



10 April 2018

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Dear Project Manager

**Re: Request for Feedback – Draft Odour Guideline for Prescribed Premises**

Australian Pork Limited (APL) welcomes the opportunity to make a submission on the Request for Feedback on the Draft Odour Guideline for Prescribed Premises (Part V Division 3 *Environmental Protection Act 1986*) (the “Draft Guideline”).

APL is the peak national representative body for Australian pig producers. It is a producer-owned company combining marketing, export development, research and innovation and strategic policy development to assist in securing a profitable and sustainable future for the Australian pork industry. The Australian pork industry employs more than 36,000 people in Australia and contributes \$5.2 billion in gross domestic product to the Australian economy. During 2015-16, the pig production sector in Western Australia contributed around \$239 million (value-added) to the Western Australian economy, while supporting 1,340 full time Western Australian jobs which generated \$114 million in household incomes for Western Australian families.

APL is supportive of the proposed approach as outlined in the Draft Guideline but seeks clarification and consideration on the following:

**1. Regulation**

Page 1 of the draft document states:

*“This guideline sets out DWER’s information requirements for the analysis of odour impact for prescribed premises. It must be applied to all applications for works approvals, new licences, amendments to works approvals and amendments to existing licences involving odour management emissions, except where the sources involved are tall wake-free stacks”.*

Noting the above statement, the nature of this guideline is ambiguous as it is unclear if the guideline itself will be used in the approval decision-making and regulatory processes and yet the information required by the guideline is. Further, the nature of the guideline was not apparent at the workshop undertaken by DWER on Thursday 29 March 2018.

Clarification on the regulatory nature of the guideline is sought and where it will be applied in any approval processes.

**2. Retrospectivity**

The draft document is silent regarding retrospectivity and how existing operations will be treated should an application for an expansion or amendment to existing works approval is undertaken. At the workshop noted above, there was discussion to the effect that the guidelines were not to be implemented retrospectively and any existing operation would not be affected in any way by the proposed guideline. While it was stated that the requirements of the guideline are not retrospective, the workshop conveners did not explain how they will deal with the situation of an applicant that is seeking to expand an existing production system, which has been operating without

issue in the past, and that is then open to criticism for potentially the entire operation through the application process – not just the expansion component. There was no suggestion of how this would be managed.

APL therefore seeks clarification to the following:

- How will existing operations that have operated effectively and without complaint be managed when an application to expand is submitted to ensure their entire operation is not subject to public criticism given they have operated without complaint preceding their application to expand their operation
- Will the application process and guideline approach only be required for the area of expansion to the existing operation or the entire operation, and
- If consultation is required will this only be for the requested expansion or the entire operation.

### **3. Modelling and Reporting Equipment and Parameters**

At the DWER workshop, there was discussion around the uncertainty of odour modelling, equipment and reporting. During the presentation the DWER representatives demonstrated how three frequently used odour mapping systems produced very different outcomes. Despite the reference to a number of industry standards within the guideline, including the National Environmental Guidelines for Piggeries (NEGP), there was no indication of when and in what context national guidelines will be considered as part of a piggery application.

Given this level of uncertainty, will the Draft Guidelines provide clear guidance as to the technical requirements of the sampling, modelling and reporting equipment or provide a list of endorsed providers that can be used in the application process? Alternatively, in what instance will DWER defer to national guidelines such as NEGP to ensure new and existing pig operations have clear guidance on the standards required to undertake these processes?

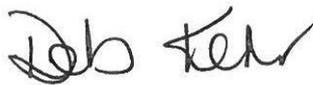
### **4. Application and Use of National Industry Standards and Guidelines**

As you may be aware, the NEGP is in the final stages of being updated and the revised version includes a comprehensive national odour management guideline. APL expects the updated version to be made public in the near future and as such we request the reference is updated to reflect this change.

Noting the need for consistency, APL seeks to understand where and how endorsed national guidelines, such as the NEGP, will be utilised in guidance documents to ensure consistency at a national scale.

APL would be happy to discuss the comments provided and the approach for implementing the guideline. Should you require further information or have any questions, please contact Grantley Butterfield on 02 6270 8820 or [grantley.butterfield@australianpork.com.au](mailto:grantley.butterfield@australianpork.com.au).

Yours sincerely



Deb Kerr  
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