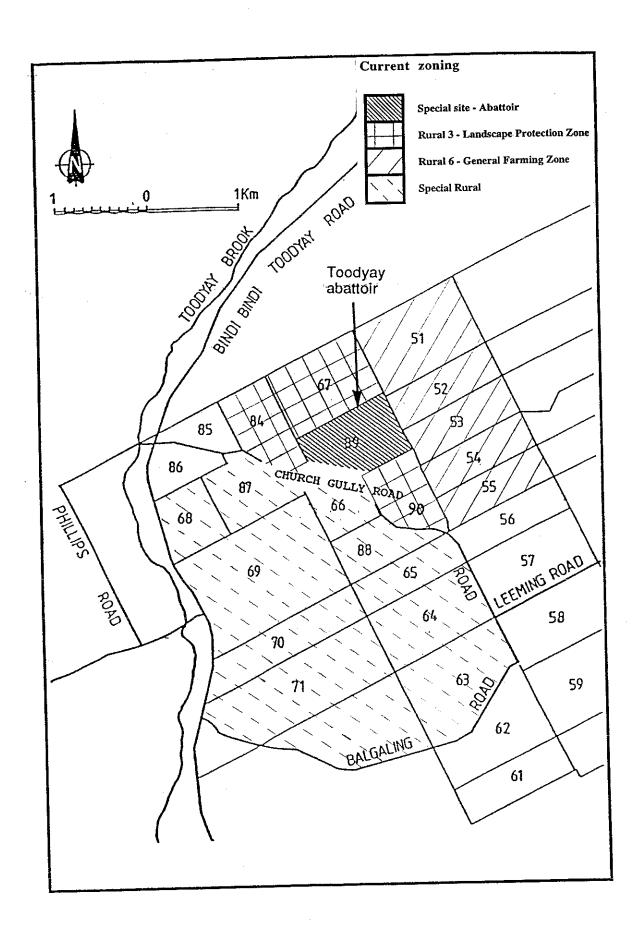


Figure 1b: Location of Toodyay Abattoir (Modified from PER)

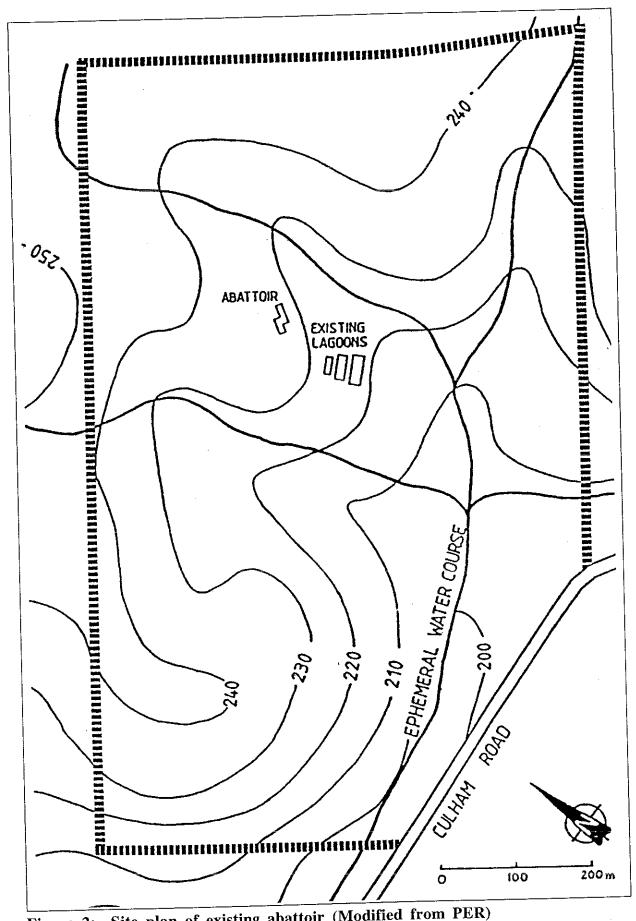


Figure 2: Site plan of existing abattoir (Modified from PER)

The nomination of the former proponents Mr G J Johnson and Mr V Staszewski was revoked by the EPA on 3 July 1998, under delegated authority, under Section 38(7) of the Environmental Protection Act, and Mr G J Johnson was nominated as the sole proponent.

A more detailed description of the original proposal is contained in the EPA's previous assessment of that proposal (EPA, 1991) and in the 1990 Public Environmental Review (Environdata Environmental Consultants, 1990).

Proposed changes to environmental conditions

Mr G J Johnson (now the sole proponent) wishes to extend the time limit of environmental approval for this proposal. The project has not yet commenced, having been placed on hold owing to a lack of commercial viability.

In accordance with Condition 5, Mr G J Johnson has requested that the time limit of approval be extended via a Section 46(1) change to conditions. This request was received on 3 January 1997, prior to the expiration date referred to in Condition 5.

3. Environmental factors

3.1 Relevant environmental factors

Section 46(1) of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on whether or not the proposed changes to conditions or procedures should be allowed. In addition, the EPA may make recommendations as it sees fit.

The relevant environmental factors identified in the EPA's previous (1991) assessment of the proposal were:

- wastewater management and disposal;
- environmental monitoring;
- solid waste disposal;
- dust and odour; and
- noise.

The EPA sought comments and advice from the Water and Rivers Commission and the Health Department of Western Australia regarding whether the time limit should be extended, and any new environmental issues which should be considered if the time extension was granted. The EPA notes the two new issues were raised in advice received from government agencies relating to wastewater management and disposal, and the establishment of a 10m wide 'no development zone' buffer along the length of the ephemeral watercourse on the site. These issues have been addressed in the updated conditions and via the provision of an additional commitment from the proponent.

The DEP advised the Shire of Toodyay that a minimum 500m wide buffer zone would need to be provided around the Toodyay Abattoir, and that this requirement needs to be taken into account in future planning undertaken by the Shire in order to prevent incompatible land uses such as residential housing from becoming established in proximity to the abattoir.

The Shire of Toodyay subsequently provided a written undertaking to the DEP in two separate letters that it would not allow future residential development to encroach within 500m of the Toodyay Abattoir, and a further facsimile confirming that the correct Lot number for the abattoir is Lot 89 and not Lot 590 as indicated in its first letter. A copy of the DEP's letter and the Shire's responses can be found in Appendix 4.

It is the EPA's opinion that the following issues should be considered in the proposed time limit extension:

- whether the requested extension to the time limit should be approved; and a)
- what other changes to the existing environmental conditions might be required should an b) extension be granted.

These issues are discussed in Sections 3.2 and 3.3 of this report.

3.2 Extension of the time limit of approval

Description

Approval for this project was initially limited to five years recognising that over time the predicted environmental impacts and their considered significance may change. Over five years, knowledge of the receiving environment may increase as a result of further studies, and the anticipated impacts on this environment may change as a result of increased understanding In addition, environmental of interaction between the environment and the proposal. regulations, standards, guidelines and accepted practices may also change.

There have been no significant changes in the understanding of the receiving environment or to the predicted impacts from those originally presented by the proponent and assessed by the EPA in 1991.

The proponent did not specify an exact duration for the requested extension of the time limit of environmental approval but indicated that the proposal would be commenced "in the near future". As a result, the DEP, has advised that it would be appropriate for the time limit of environmental approval to be extended by three years.

Assessment

Environmental standards have changed over the past five years. Changes which are applicable to this proposal include changes to the State's noise regulations and adoption by the EPA of a number of standard environmental conditions which are now routinely applied to abattoir operations. None of these changes significantly affects the proposal as described in the 1991 Public Environmental Review document, but only result in changes to limits which must be met, and some additional reporting requirements. These can be accommodated through recommended changes to the environmental conditions which are described in Section 3.3.

Having particular regard to:

- the fact that the predicted environmental impacts of the proposal have not changed; and a)
- changes in environmental standards that can be addressed through amendments to the **b**) conditions and procedures of environmental approval,

it is the EPA's opinion that the requested extension of three years for the time limit of environmental approval should be allowed.

Changes to other environmental conditions

Description

In assessing of the proposal to extend the time limit under Section 46(1) of the Environmental Protection Act 1986, the EPA has reviewed the other environmental conditions currently applicable to the updating and reopening of the Toodyay Abattoir which are contained in Appendix 2. Mr Johnson has indicated to the EPA his agreement that these other conditions be reviewed.

Assessment

The EPA has reviewed the environmental conditions set on this proposal with a view to:

- a) updating the statement into the current format;
- b) ensuring compatibility with current environmental protection regulations; and
- applying additional conditions which are now routinely applied to abattoir operations of this type and size, namely:
 - requirement for an environmental management system for the project;
 - requirement for an Environmental Management Programme for the project;
 - requirement for environmental performance reviews every three years;
 - requirement for periodic compliance auditing.

The EPA's proposed changes to the existing conditions are set out in greater detail in Table 1 below. This table should be examined in conjunction with the original environmental conditions in Appendix 2 and the recommended draft conditions in Appendix 3. The proponent's revised commitments are contained in Appendix 3.

The recommended draft conditions provide for adequate protection of the environment and for efficient and effective environmental auditing of compliance. The EPA recognises that the modified proponent commitments identified in Table 1 reflect the proponent's intent to manage the impacts of its proposal in a responsible manner. Previous proponent commitments which can now be adequately met through implementation of the recommended draft conditions or through other statutory approvals processes have been deleted.

4. Conditions

Section 46(1) of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on whether or not the proposed changes to conditions or procedures should be allowed. In addition, the EPA may make recommendations as it sees fit.

In developing recommended conditions for each project, the EPA's preferred course of action is to have the proponent provide an array of commitments to ameliorate the impacts of the proposal on the environment. The EPA acknowledges the proponent's intent behind the commitments, however the recommended draft conditions in this case supersede the requirement for any additional commitments.

The EPA recommends that the following conditions, which are set out in formal detail in Appendix 3, be imposed if the proposed time limit extension for the updating and reopening of the Toodyay Abattoir is approved:

- The existing Ministerial Conditions applied to the project (Ministerial Statement 221 of 11 February 1992), subject to modifications necessary to:
 - extend the time limit of environmental approval;
 - update the statement into the current format; and
 - ensure compatibility with current environmental protection regulations.
- 2. Additional conditions which are now routinely applied to abattoir operations of this type and size, namely:
 - requirement for an environmental management system for the project;
 - requirement for an Environmental Management Program for the project;
 - requirement for environmental performance reviews every three years; and
 - requirement for periodic compliance auditing.

Table 1. Proposed changes to environmental conditions and proponent's commitments

Original Condition	Requirements	Evaluation	New Condition or Commit-ment No.	New Condition or Commitment Text
Commitment No.				
Environmental	mental Conditions			
1	1 🖅	Wording changed to reflect no need for proponent commitments	2 2 2-1	Proponent Commitments The proponent shall implement the consolidated environmental management commitments as amended on 10 March 1999 and documented in schedule 2 of this statement.
			2-2	The proponent shall implement subsequent environmental management commitments which are proposed makes or has made as part of the fulfilment of conditions and procedures in this and any previous statement issued for this proposal.
2	Implement the proposal as described	Wording changed to recast condition into contemporary	1-1	Implementation Subject to these conditions and procedures, the proponent shall implement the proposal as documented in
		format	1-2	Schedule 1 of this statement. Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement. Where the proponent seeks to the Environment determines, on advice of the Environmental Protection in any way that the Minister for the Environment determines, on advice of the Environmental Protection.
			1-3	Authority, is substantial, the proposest statement Where the proposed as documented in schedule 1 of this statement Where the proponent seeks to change any aspect of the proposed as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection in any way that the Minister for the Environment defected.
				Aumonity, is not substantial, the property of the programming and Rehabilitation Management Plan
3	Prepare and implement a decommissioning and final rehabilitation plan	Wording changed to recast condition into contemporary format	6-1	
				This Plan shall address:
				removal of, it appropriate, received a standard suitable for agreed new land use / s; and final rehabilitation of all disturbed areas to a standard suitable for agreed new land use / s; and
				3 identification of contaminated areas, including provision authorities. authorities.
			6-2	
			6-3	

New Condition or Commitment Text nit. No.		8. I The proponent for the time being nominated by the Minister for the Environment under section 38(6) or 8-1 The proponent for the time being nominated by the Minister's power under section 38(7) of the Environmental Protection Act is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the time as the Minister for the Environment and nominate another person in respect of the proposal. Act to revoke the nomination of that proponent and nominate another person in respect of the proposal.	8-2 Any request for the exercise of that power of the Minister referred to in containing a companied by a copy of this statement endorsed with an undertaking by the proposed replacement accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the proposed in accordance with the conditions and procedures set out in the procedure set	8-3 The proponent shall notify the Minister for the Environment of any change of proponent contact name and address within 30 days of such change.	9 Commencement 9-1 The proponent shall provide evidence to the Minister for the Environment within three years of the date of this statement that the proposal has been substantially commenced.	9-2 Where the proposal has not been substantially commenced within three years of the date of this statement, the approval to implement the proposal as granted in statement no. 221 shall lapse and be void. The Minister for the Environment will determine any question as to whether the proposal has been	 substantially commenced. 9-3 No further extension of time for this proposal will be granted. On expiration of the three year extension period, further consideration of the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can only occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur following a new referral to the proposal can occur follo	3-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to the start of mining, the proponent shall demonstrate to conditions and procedures in this statement, prior to the start of mining, the proponent shall demonstrate to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection that there is in place an environmental management system which includes the following elements:	An environmental policy and corporate commitment to it:	2.1 planning to meet environmental requirements;	2.2 implementation and operation of account of managements and 2.3 measurement and evaluation of environmental performance; and	3 Review and improvement of environmental outcomes. 3-2 The proponent shall implement the environmental management system referred to in condition 3-1.
New Condition or Commit- ment No.		∞			6			m				
Evaluation		Wording changed to recast condition into contemporary format			Requested time limit extension granted. Project to be commenced within three	years of the issue of the Section 46 statement.		New condition - reflects current expectation that all major developments should have an Environmental Management System				
Requirements (summarised)		No change of proponent without approval by the Minister for the Environment.			Project to be commenced within 5 years or the approval shall lapse	and be void.		Environmental Management System				
Original Condition or	Commit- ment No.				5							

New New Condition or Commitment Text Condition or Commitment Text Commitment No.	 4 Wastewater Management Plan 4-1 Prior to commissioning, the proponent shall prepare a Wastewater Management Plan to achieve the following objectives: to ensure that the beneficial uses of the groundwater are not adversely impacted by the operation of the proposal; to prevent the contamination of the Avon River; and to prevent pollution of the Avon River; and to prevent the contamination of the groundwater in excess of appropriate guideline levels recognised by the Environmental Protection Authority, such as those in the NHMRC / recognised by the Environmental Protection Authority on advice of This Plan shall be prepared to the requirements of the Environmental Protection, and shall address: the Water and Rivers Commission and the Department of Environmental Protection, and shall address: namanaged appropriately; establishment of an on-going source of fresh water such that the limited local water resource is managed appropriately; efficient use and conservation of fresh water; disposal of treated wastewater consistent with the Water and Rivers Commission from time to time (See Schedule 3); and time to time (See Schedule 3); and time to time (See Schedule 3); and time to time water quality. 4-2 The proponent shall implement the Wastewater Management Plan required by condition 4-1. available, to the requirements of the Environmental Protection Authority. 4-3 The proponent shall make the Wastewater Management Plan required by condition 4-1. available, to the requirements of the Environmental Protection Authority.
Evaluation Cor	New condition - reflects Current expectation that all major developments should have a Wastewater Management Plan. This new condition also addresses concerns expressed by the Water and Rivers Commission relating to wastewater management.
Requirements (summarised)	Wastewater Management Plan
Original Condition or Commit-	ment No.

Original Condition or Commit-	Requirements (summarised)	Evaluation	New Condition or Commit- ment No.	New	New Condition or Commitment 1ext
ment No.	Noise Management Plan	New condition - reflects current expectation that all major developments should have a Noise Management Plan	v.	5-1 5-2 5-3	Noise Management Plan Prior to commissioning, the proponent shall prepare a Noise Management Plan to protect the amenity of prior to commissioning, the proponent shall prepare a Noise Management Plan to protect the amenity of nearby residents from noise impacts resulting from activities associated with the proposal by ensuring nearby residents from noise impacts resulting from advice of the Department of Environmental Protection (Noise) Regulations 1997, to the that noise levels comply with the Environment on advice of the Department of Environmental Protection. This Plan shall address: 1
	Performance Review	New condition - reflects current expectation that all major developments should review long-term environmental performance and implement continuous improvement	L	7-1	Each six years following the continencement of construction. Review to the Department of Environmental Protection: to document the outcomes, beneficial or otherwise; to review the success of goals, objectives and targets; and to review the environmental performance over the six years; to evaluate the environmental performance over the six years; relevant to the following: 1 environmental issues and objectives reported on in Environmental Protection Authority Bulletins 2 proponent's consolidated environmental management commitments documented in Schedule 2 of this statement and those arising from the fulfilment of conditions and procedures in this statement; 3 environmental management programs and plans; and/or 5 environmental performance indicators; 6 to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection. Note: The Environmental Protection Authority may recommend changes and actions to the Minister for Note: The Environmental Protection of the Performance Review.

adition New Condition or Commitment Text nmit. No.	10 Compliance Auditing 10-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit program prepared in consultation between the proponent and the Department of Environmental Protection. 10-2 Unless otherwise specified, the Chief Executive Officer of the Department of Environmental Protection is responsible for assessing compliance with the conditions, procedures and commitments contained in this statement and for issuing formal written advice that the requirements have been met. 10-3 Where compliance with any condition, procedure or commitment is in dispute, the matter will be determined by the Minister for the Environment.
Evaluation New Condition or Commitment No.	New condition - reflects current expectation that all major developments should undertake periodic audits
Requirements (summarised)	Compliance auditing
Original Condition or Commit-	20.

Commit-	Requirements		ment No.	or Commitment Text
ment Ivo.	l l			
Proponent's	The proponent will adhere to the proposal as assessed by the	This commitment is redundant and has been deleted.	N/A	V/A
2	made below. The abattoir will be constructed and operated according to all	This commitment is redundant and has been deleted.	N/A	N/A
	relevant Government statutes and agencies, requirements, and the satisfaction of the Environmental Protection Authority.	Commitment No. 1 as a result of the	1	See new Commitment No.
3	The proponents will build a fully integrated wastewater, solid waste, noise and odour treatment and disposal system which will be designed and installed by a recognised water/wastewater treatment contractor to the satisfaction of the Brytonmental Protection Authority. The system will be operated by the proponents and Authority. The system will be satisfaction of the Brytonmental	This commitment has been made the new Commitment of deletion of original Commitments 1 and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated wording changed to recision making authorities and involved agencies.		
	monitored by the consument of the Profection Authority and all relevant Authorities.	the state of the s		See new Commitment No.
4	Prior to construction of the wastewater treatment ponds, the proponents will supply to the Environmental Protection Authority and the Water Authority of Western Australia details of their exact location and design and have those details approved by the province of the protection Authority and the Water Authority of	This commitment has been made the new Communent 100.2 to a result of deletion of original Commitments I and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated references to relevant decision making authorities and involved agencies.	٧	2
	Western Australia.	T. A. T. Commitment No 3 as a result of the	C	See new Commitment No.
\$	Prior to commissioning the plant, evaporative lagoons will be constructed to dispose of treated wastewater and will be operated subsequently to the satisfaction of the Environmental Protection	This commitment has been made the new Commitment and the deletion of original Commitments 1 and 2, as detailed above. deletion of original Commitments into contemporary format with updated Wording changed to recast commitment into contemporary format with updated	<u>ر</u>	3
	Authority.	references to relevant decision make the new commitment No. 4 as a result of the	4	See new Commitment No.
9	In the event of pond leakage, the proponents, upon direction from either the Environmental Protection Authority of Water Authority of Western Authority and Water Authority of Mestern Authority and Western Authority and Protection Authority of Mester Authority of Mester and Mester Authority of Mester and Mester Authority of Mester Authority and	Into continuitien has occur made and 2, as detailed above. deletion of original Commitment and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated prepared to recast commitment into anticontain and involved agencies.		1
	pond with a plastic title to the Sansanaccompound and the Water Authority of Western Australia.	+	~	See new Commitment No.
7	All wastewater treatment lagoons will be constructed to have at least 0.3m freeboard so as to be able to cope with a "once in 30 years storm event".	This commitment has been made the new Communican ve. deletion of original Commitments 1 and 2, as detailed above. Wording changed to reflect an increase in the freeboard of the from original value of 0.3m to address concerns from Water	<u></u>	S
		Commission.	9	See new Commitment No.
∞	The proponents will ensure that the water level in the wastewater treatment ponds will be maintained to the satisfaction of the Environmental Protection Authority and the Water Authority of Western Australia.	Ins commitment are possible and 2, as detailed above. deletion of original Commitments 1 and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated references to relevant decision making authorities and involved agencies.		

Original Condition or Commit-	Requirements	Evaluation	New Condition or Commit- ment No.	New Condition or Commitment Text
ment No.	mediate remedial action should failure system occur and will carry out such he Environmental Protection Authority	This commitment has been made the new Commitment No. 7 as a result of the deletion of original Commitments 1 and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated	7	See new Commitment No. 7.
10	1_ ≥	references to relevant decision making aumorities and arror or against the This commitment has been made the new Commitment No. 8 as a result of the deletion of original Commitments 1 and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated references to relevant decision making authorities and involved agencies.	ω	See new Commitment No. 8.
	agoons to the satisfaction of the Languages and relevant authorities as quickly as possible. The proponents will ensure that storm water run-off from areas.	This commitment has been made the new Commitment No. 9 as a result of the deletion of original Commitments 1 and 2, as detailed above.	6	See new Commitment No. 9.
12	system. If, due to some unseen circumstances, the disposal of treated If, due to some unseen circumstances, the Environmental Protection wastewater by irrigation did not meet the Environmental Protection Authority's requirements, the proponents will build an evaporation Authority's requirements, the proponents will build an evaporation	This commitment has been made the new Commitment No. 10 as a result of the deletion of original Commitments 1 and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated references to relevant decision making authorities and involved agencies.	10	See new Commitment No. 10.
13	point for water water uspects and satisfaction of the Environmental Protection Authority. The proponents will ensure that any treated wastewater will only be irrigated onto the site if it complies with the Environmental irrigated onto the star if it complies with the Environmental protection Authority requirements for phosphorus and nitrogen.	This commitment has been made the new Commitment No. 11 as a result of the This commitments 1 and 2, as detailed above. deletion of original Commitments 1 and 2, as detailed above. Wording changed to recast commitment into contemporary format with updated	13	See new Commitment No.
14	Prior to construction, the proponents will submit and subsequently implement a. monitoring programme to the satisfaction of the implemental Protection Authority and on the advice from the Environmental Protection Authority and on the advice from the Water Authority of Western Australia. The monitoring programme will include: 1. initial baseline sampling period to determine whether impacts		25	See new Commitment No. 15.
	are presently occurring; 2. parameters to be measured; 3. sampling sites and times:			
	4. reporting times to Environmental Fracescons. 5. a commitment to modify the environmental management programme, if necessary, to reduce the impact of pollution, to the satisfaction of the Environmental Protection Authority.			

Original Condition or	Requirements	Evaluation	or Commit- ment No.	New Condition of Commitment Text
Commit-ment No. 15	ed in a In the track tra	This commitment has been made the new Commitment No. 16 as a result of the deletion of original Commitments 1 and 2, as detailed above, and the renumbering of original Commitments 23, 24, and 25 to new Commitments 12, 13, and 14 which deal with wastewater management. Wording changed to recast commitment into contemporary format with updated to relevant decision making authorities and involved agencies.		See new Commitment No. 16.
16	management controls as necessary to touce are impressed acceptable level. The proponents will dispose of all solid wastes off-site, and will obtain the approval of the Environmental Protection Authority for the method and location of solid waste disposal prior to commissioning the plant.	of the mbering 14 which pdated	[1]	See new Commitment No. 17.
17	The proponents will, three months prior to commissioning, submit a solid waste disposal plan to the Envisonmental Protection Authority to the satisfaction of the Envisonmental Protection Authority. This plan will nominate a Gazetted landfill site which will accept abattoir waste and he to the satisfaction of the Environmental Protection Authority.	en d	8	See new Commitment No.
18	The proponents will have a permanent member of staff living on site. If dead animals are delivered to the abattoir they will be removed from the site within 24 hours and disposed of to the satisfaction of the Environmental Protection Authority.	references to relevant decision making aumonics and more relevant decision making aumonics and more relevant has been made the new Commitment No. 19 as a result of the deletion of original Commitments 1 and 2, as detailed above, and the renumbering of original Commitments 23, 24, and 25 to new Commitments 12, 13, and 14 which deal with wastewater management. Wording changed to recast commitment into contemporary format with updated	19	See new Commitment No. 19.
19	The proponents will ensure that dust, odour and, noise will be controlled at all times to the satisfaction of the Environmental Protection Authority.	references to relevant decision making authorities and involved agreements of the This commitment has been made the new Commitment No. 20 as a result of the deletion of original Commitments 1 and 2, as detailed above, and the renumbering of original Commitments 13, 24, and 25 to new Commitments 12, 13, and 14 which deal with wastewater management. Wording changed to recast commitment into contemporary format with updated Wording changed to recast commitment into contemporary format with updated	20	See new Commitment No. 20.
50	The proponents will seal any area used by traffic including the access road to the abattoir if it is deemed by the Environmental Protection Authority that traffic is causing a dust problem.	references to teach and because the new Commitment No. 21 as a result of the This commitment has been made the new Commitment No. 21 as a result of the deletion of original Commitments 1 and 2, as detailed above, and the renumbering deletion of original Commitments 23, 24, and 25 to new Commitments 12, 13, and 14 which deal with wastewater management. Wording changed to recast commitment into contemporary format with updated references to relevant decision making authorities and involved agencies.	2.1	See new Commitment No. 21.
21	The proponents will monitor noise at night and weekends and will take appropriate action, if necessary, to minimise noise to the satisfaction of Environmental Protection Authority.	This commitment is redundant and has been deleted.		

Original Condition or	Requirements	Evaluation	Condition or Commit- ment No.	New Condition or Commitment Text
Commitment No.	All machinery with a potential to cause nuisance noise levels will be enclosed to ensure that noise levels satisfy the Neighbourhood Annoyance Regulations.	n made the new Commitment No. 22. Ide reference to new Environmental Protection	22	See new Commitment No. 22.
23	Before the proponents irrigate wastewater onto their property they will provide the Environmental Protection Authority with a chemical analysis of the treated water and have it approved for trigation by the Environmental Protection water and have it approved for trigation by the Environmental Protection Authority. Additionally, the proponents will have approved by Environmental	y.	12	See new Commitment No. 12.
24	Protection Authority, the area of land to be irrigated, prior to commissioning the plant. The proponents will not use treated wastewater for any purpose relating to the dressing of meat. Before they use such water for washing down stock holding areas, approval would be sought from the Health Department of Western areas, approval would be sought from the Health Department of Western	s -	13	See new Commitment No. 13.
25	Australia and the Environmental recoverable treatment system. water would be recycled back into the wastewater treatment system. The proponents will control insects and weeds around the wastewater treatment system, including the lagoons, any sludge drying facilities or treatment system, including the lagoons, any sludge drying facilities or treatment system, including the lagoons, any sludge drying facilities or treatment system, including areas, to the satisfaction of the Environmental temporary stock holding areas, to the satisfaction of the Environmental the	This commitment has been made the new Commitment No. 14 as it relates to wastewater management. Wording changed to relate commitment into contemporary format with the contemporary format wi	14	See new Commitment No. 14.
26	Protection Authority, the Health Department of Western Australians and Shire of Toodyay. Shire of Toodyay. The proponents will, three months before corumissioning the plant, submit a landscaping plan (tree planting) to the Environmental Protection Authority, and have it approved by the Environmental Protection Authority, with the purpose have it approved the area.	updated references to recommend the new Commitment No. 24 as it relates to visual amenity. Wording changed to recast commitment into contemporary format with undated references to relevant decision making authorities and involved	23	See new Commitment No. 23.
27	The proponents will modify their pollution control operations, if they cannot the proponents will modify their pollution control operations.	agencies. This commitment is redundant and has been deleted.	N/A	N/A
28	The proponents will be responsible for decommissioning the plant and The proponents will be responsible for decommissioning the plant and rehabilitating the site and its environs, to the satisfaction of the Environmental	This commitment is redundant as it is covered by new Condition No. 6, and has been deleted.	Condition 6.	See new Condition 6. See new Condition 6.
29		This commitment is redundant as it is covered by new Condition No. 0, and has been deleted. This commitment is redundant and has been deleted.	N/A	N/A
30	The proponents will not transfer ownership, control or management of the project, without prior consultation and arrangements being made which are to the satisfaction of the Environmental Protection Authority and the Minister for the Environment. The proponent zone buffer along the proponent zone buffer along the proponent will establish a 10m wide 'no development zone' buffer along	This is a new commitment made by the proponent to address the concerns of the Mater and Rivers Commission regarding this issue.	24	See new Commitment No. 24,
Ć.	the length of the ephemeral watercourse. This buffer will be fenced and revegetated with native species.	Of the France and Control of the France and		

5. Conclusions

The EPA has considered the request by Mr G J Johnson to extend the time limit of environmental approval for the proposed updating and reopening of the Toodyay Abattoir and has concluded that a three year extension should be allowed.

The EPA believes that the period since the proposed updating and reopening of the Toodyay Abattoir was originally assessed has not given rise to any changes which would cause the EPA to reconsider its previous assessment of the project and, in particular, its previous recommendation as to the environmental acceptability of the project.

In addition to the request on extension of the time limit, the EPA considers that the conditions of the environmental approval should be updated, and accordingly has also reported on the additional changes required.

6. Recommendations

Section 46 of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on whether or not the proposed changes to conditions or procedures should be allowed. In addition, the EPA may make recommendations as it sees fit.

The EPA submits the following conditions to the Minister for the Environment:

- 1. That the Minister notes that this report is pursuant to Section 46 of the *Environmental Protection Act 1986* and thus is limited to consideration of proposed changes to the original conditions.
- That the Minister notes that the proposed change is an extension of time for implementation.
- 3. That the Minister notes that the EPA has concluded that:
 - the extension of time limit of approval for another three years is acceptable; and
 - the Ministerial Conditions of environmental approval should also be updated to reflect current practice.
- 4. That the Minister imposes the conditions and procedures set out in Appendix 3 of this report.



Appendix 1

References

- Department of Environmental Protection (1997). Environmental Protection (Noise) Regulations 1997. Department of Environmental Protection, Perth, Western Australia.
- Department of Primary Industry (1986). Australian Code of Practice for Construction and Equipment of Abattoirs. Australian Government Publishing Service, Canberra, Australian Capital Territory.
- Environdata Environmental Consultants (1990). *Updating and reopening of the Toodyay Abattoir Public Environmental Review*. Prepared for Johnson & Staszewski, Perth, Western Australia.
- Environmental Protection Authority (1991). Proposed updating and reopening of the Toodyay Abattoir at Lot 89 Church Gully Road, Toodyay: Report and recommendations of the Environmental Protection Authority. Bulletin 570, Environmental Protection Authority, Perth, Western Australia.
- National Health and Medical Research Council / Agriculture and Resource Management Council of Australia and New Zealand (1996). *Australian Drinking Water Guidelines*. Commonwealth of Australia, Canberra, Australian Capital Territory.

Appendix 2

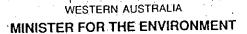
Statement of conditions of approval (11 February 1992)





State #

221



STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED (PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL PROTECTION ACT 1986)

UPDATING & REOPENING OF THE TOODYAY ABATTOIR, LOT 590 CHURCH GULLY ROAD, TOODYAY (308)

G J JOHNSON & V STASZEWSKI

This proposal may be implemented subject to the following conditions:

- 1. In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) listed in Appendix 1 of Environmental Protection Authority Bulletin 570. (A copy of the commitments is attached).
- 2. Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.
- 3. The proponent shall be responsible for decommissioning and removal of the plant and installations and rehabilitating the site and its environs, to the satisfaction of the Environmental Protection Authority. At least six months prior to decommissioning, the proponent shall prepare and subsequently implement a decommissioning and rehabilitation plan, to the satisfaction of the Environmental Protection Authority.
- 4. No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.
- 5. If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority).

Published on

Procedure:

This proposal will be licensed under the provisions of Part V of the Environmental Protection Act. Prior to a licence being issued, the Environmental Protection Authority will ensure that the advice of the Water Authority of Western Australia is incorporated into the technical design and operating conditions for the abattoir, including a requirement for at least 0.6 metres of freeboard in the construction of the wastewater treatment lagoons, to ensure that they conform to the Environmental Management guidelines for animal-based industries.

Proponent's commitments 3, 4, 16, 17 and 23 are to be implemented to the satisfaction of the Health Department of Western Australia and the Environmental Protection Authority.

Bob Pearce, MLA

MINISTER FOR THE ENVIRONMENT

1 1 FEB 1992

Proponents' List of Environmental Management Commitments

List of commitments

Those that can be administered under Part V of the Environmental Protection Act 1986 have an asterisk against them. The remainder can be implemented using Ministerial Conditions.

General commitments

- 1. The proponents will adhere to the proposal as assessed by the Environmental Protection Authority and will fulfil the commitments made below.
- 2. The abattoir will be constructed and operated according to all relevant Government statutes and agencies' requirements, and to the satisfaction of the Environmental Protection Authority:

Wastewater management commitments

- 3.* The proponents will build a fully integrated wastewater, solid waste, noise and odour treatment and disposal system which will be designed and installed by a recognised water/wastewater treatment contractor to the satisfaction of the Environmental Protection Authority. The system will be operated by the proponents and monitored by the consultant to the satisfaction of the Environmental Protection Authority and all relevant Authorities.
- 4. Prior to construction of the wastewater treatment ponds, the proponents will supply to the Environmental Protection Authority and the Water Authority of Western Australia details of their exact location and design and have those details approved by the Environmental Protection Authority and the Water Authority of Western Australia.
- 5.* Prior to commissioning the plant, evaporative lagoons will be constructed to dispose of treated wastewater and will be operated subsequently to the satisfaction of the Environmental Protection Authority.
- 6.* In the event of pond leakage, the proponents, upon direction from either the Environmental Protection Authority or the Water Authority of Western Australia, will immediately line the leaking pond with a plastic liner to the satisfaction of the Environmental Protection Authority and the Water Authority of Western Australia.
- 7. All wastewater treatment lagoons will be constructed to have at least 0.3 m freeboard so as to be able to cope with a "once in 30 years storm event".
- 8.* The proponents will ensure that the water level in the wastewater treatment ponds will be maintained to the satisfaction of the Environmental Protection Authority and the Water Authority of Western Australia.

- 9.* The proponents will take immediate remedial action should failure of the wastewater treatment system occur and will carry out such action to the satisfaction of the Environmental Protection Authority and all relevant Authorities.
- 10.* To cope with equipment failure, the proponents will keep sufficient spares for immediate repair to the aerators, the electrical system and other key elements of the system. In such an event the proponents will advise the Environmental Protection Authority and will take steps in the event of major failure to construct holding lagoons to the satisfaction of the Environmental Protection Authority and relevant authorities as quickly as possible.
- 11. The proponents will ensure that storm water run-off from areas adjacent to the ponds will not enter the wastewater treatment pond system.
- 12.* If, due to some unseen circumstance, the disposal of treated wastewater by irrigation did not meet the Environmental Protection Authority's requirements, the proponents will build an evaporation pond for wastewater disposal and this will be done to the satisfaction of the Environmental Protection Authority.
- 13. The proponents will ensure that any treated wastewater will only be irrigated onto the site if it complies with the Environmental Protection Authority requirements for phosphorus and nitrogen.

Monitoring

- 14.* Prior to construction, the proponents will submit and subsequently implement a monitoring programme to the satisfaction of the Environmental Protection Authority and on the advice from the Water Authority of Western Australia. The monitoring programme will include:
 - 1. initial baseline sampling period to determine whether impacts are presently occurring;
 - 2. parameters to be measured;
 - 3. sampling sites and times;
 - 4. reporting times to Environmental Protection Authority, and
 - 5. a commitment to modify the environmental management programme, if necessary, to reduce the impact of pollution, to the satisfaction of the Environmental Protection Authority.
- 15*. All samples taken in the monitoring programme will be analysed in a laboratory acceptable to Environmental Protection Authority. In the event that the monitoring programme indicates that an adverse environmental impact is occurring or developing, the proponents will alter the abattoir operation or introduce additional environmental management controls as necessary to reduce the impact to an acceptable level.

Solid waste

- 16. The proponents will dispose of all solid wastes off-site, and will obtain the approval of the Environmental Protection Authority for the method and location of solid waste disposal prior to commissioning the plant.
- 17. The proponents will, three months prior to commissioning, submit a solid waste disposal plan to the Environmental Protection Authority to the satisfaction of the Environmental Protection Authority. This plan will nominate a Gazetted landfill site which will accept abattoir waste and be to the satisfaction of the Environmental Protection Authority.

18*. The proponents will have a permanent member of staff living on site. If dead animals are delivered to the abattoir they will be removed from the site within 24 hours and disposed of to the satisfaction of the Environmental Protection Authority.

Dust, odour and noise

- 19*. The proponents will ensure that dust, odour and noise will be controlled at all times to the satisfaction of the Environmental Protection Authority.
- 20*. The proponents will seal any area used by traffic including the access road to the abattoir if it is deemed by the Environmental Protection Authority that traffic is causing a dust problem.
- 21*. The proponents will monitor noise at night and weekends and will take appropriate action, if necessary, to minimise noise to the satisfaction of Environmental Protection Authority.
- 22. All machinery with a potential to cause nuisance noise levels will be enclosed to ensure that noise levels satisfy the Neighbourhood Annoyance Regulations.

Irrigation of wastewater: nutrients and disease

23*. Before the proponents irrigate wastewater onto their property they will provide the Environmental Protection Authority with a chemical analysis of the treated water and have it approved for irrigation by the Environmental Protection Authority. Additionally, the proponents will have approved by Environmental Protection Authority, the area of land to be irrigated, prior to commissioning the plant.

Other commitments

- 24. The proponents will not use treated wastewater for any purpose relating to the dressing of meat. Before they use such water for washing down stock holding areas, approval would be sought from the Health Department of Western Australia and the Environmental Protection Authority. All such wash down water would be recycled back into the wastewater treatment system.
- 25. The proponents will control insects and weeds around the wastewater treatment system, including the lagoons, any sludge drying facilities or temporary stock holding areas, to the satisfaction of the Environmental Protection Authority, the Health Department of Western Australia and the Shire of Toodyay.
- 26. The proponents will, three months before commissioning the plant, submit a landscaping plan (tree planting) to the Environmental Protection Authority, and have it approved by the Environmental Protection Authority, with the purpose of retaining the amenity of the area.
- 27*. The proponents will modify their pollution control operations, if they cannot meet their licence conditions, so that environmental impacts are reduced to a level acceptable to the Environmental Protection Authority.
- 28. The proponents will be responsible for decommissioning the plant and rehabilitating the site and its environs, to the satisfaction of the Environmental Protection Authority.
- 29. The proponents will, at least six months prior to decommissioning, prepare a decommissioning and rehabilitation plan to the satisfaction of the Environmental Protection Authority.
- 30. The proponents will not transfer ownership, control or management of the project, without prior consultation and arrangements being made which are to the satisfaction of the Environmental Protection Authority and the Minister for the Environment.

Appendix 3

List of recommended Ministerial Conditions and consolidated proponent's commitments

RECOMMENDED ENVIRONMENTAL CONDITIONS (9 JUNE 1999)

STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL (PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE ENVIRONMENTAL PROTECTION ACT 1986)

UPDATING AND REOPENING OF THE TOODYAY ABATTOIR, LOT 89 CHURCH GULLY ROAD, TOODYAY

Proposal: To update and reopen the Toodyay Abattoir situated at Lot 89

Church Gully Road, Toodyay, as documented in Schedule 1 of this

Statement.

Proponent: G J Johnson

Proponent Address: Lot 97 Willoughby Way SWAN VIEW WA 6056

Assessment Number: 1217

Previous Assessment Number: 308

Previous Statement Number: Statement No. 221 published on 11 February 1992

Report of the Environmental Protection Authority: Bulletin 937

Previous Report of the Environmental Protection Authority: Bulletin 570

The implementation of the proposal to which the above reports of the Environmental Protection Authority relate is now subject to the following conditions and procedures which replace all previous conditions and procedures:

1 Implementation

1-1 Subject to these conditions and procedures, the proponent shall implement the proposal as documented in schedule 1 of this statement.

- 1-2 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.
- 1-3 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

2 Proponent Commitments

- 2-1 The proponent shall implement the consolidated environmental management commitments as amended on 10 March 1999 and documented in Schedule 2 of this statement.
- 2-2 The proponent shall implement subsequent environmental management commitments which the proponent makes or has made as part of the fulfilment of conditions and procedures in this and any previous statement issued for this proposal.

3 Environmental Management System

- 3-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to commissioning, the proponent shall demonstrate to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection that there is in place an environmental management system which includes the following elements:
 - 1 An environmental policy and corporate commitment to it;
 - 2 Mechanisms and processes to ensure:
 - 2.1 planning to meet environmental requirements;
 - 2.2 implementation and operation of actions to meet environmental requirements;
 - 2.3 measurement and evaluation of environmental performance; and
 - 3 Review and improvement of environmental outcomes.
- 3-2 The proponent shall implement the environmental management system referred to in condition 3-1.

4 Wastewater Management Plan

- 4-1 Prior to commissioning, the proponent shall prepare a Wastewater Management Plan to achieve the following objectives:
 - to ensure that the beneficial uses of the groundwater are not adversely impacted by the operation of the proposal;
 - to prevent pollution of the Avon River; and
 - to prevent the contamination of the groundwater in excess of appropriate guideline levels recognised by the Environmental Protection Authority, such as those in the NHMRC / ARMCANZ Australian Drinking Water Guidelines (1996).

This Plan shall be prepared to the requirements of the Environmental Protection Authority on advice of the Water and Rivers Commission and the Department of Environmental Protection, and shall address:

- establishment of an on-going source of fresh water such that the limited local water resource is managed appropriately;
- 2 efficient use and conservation of fresh water;
- disposal of treated wastewater consistent with the Water and Rivers Commission letter of 24 June 1998 and the attached guidelines, as modified by the Water and Rivers Commission from time to time (See Schedule 3); and
- 4 the development and implementation of a monitoring programme for wastewater, groundwater, and surface water quality.
- 4-2 The proponent shall implement the Wastewater Management Plan required by condition 4-1.
- 4-3 The proponent shall make the Wastewater Management Plan required by condition 4-1 publicly available, to the requirements of the Environmental Protection Authority.

5 Noise Management Plan

5-1 Prior to commissioning, the proponent shall prepare a Noise Management Plan to protect the amenity of nearby residents from noise impacts resulting from activities associated with the proposal by ensuring that noise levels comply with the Environmental Protection (Noise) Regulations 1997, to the requirements of the Minister for the Environment on advice of the Department of Environmental Protection.

This Plan shall address:

- the location, dimensions and form of noise barriers to be constructed for the project;
- 2 the sound power levels for equipment to be used for the project and details of acoustical treatment to be applied;
- 3 special procedures necessary to restrict activities under weather conditions which increase noise propagation toward the residential area; and
- 4 routine operating procedures to be adopted for particular operations to control noise emanating from the project.
- 5-2 The proponent shall implement the Noise Management Plan required by condition 5-1.
- 5-3 The proponent shall make the Noise Management Plan required by condition 5-1 available for public comment for a period of two weeks prior to the Environmental Protection Authority finalising its consideration of the Plan.

6 Decommissioning and Rehabilitation Management Plan

6-1 At least six months prior to decommissioning, the proponent shall prepare a Decommissioning and Rehabilitation Management Plan to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

This Plan shall address:

- removal or, if appropriate, retention of plant and infrastructure;
- final rehabilitation of all disturbed areas to a standard suitable for agreed new land use / s; and
- 3 identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities.
- 6-2 The proponent shall implement the Decommissioning and Rehabilitation Management Plan required by condition 6-1 until such time as the Minister for the Environment determines that decommissioning and / or rehabilitation is / are complete.
- 6-3 The proponent shall make the Decommissioning and Rehabilitation Management Plan required by condition 6-1 publicly available, to the requirements of the Environmental Protection Authority.

7 Performance Review

- 7-1 Each six years following the commencement of construction, the proponent shall submit a Performance Review to the Department of Environmental Protection:
 - to document the outcomes, beneficial or otherwise;
 - to review the success of goals, objectives and targets; and
 - to evaluate the environmental performance over the six years;

relevant to the following:

- environmental issues and objectives reported on in Environmental Protection Authority Bulletins 570 and 93X;
- 2 proponent's consolidated environmental management commitments documented in Schedule 2 of this statement and those arising from the fulfilment of conditions and procedures in this statement;
- 3 environmental management system environmental performance targets;
- 4 environmental management programs and plans; and/or
- 5 environmental performance indicators;

to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

Note: The Environmental Protection Authority may recommend changes and actions to the Minister for the Environment following consideration of the Performance Review.

8 Proponent

- 8-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person in respect of the proposal.
- 8-2 Any request for the exercise of that power of the Minister referred to in condition 8-1 shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the proposal in accordance with the conditions and procedures set out in the statement.

8-3 The proponent shall notify the Department of Environmental Protection of any change of proponent contact name and address within 30 days of such change.

9 Commencement

- 9-1 The proponent shall provide evidence to the Minister for the Environment within three years of the date of this statement that the proposal has been substantially commenced.
- 9-2 Where the proposal has not been substantially commenced within three years of the date of this statement, the approval to implement the proposal as granted in statement no.221 shall lapse and be void. The Minister for the Environment will determine any question as to whether the proposal has been substantially commenced.
- 9-3 The proponent shall make application to the Minister for the Environment for any extension of approval for the substantial commencement of the proposal beyond three years from the date of this statement at least six months prior to the expiration of the three year period referred to in conditions 9-1 and 9-2.
- 9-4 Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding three years for the substantial commencement of the proposal.

10 Compliance Auditing

- 10-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit program prepared in consultation between the proponent and the Department of Environmental Protection.
- 10-2 Unless otherwise specified, the Chief Executive Officer of the Department of Environmental Protection is responsible for assessing compliance with the conditions, procedures and commitments contained in this statement and for issuing formal written advice that the requirements have been met.
- 10-3 Where compliance with any condition, procedure or commitment is in dispute, the matter will be determined by the Minister for the Environment.

Note

The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act. Prior to a licence being issued, the advice of the Water and Rivers Commission will be incorporated into the technical design and operating conditions for the abattoir to ensure that it conforms to the environmental management guidelines for animal-based industries.

The Proposal

Background

The proposal is to upgrade and reopen the Toodyay Abattoir following cessation of operations in May 1987. The abattoir commenced operations in March 1974 with a capacity to process 500 sheep per day, and ceased operating in May 1987. At the time of closure, the abattoir was subject to a Works Order from the Health Department of Western Australian, which required upgrading of facilities to meet the current Australian Code of Practice for Construction and Equipment of Abattoirs (Department of Primary Industry, 1986).

Table 1. Summary of key project characteristics

Element	Quantities/Description		
Inputs			
Number of sheep processed	500 per day		
Water consumption	15,000m ³ per year		
Outputs			
Solid waste output	approx 5,150 tonnes per year		
Volume of wastewater	approx 45.5m³/day (13,650m³ per year)		
Nitrogen load in treated wastewater	approx 820kg per year		
Phosphorus load in treated wastewater	approx 165kg per year		
Biochemical Oxygen Demand (BOD)	approx 12,300kg per year		
Suspended solids	approx 8,200kg per year		
Oil and grease	approx 4,900kg per year		
General			
Total area that can be irrigated	752ha		
Minimum irrigation area required to satisfy loading criteria for wastewater flow	approx 5.5ha		
Truck movements	2 trucks per day		
Light vehicle movements	20 per day		
Abattoir operation times	7am to 3pm; Monday to Friday, 300 days per year		
Project lifespan	Indefinite		
Nearest residence	approx 750m from abattoir building		

Proponent's Consolidated Environmental Management Commitments

as amended on 10 March 1999

UPDATING AND REOPENING OF THE TOODYAY ABATTOIR, LOT 89 CHURCH GULLY ROAD, TOODYAY

G J JOHNSON

PROPONENT'S ENVIRONMENTAL MANAGEMENT COMMITMENTS

10 MARCH 1999

Wastewater management

- 1. The proponent will build a fully integrated wastewater, solid waste, noise and odour treatment and disposal system which will be designed and installed by a recognised water/wastewater treatment contractor to the requirements of the Department of Environmental Protection. The system will be operated by the proponent and monitored by the consultant to the requirements of the Department of Environmental Protection, the Health Department of Western Australia, and the Water and Rivers Commission.
- 2. Prior to the construction of the wastewater treatment ponds, the proponent will supply details of their exact location and design to the Department of Environmental Protection, the Water and Rivers Commission, and the Health Department of Western Australia for their consideration.
- 3. Prior to commissioning of the plant, evaporative lagoon(s) will be constructed to dispose of treated wastewater and will be operated subsequently to the requirements of the Department of Environmental Protection.
- 4. In the event of pond leakage, the proponent, upon direction from either the Department of Environmental Protection or the Water and Rivers Commission, will immediately line the leaking pond with a plastic liner to the requirements of the Department of Environmental Protection and the Water and Rivers Commission.
- 5. All wastewater treatment lagoons will be constructed to have at least 0.6 metre freeboard so as to be able to cope with a "once in 30 years storm event".
- 6. The proponent will ensure that the water level in the wastewater treatment ponds will be maintained to the requirements of the Department of Environmental Protection and the Water and Rivers Commission.
- 7. The proponent will take immediate remedial action should failure of the wastewater treatment system occur and will carry out such action to the requirements of the Department of Environmental Protection and all relevant authorities.
- 8. To cope with equipment failure, the proponent will keep sufficient spares for immediate repair to the aerators, the electrical system and other key elements of the system. In such an event, the proponent will advise the Department of Environmental Protection and will take steps in the event of major failure to construct holding lagoons to the requirements of the Department of Environmental Protection and other relevant authorities as quickly as possible.
- 9. The proponent will ensure that storm water run-off from areas adjacent to the ponds will not enter the wastewater treatment pond system.

- 10. If, due to some unseen circumstances, the disposal of treated wastewater by irrigation did not meet the Department of Environmental Protection's requirements, the proponent will build an evaporation pond for wastewater disposal and this will be done to the requirements of the Department of Environmental Protection.
- 11. The proponent will ensure that any treated wastewater will only be irrigated onto the site if it complies with the Department of Environmental Protection and the Water and Rivers Commission requirements for phosphorous and nitrogen.
- 12. Before the proponent irrigates wastewater onto any property, he will provide the Department of Environmental Protection with a chemical analysis of the treated water for consideration of its suitability for irrigation by the Department of Environmental Protection, the Health Department of Western Australia, and the Water and Rivers Commission. Additionally, the proponent will submit for consideration by the Department of Environmental Protection, the Health Department of Western Australia, and the Water and Rivers Commission, details of the area of land to be irrigated, prior to commissioning the plant.
- 13. The proponent will not use treated wastewater for any purpose relating to the dressing of meat. Before the use of such water for washing down stock holding areas, approval would be sought from the Health Department of Western Australia and the Department of Environmental Protection. All such wash down water would be recycled back into the wastewater treatment system.
- 14. The proponent will control insects and weeds around the wastewater treatment system, including the lagoons, any sludge drying facilities or temporary stock holding areas, to the requirements of the Department of Environmental Protection, the Health Department of Western Australia, and the Shire of Toodyay.

Environmental monitoring

- 15. Prior to construction, the proponent will submit and subsequently implement a monitoring programme for wastewater, groundwater and surface water to the requirements of the Department of Environmental Protection, and on the advice from the Water and Rivers Commission. The monitoring programme will include:
 - (1) initial baseline sampling period to determine whether impacts are presently occurring;
 - (2) parameters to be measured;
 - (3) sampling sites and times;
 - (4) reporting times to the Department of Environmental Protection and the Water and Rivers Commission; and
 - (5) a commitment to modify the Environmental Management Programme to reduce the impact of pollution, to the requirements of the Department of Environmental Protection.

16. All samples taken in the monitoring programme will be analysed in a NATA registered laboratory. In the event that the monitoring programme indicates that an adverse environmental impact is occurring or developing, the proponent will alter the abattoir operation or introduce additional environmental management controls to reduce the impact to an acceptable level.

Solid waste

- 17. The proponent will dispose of all solid wastes off-site, and will seek the approval of the Department of Environmental Protection for the method and location of solid waste disposal prior to commissioning the plant.
- 18. The proponent will, three months prior to commissioning, submit a solid waste disposal plan to the Department of Environmental Protection for their consideration. This plan will nominate a Gazetted landfill site which will accept abattoir waste and be to the requirements of the Department of Environmental Protection.
- 19. If dead animals are delivered to the abattoir they will be removed from the site within 24 hours and disposed of to the requirements of the Department of Environmental Protection.

Dust and odour

- 20. The proponent will ensure that dust and odour are controlled at all times to the requirements of the Department of Environmental Protection.
- 21. The proponent will seal any area used by traffic including the access road to the abattoir, if it is deemed by the Department of Environmental Protection that traffic is causing a dust problem.

Noise

22. The proponent will develop and implement a noise management plan, if necessary, to ensure compliance with the Environmental Protection (Noise) Regulations 1997.

Visual amenity

23. In order to retain the visual amenity of the area, the proponent will, three months before commissioning the plant, submit a landscaping (tree planting) plan to the Department of Environmental Protection for consideration.

Ephemeral watercourse protection

24. The proponent will establish a 10m wide 'no development zone' buffer along the length of the ephemeral watercourse. This buffer will be fenced and revegetated with native species.

Schedule 3

Copy of Water and Rivers Commission letter of 24 June 1998 and Guidelines for irrigation of vegetated land with nutrient rich wastewaters



DEPARTMENT OF

ENVIRONMENTAL PROTECTION

2 6 JUN 1998

YOUR REF OUR REF ENOUIRIES

DIRECTIEL

175/78/2 :105303 9236

Mrs J.P. Chappell (08) 9278 0385

Director Evaluation Division Department of Environmental Protection PO Box K822 PERTH WA 6842

Attention: Ms Ann Barter

Dear Ms Barter

Re: Updating and reopening of Toodyay Abattoir

I refer to your letter of 29 April 1998 requesting comments on the update and reopening of Toodyay Abattoir. Officers of the Commission have reviewed the proposal and offer the following comments for your consideration.

The Commission considers that the updating and reopening of Toodyay Abattoir should be environmentally acceptable, subject to the proponents commitments being met and the following issues being addressed.

- 1. The abattoir has been designed for a maximum capacity of 500 sheep/day, however, the wastewater treatment facility has been designed to cater for the initial slaughter rate of 300 sheep/day. The facility should be designed for the maximum capacity of 500 sheep/day which is understood to be an output of 45 m³/day.
- 2. The anaerobic ponds must have a minimum capacity equivalent to a 10 day retention time which is the minimum required to achieve an adequate reduction in Biological Oxygen Demand (BOD). The facility should be designed to maintain this retention time even when ponds are off line. It should be recognised that a reasonable loading limit for BOD is 30 kg/ha/day, rather than 30 kg/ha/annum.
- 3. The inlet for the anaerobic pond should be at the bottom of the pond to prevent crust disturbance.
- 4. The proposed nitrogen and phosphorous loading limits for the irrigation of land with wastewater exceeds those specified in the Commission's Guidelines for Irrigation of Land with Nutrient Rich Wastewaters, a copy of which is attached. Wastewater from irrigation will ultimately drain into the Avon River, a waterway which is at risk of eutrophication and is subject to a draft Environmental Protection Policy. Based on the potential for eutrophication and the soil type, the loading limits should be 200 kg Nitrogen/ha/year and 50 kg Phosphorus/ha/year.

.../2

- 5. The site to be irrigated should be managed to minimise the potential for water to pool, located at least 30 m from adjacent watercourses and vegetated. It is recommended that the irrigation areas be divided into sections which may be irrigated alternatively, allowing between one to two weeks drying time.
- 6. The proponent has indicated that solids will be prevented from entering the wastewater stream. When commissioning the anaerobic pond it may be necessary to add additional solids, such as punch, hay and/or straw to encourage rapid crust formation.
- 7. Stock holding areas should be sealed and drained to enable washdown and collection of wastewater which should then be directed to the wastewater treatment facility.
- 8. It is noted that there is a watercourse on the property. It is recommended that a 'no development zone' be placed along the length of the watercourse which is 10 m in width on either side. This will serve as a buffer to protect the watercourse from contamination, erosion and sedimentation and should be fenced off, weeds removed and revegetated with native species.

It should be recognised that groundwater resources in the vicinity of the abattoir are scarce and there is no guarantee that this resource will be sustainable for long term use.

If you have any queries please contact Mrs Jackie Chappell on (08) 9278 0385.

Yours sincerely

Zony Laws

A/MANAGER

STRATEGIC PROJECTS

24 June 1998

WATER AND RIVERS COMMISSION

Guidelines for irrigation of vegetated land with nutrient -rich wastewaters

Scope: These guidelines have been prepared to ensure consistency in decision making when assessing industrial & commercial projects. They do not apply in sensitive areas where detailed risk assessment is necessary, eg in public drinking water source areas, upstream of conservation value wetlands or managed estuaries, or where formal government policy may render these guidelines invalid.

Site vulnerability: Surface soils & receiving environments have been divided into 4 vulnerability categories as follows:

- Cat. A Coarse sandy soils / gravels draining to surface waters with mod./high eutrophication risk.
- Cat. B Coarse sandy soils / gravels draining to waters with a low risk of eutrophication.
- Cat. C Loams / clay soils (PRI >10) draining to waters with mod. /high eutrophication risk.
- Cat. D- Loams / clay soils (PRI > 10) draining to waters with a low risk of eutrophication.

NB: PRI means phosphorus retention index, ie fine soils with high iron or magnesium content.

Irrigation rates: Irrigation will normally be conducted to match seasonal vegetation evapo-transpiration rates, taking into account soil type, soil moisture content, irrigation method, land slopes & depth to water table. For clay soils irrigation rates up to 5 mm/hour are reasonable, while sandy sites may accept 15 mm/hour without runoff. Irrigated areas should desirably have a slope ranging from 0.5 to 10 % to avoid ponding or erosion. Irrigated waters should always be applied evenly & the irrigated area allowed to dry out for 24 hours between applications during hot dry weather & up to 10 days during cool & wet weather.

Soil nutrient status: Nutrient- rich wastewaters should not be applied where there is a recent history of heavy fertiliser application, or animals have been held at high stocking densities or other sources of nutrients have been discharged on-site over an extended period of time, unless the soil nutrient status has been determined & considered in the site irrigation management plan.

Application Criteria:

- 1. Wastewaters containing volatile (degradable) organic matter should not be applied at rates exceeding 30 kilograms / hectare / day expressed as Biochemical Oxygen Demand (BOD) to avoid offensive odours. For wastewaters with BOD concentrations exceeding 150 mg/L, further biological stabilisation methods should be used prior to irrigation. Heavy metals in wastewaters should not exceed ANZECC 's 1992 Auustralian Water quality guideline values.
- 2. Irrigated areas should normally be at least one metre above the highest seasonal groundwater table & no ponded water present on the site.

3. Maximum nutrient (nitrogen as N & phosphorus as P) application criteria in irrigation waters:

Vulnerability Category	N criterion kg /hectare / year	N concentrat'n* (mg / L)	P criterion kg / hectare / year	P concentrat'n* (mg/L)
A	40	2.5	10	0.6
В	80	5.0	20	1.2
С	200	12.5	50	3.1
D	480	30	120	7.5

^{*} based on an average of 50 mm (500 kl/ha) of water applied/week over 32 weeks/annum & no other nutrient sources. Wastewater should be stored over the wet season.

4. To discuss these guidelines, please contact the Pollution Prevention Section at the Commission.

PCG No. 5 NUTIRRIG.DOC Version: June 1996

PR:

Appendix 4

Copy of the DEP's letter to the Shire of Toodyay regarding the need for a 500m wide buffer zone around the Toodyay Abattoir, and the Shire's responses







Head Office: Westralia Square 141 St Georges Terrace Perth, Western Australia 6000 Tel (08) 9222 7000 Fax (08) 9322 1598 http://www.environ.wa.gov.au

Postal Address: PO Box K822 Perth, Western Australia 6842.

Chief Executive Officer Shire of Toodyay PO Box 96 TOODYAY WA 6566

Your Ref RRP:KW H1.2
Our Ref 259/98 Vol 1
Enquiries Mr J Güld

Attention: Mr Royce Parker

Dear Mr Parker

UPGRADING AND REOPENING OF TOODYAY ABATTOIR AT LOT 89 CHURCH GULLY ROAD, TOODYAY

I refer to recent telephone discussions that you have held with officers from the Department of Environmental Protection (DEP) in regard to buffer zone requirements for the Toodyay Abattoir which is currently being assessed by the Environmental Protection Authority (EPA) under Section 46(1) of the Environmental Protection Act 1986.

The DEP wishes to advise the Shire of Toodyay that a minimum 500m wide buffer zone will need to be provided around the Toodyay Abattoir, and that this requirement needs to be taken into account in future planning undertaken by the Shire in order to prevent incompatible land uses such as residential housing from becoming established in proximity to the abattoir.

The DEP seeks your assistance in bringing this matter to the Shire Council's attention at the forthcoming Council meeting.

Your response to this letter at your earliest convenience would be greatly appreciated in order to expedite the EPA's assessment.

If you have any queries, please don't hesitate to contact either Ms Xuan Nguyen on (08) 9222 7121 or Mr John Güld on (08) 9222 7144.

Yours sincerely

K J Taylor DIRECTOR

EVALUATION DIVISION

7 May 1999







Shire of Toodyay

All communications to be addressed to the Chief Executive Officer Post Office Box 96, Toodyay, Western Australia, 6566.

Administration Centre "Old Court House Building" 15 Fiennes St TOODYAY, W.A. 6566

Telephone: Facsimile:

(08) 9574 2258 (08) 9574 2158

Email:

toodsc@avon.net.au

•

Our Ref: RRP:LKH H1.2

Environmental Protection Authority PO Box K822 PERTH WA 6842

Attention: John Guild

Dear Sir

4 16N 1999 4246/88 300 J.GULD 6 259/98 3000

TOODYAY ABATTOIR LOT 89, CHURCH GULLY ROAD, TOODYAY

Further to our recent discussions, faxes etc, I presented your application to the May Ordinary Meeting of Council to impose a 500m wide buffer zone surrounding the Toodyay Abattoir.

The following recommendation was carried unanimously:

That Council will impose a 500m wide buffer zone around the Toodyay Abattoir, Lot 89, Church Gully Road as a condition, in accordance with various legislative requirements for the purpose of preventing incompatible land use in future planning decisions in the subject area.

If you have any further queries on the above please do not hesitate to contact the undersigned during normal office hours.

Yours faithfully

Royce Parker

DIRECTOR, DEVELOPMENT SERVICES

June 4, 1999



Shire of Toodyay

All communications to be addressed to the Chief Executive Officer Post Office Box 96, Toodyay, Western Australia, 6566.

Administration Centre "Old Court House Building" 15 Fiennes St **TOODYAY, W.A. 6566**

Please Quote

Telephone:

(08) 9574 2258

Facsimile:

(08) 9574 2158

Email:

toodsc@avon.net.au

Our Ref: RRP:LKH H1.2

Department of Environmental Protection PO Box K822 PERTH WA 6842

Attention: John Guild

Dear Sir

YOUR REF 259/98 VOL. 1 TOODYAY AVON LOCATION LOT 589 CHURCH GULLY ROAD, TOODYAY

Further to our numerous telephone conversations, facsimiles and subsequent correspondence, I wish to submit the following information:

That an item will be presented in the Agenda to the Council at the Ordinary Meeting to be held on May 27, 1999 stating that:

In the event that a subdivision proposal is received for, on or adjacent to Lot 590 Church Gully Road, a 500 metre wide buffer zone will be recommended as a condition of approval by the Shire of Toodyay Development Services Department.,

I trust that this commique satisfies your query.

Furthermore, I point out that your recent correspondence describes the lot number of the abattoir as Lot 89, please be advised that this is in fact incorrect, the lot number is Lot 590 Church Gully Road.

If you have any further queries please do not hesitate to contact the undersigned.

Yours faithfully

Royce Parker

DIRECTOR, DEVELOPMENT SERVICES

May 11, 1999

10.9 JATOT PESTERDAT

All communications to be addressed to the Chief Executive Officer Post Office Box 96. Toodyay, Western Australia. 3566.

Administration Centre. "Old Court House Suilding", 15 Flormes Street

TOCOYAY, W.A. 5566

(08) 9574 2258 Telechone:

(08) 9574 2158 Facsimile:

FILE NO: 1/1.2.

FACSIMILE

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