



Licence

Environmental Protection Act 1986, Part V

Licensee: Ian and Jemima Minty

Licence: L8349/2009/2

Registered office: Lot 4, The Midlands Road
MOORA WA 6510

Premises address: Sutherlands Farm
Lot 3542 on Plan 206258
DANDARAGAN WA 6507
As depicted in Schedule 1

Issue date: Thursday, 12 June 2014

Commencement date: Thursday, 19 June 2014

Expiry date: Tuesday, 18 June 2026

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

| Category number | Category description | Category production or design capacity | Approved Premises production or design capacity |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------|
| 61A | Solid waste facility: premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed treated, or discharged onto land. | 1 000 tonnes or more per year | 40 000 tonnes per annual period |

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 9 June 2016

.....
 Steve Checker
 MANAGER LICENSING (WASTE INDUSTRIES)
 Officer delegated under section 20
 of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Sutherlands Farm is owned by Ian and Jemima Minty. Sutherlands Farm is located approximately 16 kilometres west of Moora within the Shire of Dandaragan. Sutherlands Farm is a property of approximately 1,460 hectares that has been utilised for mixed farming purposes.

Sutherlands Farm accepts Lime Amended Biosolids (LAB) and Biosolids Cake sourced from Water Corporation metropolitan wastewater treatment plants. This material is stored, spread and incorporated onsite in accordance with the *Western Australian Guidelines for Biosolids Management*. Biosolids are applied to improve structure of soils and provide nutrients for crop growth.

The operation has a nominated rate of throughput for the premises of up to 40,000 tonnes (wet weight) of biosolids per year. Application rates are dependent on the Review of Environmental Factors and approval is also required by the Department of Health prior to application. No approvals are required from the Shire of Dandaragan for the use of biosolids.

The nearest occupied dwelling on another property is approximately five kilometres away. The depth to groundwater is approximately 25 metres and the in-situ soils are loamy clay on sandy gravels. Sutherlands farm is not situated within any groundwater catchment areas.

The main potential emissions generated from the site will be dust and odour while handling and spreading biosolids. It is anticipated that these emissions can be adequately managed under the provisions of the *Environmental Protection Act 1986* and mitigation measures put in place by the Licensee.

This Licence is the result of an amendment request to adjust the reporting period. The Licence has also been converted into DER's new licence template and during this process a Decision Document has been developed that assesses in detail all risks associated with the Premises. A number of amendments have also been made in line with DER's current licensing practices.

The Licences and Works Approvals issued for the Premises since 2008 are:

| Instrument log | | |
|----------------|------------|---------------------------------------------------------------------------------------|
| Instrument | Issued | Description |
| L8349/2009/1 | 18/6/2009 | Initial Licence |
| L8349/2009/1 | 12/12/2014 | Licence amendment in REFIRE format |
| L8349/2009/2 | 12/6/2014 | Licence Renewal |
| L8349/2009/2 | 9/06/2016 | Licence amendment to reflect the new reporting period and DER's new licence template. |

Severance



It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 July until 30 June in the following year;

'biosolids' means the stabilised organic solids derived from sewage treatment processes that are in a state that they can be managed to beneficially utilise the nutrient, soil conditioning, energy or other valuable properties of those solids;

'bunded area' means a wall structure designed to retain or exclude run-off. Bunds may, in most cases, be constructed from earth from the application site;

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

'CEO' for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au

'CLBAR' means the contaminant limited biosolids application rate, which is the rate which ensures that the concentration of any limiting contaminants does not exceed the maximum allowable soil contaminant concentration, as calculated in the Western Australian guidelines for biosolids management;

'dry tonnes' means the mass of biosolids, excluding any moisture that is present within the biosolids, as determined by moisture content analysis, for example, 100 wet tonnes at 75 per cent moisture is equivalent to 25 dry tonnes.

'Fugitive emissions' means all emissions not arising from point sources identified in Section 2;

'Inclement weather' means weather which is stormy, rainy, or snowy;

'Licence' means this Licence numbered L8349/2009/2 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'Limiting Factor' means the lower rate of the nitrogen limited biosolids application rate (NLBAR), the contaminant limited biosolids application rate (CLBAR) and the phosphorus limited biosolids application rate (PLBAR) if required, as defined in the Western Australian guidelines for biosolids management. The Limiting Factor in relation to conditions of this Licence is stated in the respective Review of Environmental Factors report.

'NLBAR' means the nitrogen limited biosolids application rate, which is based on the nitrogen demand of the crop, as calculated in the Western Australian guidelines for biosolids management;



'PLBAR' means the phosphorus limited biosolids application rate, which is the rate at which phosphorus can be applied to soils without excess leaching into the environment, which is only calculated for soils with limited ability to immobilise phosphorus, as calculated in the Western Australian guidelines for biosolids management;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Review of Environmental Factors report' means the report accompanying a third party independent auditor's certification of the proposed biosolids application;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

"Western Australian guidelines for biosolids management" means the most recent version of this guidance document as published by the Department of Environment Regulation; and

'usual working day' means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.2 General conditions

1.2 Premises operation

1.2.1 The Licensee shall store biosolids stockpiles within paddocks on the Premises.

1.2.2 The Licensee shall ensure that biosolid wastes brought onto the Premises are only subjected to the processes set out in Table 1.2.1 and in accordance with any process limits described in that Table.

Table 1.2.1: Waste processing

| Waste type | Process | Process requirements |
|----------------------------------------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dewatered biosolid cake and Lime amended biosolids | Storage | (i) stored within a paddock on a slope gradient of less than or equal to 3%; (ii) biosolids are not stockpiled for more than 30 days unless stored within a bunded area; and (iii) storage sites are 100m away from watercourses or wetlands. |
| | Storage | (i) ensure that the quantity of biosolids per hectare directly applied to land does not exceed the Limiting Factor for a particular paddock, crop type and biosolids composition; and (ii) not apply biosolids during inclement weather. |

1.2.3 The licensee shall ensure that the quantity of biosolids per hectare directly applied to land does not exceed the Limiting Factor for a particular paddock, crop type and biosolids composition.



- 1.2.4 The licensee shall provide to the Director, at least four weeks prior to a proposed biosolids application to land, a Review of Environmental Factors report which includes, but is not limited to:
- (a) timing of the proposed biosolids application;
 - (b) proposed location (including paddock name and lot number) for biosolids application;
 - (c) details on the proposed application rate (dry tonnes/ha) and incorporation depth (mm);
 - (d) details on how this application rate conforms to the requirements of the Western Australian Guidelines for Biosolids Management; and
 - (e) source data and calculations used in deriving the application rate.
- 1.2.5 The Licensee shall maintain a logbook that records the quality and quantity of biosolids supplied, the application rate, the date of supply, the location of properties supplied, depth of incorporation and the area where biosolids have been applied (paddock name).

2 Emissions

2.1 Emissions to land

- 2.1.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.1.1 it is done so in accordance with the conditions of this licence.

| Table 2.1.1: Emissions to land | | |
|----------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Emission point reference and location on Map of emission points | Description | Source including abatement |
| Direct application to land as per Premises address and Premises Map (Schedule 1) | Dewatered biosolids cake and Lime amended biosolids. | Water Corporation wastewater treatment plant by-product applied in accordance with the West Australian guidelines for biosolids management and Review of Environmental Factors Report. |

3 Information

3.1 Records

- 3.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 3.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.



- 3.1.2 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 3.1.3 The Licensee shall:
- (a) implement a complaints management system that shall record the following information (if known or provided) about complaints received at the Premises concerning any environmental impact of the activities undertaken at the Premises:
 - (i) name and address of the complainants (if consented);
 - (ii) date and time of complaint;
 - (iii) date and time of alleged incident;
 - (iv) alleged source of the incident;
 - (v) general description of the alleged incident, including any environmental or health impacts reported by the complainant;
 - (vi) wind direction, wind speed and temperature at time of alleged incident;
 - (vii) likely source of the alleged incident; and
 - (viii) actions taken by the Licensee to address the complaint, including the outcome of any investigation(s) and action(s) to verify any impacts.
 - (b) complete an annual analysis and review of complaints recorded under 3.1.3(a) to identify any common factors and root cause of complaints and proposals to address these.

3.2 Reporting

- 3.2.1 The Licensee shall submit to the Director an Annual Environmental Report within 31 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

| Table 3.2.1: Annual Environmental Report | | |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| Condition or table (if relevant) | Parameter | Format or form¹ |
| 1.2.2 and 1.2.3 | Verification details on the applied biosolids application rate in accordance with the submitted Review of Environmental Factors report. | None specified |
| 3.1.2 | Compliance | Annual Audit Compliance Report (AACR) |
| 3.1.3 | Complaints summary | None specified |

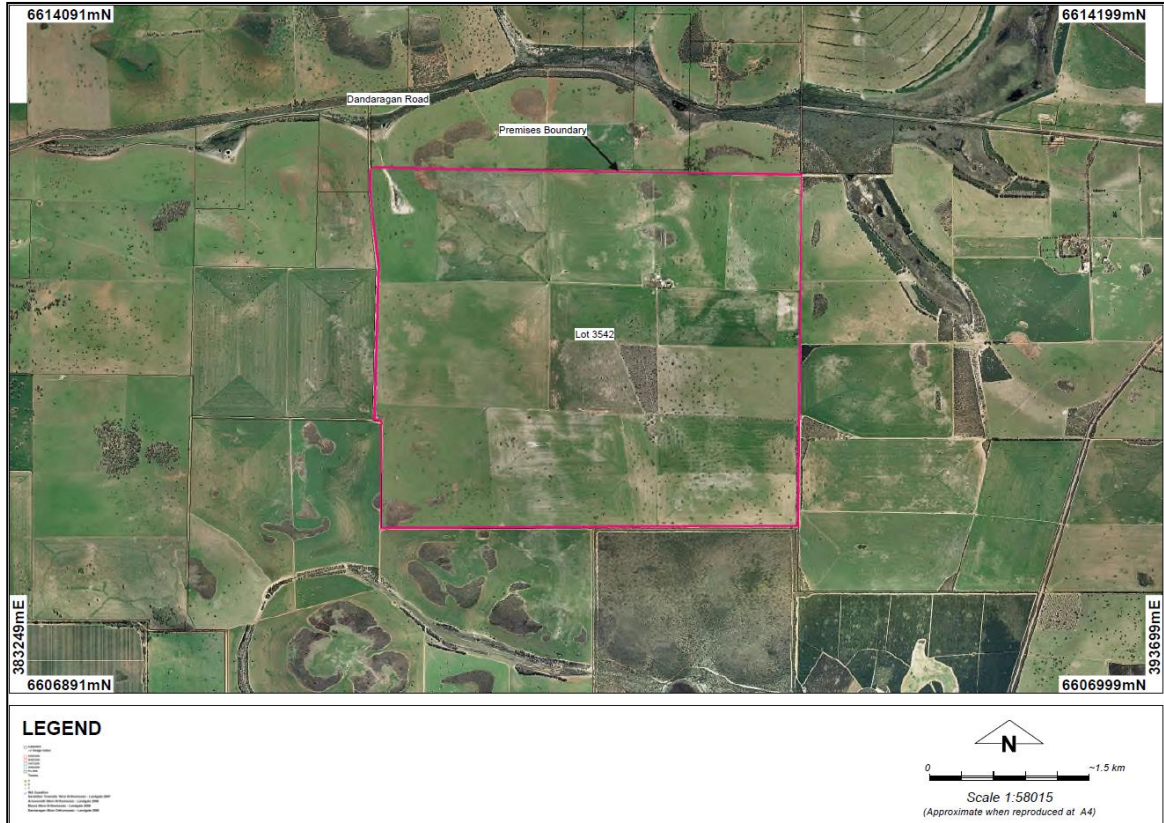
Note 1: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

| | |
|-------------------------------------|----------------------|
| Licence Number: | Licence File Number: |
| Company Name: | ABN: |
| Trading as: | |
| Reporting period: _____ to _____ | |

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) must only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

| If the licence holder is | | The Annual Audit Compliance Report must be signed and certified: |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| An individual | <input type="checkbox"/> <input type="checkbox"/> | by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf. |
| A firm or other unincorporated company | <input type="checkbox"/> <input type="checkbox"/> | by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation. |
| A corporation | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation. |
| A public authority (other than a local government) | <input type="checkbox"/> <input type="checkbox"/> | by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation. |
| a local government | <input type="checkbox"/> <input type="checkbox"/> | by the chief executive officer of the licensee; or by affixing the seal of the local government. |

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L8349/2009/2
 Form: N1

Licensee: Ian and Jemima Minty
 Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

| | |
|--------------------------------|--|
| Licence Number | |
| Name of operator | |
| Location of Premises | |
| Time and date of the detection | |

| Notification requirements for the breach of a limit | |
|---------------------------------------------------------------|--|
| Emission point reference/ source | |
| Parameter(s) | |
| Limit | |
| Measured value | |
| Date and time of monitoring | |
| Measures taken, or intended to be taken, to stop the emission | |



Part B

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Any more accurate information on the matters for notification under Part A. | |
| Measures taken, or intended to be taken, to prevent a recurrence of the incident. | |
| Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission. | |
| The dates of any previous N1 notifications for the Premises in the preceding 24 months. | |

| | |
|------------------------------------------------|--|
| Name | |
| Post | |
| Signature on behalf of Ian and Jemima Minty | |
| Date | |



Decision Document

Environmental Protection Act 1986, Part V

Licensee: Ian and Jemima Minty

Licence: L8349/2009/2

Registered office: Lot 4, The Midlands Road
MOORA WA 6510

Premises address: Sutherlands Farm
Lot 3542 on Plan 206258
DANDARAGAN WA 6507

Issue date: Thursday, 12 June 2014

Commencement date: Thursday, 19 June 2014

Expiry date: Tuesday, 18 June 2026

Decision

Based on the assessment detailed in this document, a decision has been made to issue an amended licence. It is considered that in reaching this decision, all relevant considerations have been taken into account.

Decision Document prepared by:

Abnesh Chetty
Licensing Officer

Decision Document authorised by:

Steve Checker
Delegated Officer



Contents

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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



2 Administrative summary

| Administrative details | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------------------------------------------------------|
| Application type | Works Approval <input type="checkbox"/> | |
| | New Licence <input type="checkbox"/> | |
| | Licence amendment <input checked="" type="checkbox"/> | |
| | Works Approval amendment <input type="checkbox"/> | |
| Activities that cause the premises to become prescribed premises | Category number(s) | Assessed design capacity |
| | 61A | 40,000 tonnes per year |
| Application verified | Date: N/A | |
| Application fee paid | Date: N/A | |
| Works Approval has been complied with | Yes <input type="checkbox"/> | No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| Compliance Certificate received | Yes <input type="checkbox"/> | No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| Commercial-in-confidence claim | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Commercial-in-confidence claim outcome | | |
| Is the proposal a Major Resource Project? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Is the proposal subject to Ministerial Conditions? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| | | |
| Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| | | |
| Is the Premises within an Environmental Protection Policy (EPP) Area | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Is the Premises subject to any EPP requirements? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |



3 Executive summary of proposal and assessment

Sutherlands Farm is owned by Ian and Jemima Minty. Sutherlands Farm is located approximately 16 kilometres west of Moora within the Shire of Dandaragan. Sutherlands Farm is a property of approximately 1,460 hectares that has been utilised for mixed farming purposes.

Sutherlands Farm accepts Lime Amended Biosolids (LAB) and Biosolids Cake sourced from Water Corporation metropolitan wastewater treatment plants. This material is stored, spread and incorporated onsite in accordance with the *Western Australian Guidelines for Biosolids Management*. Biosolids are applied to improve structure of soils and provide nutrients for crop growth.

The operation has a nominated rate of throughput for the premises of up to 40,000 tonnes (wet weight) of biosolids per year. Application rates are dependent on the Review of Environmental Factors and approval is also required by the Department of Health prior to application. No approvals are required from the Shire of Dandaragan for the use of biosolids.

The nearest occupied dwelling on another property is approximately five kilometres away. The depth to groundwater is approximately 25 metres and the in-situ soils are loamy clay on sandy gravels. Sutherlands farm is not situated within any groundwater catchment areas.

The main potential emissions generated from the site will be dust and odour while handling and spreading biosolids. It is anticipated that these emissions can be adequately managed under the provisions of the *Environmental Protection Act 1986* and mitigation measures put in place by the Licensee.

This Licence is the result of an amendment request to adjust the reporting period. The Licence has also been converted into DER's new licence template and during this process a Decision Document has been developed that assesses in detail all risks associated with the Premises. A number of amendments have also been made in line with DER's current licensing practices.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

| DECISION TABLE | | | |
|-----------------------------------------|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Works Approval / Licence section | Condition number W = Works Approval L = Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| Front page | N/A | The licence expiry was amended on 29 April 2016 to 2026 in line with DER's Guidance Statement, Licence Duration November 2014 (revised May 2015). | DER's Guidance Statement, Licence Duration November 2014 (revised May 2015). |
| General conditions | N/A | <p>Previous Licence condition 1.2.1 has been removed as it is an explanatory statement and not a valid or enforceable condition.</p> <p>Previous Licence conditions 1.2.2, 1.2.3, 1.2.4 and 1.2.5 are removed as they are not enforceable as they are not sufficiently clear or certain.</p> <p>As there are no longer conditions under the heading '1.2 General Conditions' this has been removed. This has resulted in renumbering of the subsequent section.</p> | N/A |
| Premises operation | L1.2.1 – 1.2.5 | <p>Previous Licence condition 1.3.1 (now 1.2.1) ensure that biosolids stockpiles are stored with the paddock area.</p> <p>Previous Licence condition 1.3.2 (now 1.2.2) ensures biosolids brought to the premises are subjected to certain processes.</p> <p>Previous Licence condition 1.3.3 (now 1.2.3) ensures the quantity of biosolids per hectare directly applied to land does not exceed the Limiting Factor for a particular paddock, crop type and biosolids composition.</p> | <i>Environmental Protection Act 1986</i> |



| DECISION TABLE | | | |
|----------------------------------|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Works Approval / Licence section | Condition number W = Works Approval L= Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| | | <p>Previous Licence condition 1.3.4 (now 1.2.4) outlines the notification requirements prior to a proposed biosolids application to land</p> <p>Previous Licence condition 1.3.5 (now 1.2.5) is amended to remove the statement that the logbooks are to be made available to an inspector upon request, as section 90 of the <i>Environmental Protection Act 1986</i> confers powers on inspectors to require an occupier to provide certain information.</p> | |
| Emissions general | N/A | <p>Previous condition 2.1.1 is removed as there is no descriptive or numerical condition in this section.</p> <p>Previous Licence condition 2.5.1 (now becomes 2.1.1)</p> <p>Sections stating no specified conditions have been removed.</p> | N/A |
| Odour | L3.1.3 | <p><u>Emission Description</u> <i>Emission:</i> Odour from biosolids accepted and discharged to land at the premises. <i>Impact:</i> Nuisance impacts on nearby receptors. The nearest residence is located approximately three kilometres from the site. <i>Controls:</i> The nearest residence will be buffered from biosolids applications as per the WA Biosolids Guidelines, and the residents will also be consulted prior to applications in their vicinity. Biosolids applications occur during a set number of times per year and is not a regular occurrence.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk:</i> Low</p> <p><u>Regulatory Controls</u> Odour conditions have not been included in the licence in accordance with Department</p> | <i>Environmental Protection Act 1986</i> |



| DECISION TABLE | | | |
|----------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Works Approval / Licence section | Condition number W = Works Approval L= Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| | | <p>reform as published on DER's website un "<i>Administrative changes implemented within the Department of environment Regulation</i>" www.der.wa.gov.au. Odour emissions can be adequately regulated under section 49 of the <i>Environmental Protection Act 1986</i> therefore previous condition 2.6.1 has been removed.</p> <p>Current condition 3.1.3 places requirements on the licensee to record and investigate information relating to any complaints. DER will review this information to determine the ongoing effectiveness of controls.</p> <p>Residual Risk <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk:</i> Low</p> | |
| Monitoring | N/A | Consistent with DER's licensing protocol, this section was deleted because it did not contain and conditions. | DER Licence template v2.9 |
| Improvements | N/A | Consistent with DER's licensing protocol, this section was deleted because it did not contain and conditions. | DER Licence template v2.9 |
| Information | L3.2.1 | <p>Previous Licence condition 5.1.1 (now 3.1.1) ensures all records required by the Licence are retained and be made available.</p> <p>Previous Licence condition 5.1.2 has been removed as the licensee is required to comply with all conditions at all times. It is not a defence to state that a person left in control of the premises or conducting works was unaware of licence conditions.</p> <p>Previous Licence condition 5.1.3 (now 3.1.2) requires the submission of the Annual Audit Compliance Report.</p> <p>Previous Licence condition 5.1.4 (now 3.1.3) requires the Licensee to implement a complaints management system.</p> | DER Licence template v2.9 |



| DECISION TABLE | | | |
|-----------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Works Approval / Licence section | Condition number W = Works Approval L= Licence | Justification (including risk description & decision methodology where relevant) | Reference documents |
| | | <p>Previous Licence condition 5.2.1 (now 3.2.1) outlines the requirement to submit to DER an annual environmental report.</p> <p>Previous table 5.2.1 (now 3.2.1) has been amended to remove some parameters as they are unclear as to what is being requested. There is no data required under the licence that is not otherwise requested through conditions in the library.</p> | |
| Licence Duration | N/A | The licence expiry has been amended to 2026 in line with DER's Guidance Statement, Licence Duration November 2014 (revised May 2015). | DER's Guidance Statement, Licence Duration November 2014 (revised May 2015). |



5 Advertisement and consultation table

| Date | Event | Comments received/Notes | How comments were taken into consideration |
|------------|-------------------------------------------|-------------------------|--------------------------------------------|
| 5 May 2016 | Proponent sent a copy of draft instrument | No comments received | NA |



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

| Likelihood | Consequence | | | | |
|----------------|---------------|----------|----------|----------|---------|
| | Insignificant | Minor | Moderate | Major | Severe |
| Almost Certain | Moderate | High | High | Extreme | Extreme |
| Likely | Moderate | Moderate | High | High | Extreme |
| Possible | Low | Moderate | Moderate | High | Extreme |
| Unlikely | Low | Moderate | Moderate | Moderate | High |
| Rare | Low | Low | Moderate | Moderate | High |