



Licence

Environmental Protection Act 1986, Part V

Licensee: JD Organics Pty Ltd

Licence: L8887/2015/1

Registered office: C/O Nell & Associates
Suite 5
56 Creaney Drive
KINGSLEY WA 6026

ACN: 154 081 651

Premises address: Garden Organics
276 Aurisch Road
BOONANARRING WA 6503
Being Part of Lot 12 on Diagram 92147 as depicted in Schedule 1 and as defined by the Global Positioning System coordinates:

Position No.	Latitude	Longitude
A	31° 12' 45.59" S	115° 49' 4.96" E
B	31° 12' 45.53" S	115° 49' 50.67" E
C	31° 13' 5.41" S	115° 50' 0.86 E
D	31° 13' 5.61" S	115° 49' 11.71" E

Granted: Thursday, 13 August 2015

Commencement date: Monday, 17 August 2015

Expiry date: Tuesday, 16 August 2033

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
67A	Compost Manufacturing and Soil Blending: premises on which organic material (excluding silage) or waste is stored pending processing, mixing, drying or composting to produce commercial quantities of compost or blended solids	1 000 tonnes or more per year	25,500 tonnes per annual period



Conditions

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

Date signed: 12 August 2016

.....

Alan Kietzmann

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

JD Organics Pty Ltd (JD Organics) trading as Garden Organics is a family owned business involved in the compost and soil blending industry. The Premises is located within the Shire of Gingin in an area zoned Rural and has valid Planning Approval for Noxious Industry (Composting Facility) in accordance with the Shire's Local Planning Scheme No. 9.

The nearest residence is located immediately adjacent to the north-eastern boundary of the Premises; however it is located approximately 900m from the footprint of the composting facility. Other nearby residences are located 1.6km west of the Premises and others are located approximately 4.5 to 5.5km to the south and south-east.

Several unnamed lakes are located 1.3km south and 2.5 to 3.3km west of the Premises boundary. White Lake and Beermullah Lakes are located approximately 1.5km west and 3km north-west from the Premises boundary. Based on information provided with the original works approval and licence applications, the superficial aquifer is located approximately 20m below ground level, with inferred groundwater flow from east to west, towards the lakes. The Leederville aquifer is located approximately 60m below the premises and flows towards the south-west.

Feedstock received at the premises is initially placed onto the mixing pad where it is mixed with different waste/feedstock as required for the final product. The mixed feedstock is then transferred into windrows to undergo pasteurisation. Leachate or fresh water will be used for moisture content during pasteurisation (approximately 4 weeks).

After pasteurisation, the windrows undergo composting and are turned once a week during the composting process to maintain aerobic conditions for biological activity. Fresh water is used in the process to retain moisture content. After the two weeks of composting, the windrows will undergo two weeks of maturation prior to being moved into the bagging plant or moved to the mixing pad to be blended with additional products. Once the blended products have been finalised, the product will then be transferred into the bagging plant. Bagged products will then be removed offsite for sale.

This amendment application is for the inclusion of Stage 2 works (manure composting inside composting shed) and will increase the annual throughput to 25,500 tonnes, an increase of 3,500 tonnes. No liquid wastes will be accepted at the premises. This amendment has also been updated to reflect DER's current licence version and to reduce the prescribed premises boundary to encompass the areas utilised for the composting facility rather than the whole of Lot 12 which is predominately not associated with the prescribed activities. The changes are documented in the decision document.

The occupier requested the inclusion of chicken manure on jarrah sawdust which would increase the premises throughput to 27,000 tonnes per year however this has not been authorised under this amendment based on advice received from the Stable Fly Project officer within the Department of Agriculture and Food (WA). This is discussed in the advertisement and consultation table of this document.

The works approvals issued for the Premises since 20/05/2010 are:



Instrument log		
Instrument	Issued	Description
W4653/2010/1	20/05/2010	New application
W4653/2010/1	12/01/2012	Transfer of occupier
W4653/2010/1	15/05/2013	Works approval amendment to extend expiry date
W5836/2015/1	12/06/2015	New works approval following expiry of W4653/2010/1
L8887/2015/1	13/08/2015	New licence for Stage 1 operations following completion of Stage 1 works under W5836/2015/1
L8887/2015/1	29/04/2016	Amendment to extend licence duration
L8887/2015/1	12/08/2016	Amendment to include Stage 2 operations onto licence following completion of Stage 2 works under W5836/2015/1

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*;

‘**AHD**’ means the Australian height datum;

‘**annual period**’ means the inclusive period from 1 July until 30 June in the following year;

‘**ARI**’ means Average Recurrence Interval;

‘**AS 4454**’ means Australian Standard AS 4454 *Composts, soil conditioners and mulches*;

‘**AS/NZS 5667.1**’ means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

‘**AS/NZS 5667.11**’ means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

‘**Assessment and management of contaminated sites guidelines**’ means the document titled “Assessment and management of contaminated sites, Contaminated sites guidelines, December 2014” published by the Chief Executive Officer of the Department of Environment Regulation, as amended from time to time;

‘**averaging period**’ means the time over which a limit is measured or a monitoring result is obtained;

‘**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;

‘**compost**’ means an organic product that has undergone controlled aerobic and thermophilic biological transformation through the composting process;

‘**composting**’ the process whereby organic materials are microbiologically transformed under controlled aerobic conditions.

‘**controlled waste**’ has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

‘**feedstock**’ means the organic material used in the composting process and listed in Table 1.3.1;

‘**green waste**’ means waste that originates from untreated trees or plants;

‘**hardstand**’ means a surface with a permeability of 10^{-9} metres/second or less;



‘**HDPE**’ means high-density polyethylene;

‘**leachate**’ means liquid released by or water that has percolated through waste and which contains some of its constituents;

‘**Licence**’ means this Licence numbered L8887/2015/1 and issued under the Act;

‘**Licensee**’ means the person or organisation named as Licensee on page 1 of the Licence;

‘**manure**’ means any organic product composed mainly of animal excreta;

‘**NATA**’ means the National Association of Testing Authorities, Australia;

‘**NATA accredited**’ means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

‘**pasteurisation**’ means the process whereby organic materials are treated to significantly reduce the numbers of plant and animal pathogens and plant propagules;

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

‘**quarterly**’ means the 4 inclusive periods from 1 January to 31 March, 1 April to 30 June, 1 July to 30 September and 1 October to 31 December the same year;

‘**Schedule 1**’ means Schedule 1 of this Licence unless otherwise stated;

‘**Schedule 2**’ means Schedule 2 of this Licence unless otherwise stated;

‘**spot sample**’ means a discrete sample representative at the time and place at which the sample is taken; 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 current version of the 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 Premises operation

1.2.1 The Licensee shall only accept waste on to the Premises if:

- (a) it is of a type listed in Table 1.2.1; and
- (b) the quantity accepted is below any quantity limit listed in Table 1.2.1; and
- (c) it meets any specification listed in Table 1.2.1.

Table 1.2.1: Waste acceptance		
Waste type	Quantity limit tonnes/ annual period	Specification¹
Jarrah sawdust	6,000	None specified
Green waste	6,000	
Olive waste (including olive pressings and sludge)	4,500	
Pine bark	2,000	



Table 1.2.1: Waste acceptance		
Waste type	Quantity limit tonnes/ annual period	Specification ¹
Blended compost and soil	2,000	Sourced from T.J. Depiazzi & Sons
Compost soil conditioner	3,000	Sourced from C-Wise
Composted cow manure on green waste chips	1,500	Sourced from Muchea Stockyards
Sheep waste	500	Sourced from Wellard

Note 1: Additional requirements for the acceptance of controlled waste (including animal effluent or residues; and vegetable and food processing waste) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

1.2.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a segregated storage area or container and removed to an appropriately authorised facility as soon as practicable.

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

Table 1.2.2: Processing of materials		
Waste type	Process	Process requirements
As detailed in Table 1.2.1	Receipt, handling and storage prior to composting	<ul style="list-style-type: none"> i) Jarrah sawdust, green waste, pine bark, blended compost and soil, and compost soil conditioner shall not be stored for longer than 21 days before being added to the composting process. ii) Olive waste, composted cow manure on green waste chips and sheep waste shall not be stored for more than 48 hours before being added to the composting process. iii) Waste shall not be stored within 200 metres of the Premises boundary.
	Treatment by composting and pasteurisation	<ul style="list-style-type: none"> i) Outside windrows shall be turned regularly to ensure aerobic conditions are maintained. ii) Inside windrows shall be aerated via the underfloor fan on a regular basis to ensure aerobic conditions are maintained. iii) Extraction fan with activated carbon installed in the composting shed shall be operated as required to manage odour. iv) The core temperature of the composting pile is maintained between 55 °C and 65 °C for a period of at least three days. v) Moisture level in the composting piles shall be maintained between 40 to 65 per cent. vi) Windrows shall not exceed 2.5 metres high, 5 metres wide and 25 metres long. vii) Outside windrows shall be separated by at least 5 metres of clear ground. viii) Composting leachate is collected and directed to the leachate pond or returned to the composting process during the pasteurisation process. ix) Ensure that, as a minimum, compost meets physical and chemical requirements set out by AS4454.



1.2.4 The Licensee shall ensure that waste is stored and/or contained within infrastructure in accordance with Table 1.2.3 and that the integrity of the containment infrastructure is maintained.

Table 1.2.3: Containment infrastructure		
Containment area/infrastructure	Material	Infrastructure requirements
Waste storage area	Jarrah sawdust, green waste, olive sludge, pine bark, blended compost and soil, compost soil conditioner	Bunded hardstand area constructed from a minimum of 300mm crushed limestone and sealed with asphalt.
Mixing area		
Composting area		
Waste storage area	Olive pressings, composted cow manure on greenwaste chips, sheep manure	Concrete storage bins with a 200mm reinforced concrete slab underlain by HDPE liner.
Mixing area		Enclosed shed that meets the following requirements: i) Concrete base; ii) Concrete lined sump for leachate collection; iii) Below ground aeration motor fan; iv) Extraction fan with activated carbon; v) Concrete tilt panels surrounding internal walls.
Composting area		
Leachate pond	Contaminated stormwater and leachate	i) Lined to achieve a permeability of less than 10^{-9} m/s or equivalent; ii) A minimum top of embankment freeboard of 1,200 mm is maintained iii) Capacity to store a 24 hour duration, 1 in 100 year ARI critical rainfall event without overflow.
Drainage channel	Contaminated stormwater and leachate	Lined to achieve a permeability of at least $<10^{-9}$ m/s or equivalent

2 Monitoring

2.1 General monitoring

2.1.1 The licensee shall ensure that:

- all compost samples are collected and preserved in accordance with AS 4454;
- all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.

2.1.2 The Licensee shall ensure that quarterly monitoring is undertaken at least 45 days apart.

2.2 Monitoring of inputs and outputs

2.2.1 The Licensee shall undertake the monitoring in Table 2.2.1 according to the specifications in that table.



Table 2.2.1: Monitoring of inputs and outputs

Input/Output	Parameter	Units	Averaging period	Frequency
Mass of each input listed in Table 1.3.1	Waste type as detailed in Table 1.3.1	Tonnes	One year	Each load arriving at the Premises
Mass of each product or waste output listed in Table 1.3.1	Waste type as detailed in Table 1.3.1 and finished products			

2.3 Process monitoring

2.3.1 The Licensee shall undertake the monitoring in Table 2.3.1 according to the specifications in that table.

Table 2.3.1: Process monitoring

Monitoring point reference	Process description	Parameter	Units	Frequency	Method
Compost windrows	Composting	Temperature	°C	Weekly	None specified
		Moisture content	%	Weekly	None specified
		Compost quality	None specified	As required in AS 4454	Sampling and testing in accordance with AS 4454

2.4 Ambient environmental quality monitoring

2.4.1 The Licensee shall undertake the monitoring in Table 2.4.1 according to the specifications in that table and record and investigate results that do not meet any target specified.

Table 2.4.1: Monitoring of ambient groundwater quality

Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
Bores 1 – 5 (as depicted in Schedule 1)	Standing water level	m(AH D)	Spot sample	Quarterly
	pH			
	Electrical conductivity	µS/cm		
	Colour (Gilvin)	Gilvin ₄₀ /m		
	Biochemical oxygen demand	mg/L		
	Total phosphorus			
	Total nitrogen			
	Ammonia nitrogen			
	Nitrate + nitrite nitrogen			
	Aluminium			
Arsenic				



Table 2.4.1: Monitoring of ambient groundwater quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
Bores 1 – 5 (as depicted in Schedule 1)	Cadmium	mg/L	Spot sample	Quarterly
	Chromium			
	Copper			
	Lead			
	Mercury			
	Nickel			
	Zinc			

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 implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

3.2 Reporting

3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 32 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 form ¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 2.2.1	Inputs and outputs	None specified
Table 2.3.1	Process monitoring	None specified
Table 2.4.1	Monitoring results of ambient groundwater quality including: <ul style="list-style-type: none"> • An interpretive summary and assessment of ambient groundwater quality monitoring results against relevant assessment levels for water as published in the “assessment and management of contaminated sites” guidelines; and • An interpretive summary and assessment of ambient 	<ul style="list-style-type: none"> • GR1; and • a summary of the results should be presented in tabulated form within the body of the report as well as onto site



Table 3.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
	groundwater quality monitoring results against previous monitoring results. Trend graphs shall be provided in support of this assessment.	drawings, where appropriate.
3.1.2	Compliance	Annual Audit Compliance Report (AACR)
3.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2

3.2.2 The Licensee shall submit the information in Table 3.2.2 to the CEO according to the specifications in that table.

Table 3.2.2: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form¹
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEOs request	As received by the Licensee from third parties

Note 1: Forms are in Schedule 2

3.3 Notification

3.3.1 The Licensee shall ensure that the parameters listed in Table 3.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 3.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
-	Fire at the premises	As soon as practicable	None specified
-	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

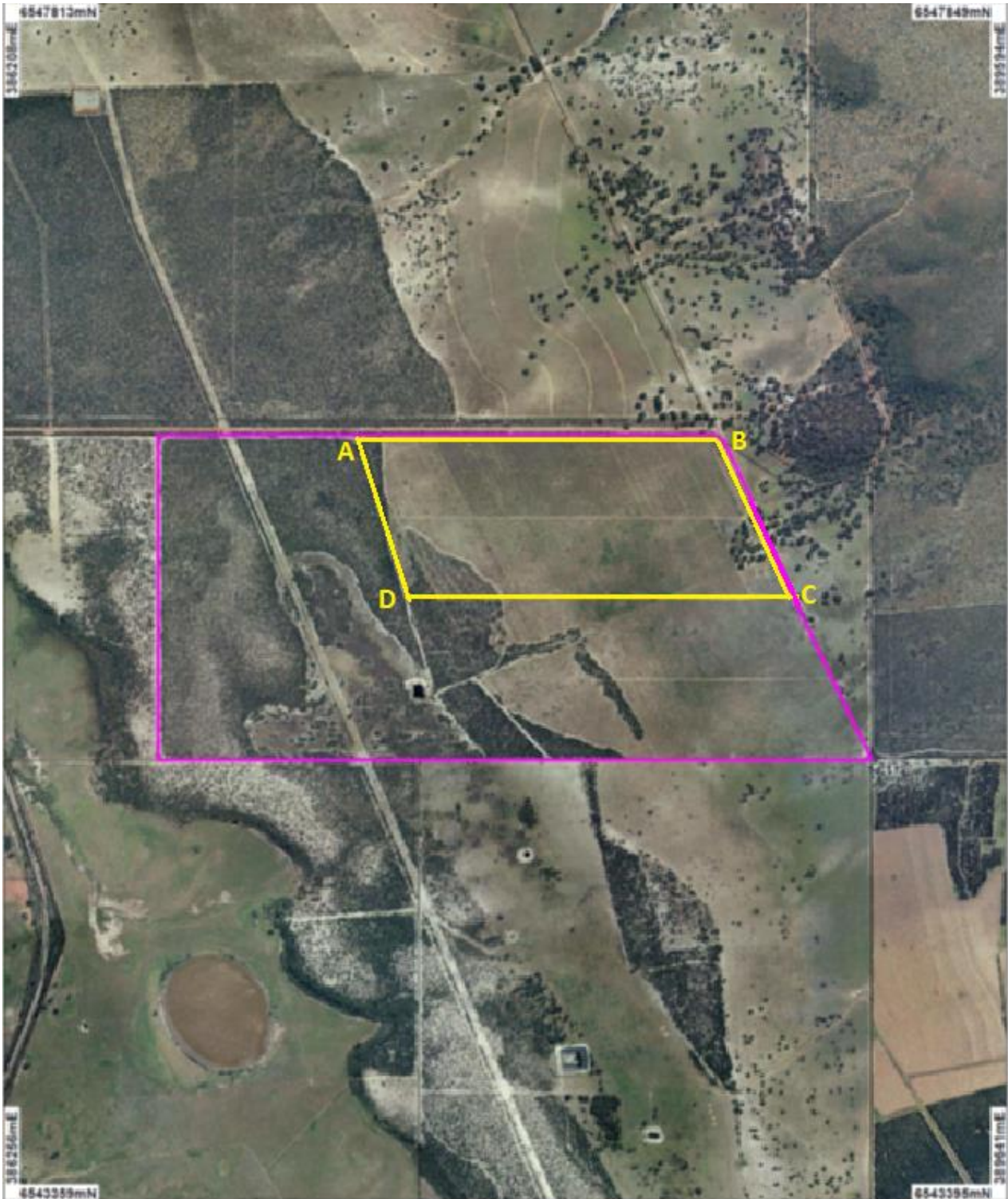
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the maps below. The yellow line depicts the prescribed premises boundary and the yellow letters refer to the GPS coordinate references. The pink line depicts the cadastral boundary of Lot 12.





Premises overview including emission points

The locations of the emission points defined in Table 2.4.1 is shown below:





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: Trading as:	ABN:
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 B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non-compliance occurred, if applicable:	
c) Was this non-compliance reported to DER?:	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____
<input type="checkbox"/> No	
d) Has DER taken, or finalised any action in relation to the non-compliance?:	
e) Summary of particulars of the non-compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non-compliance occurred (attach map or diagram):	
g) Cause of non-compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non-compliance:	
i) Action taken or that will be taken to prevent recurrence of the non-compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may 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: L8887/2015/1
Form: GR1
Name: Monitoring of ambient emissions to groundwater

Licensee: JD Organics Pty Ltd
Period :

Form LR1: Monitoring of emissions to land

Emission point	Parameter	Result ¹	Averaging period	Method	Sample date & times
Bores 1 - 5	Standing water level	m(AHD)	Spot sample		
Bores 1 – 5	pH		Spot sample		
Bores 1 – 5	Electrical conductivity	µS/cm	Spot sample		
Bores 1 – 5	Colour (gilvin)	Gilvin ₄₄₀ /m	Spot sample		
Bores 1 – 5	Biochemical oxygen demand	mg/L	Spot sample		
Bores 1 – 5	Total phosphorus	mg/L	Spot sample		
Bores 1 – 5	Total nitrogen	mg/L	Spot sample		
Bores 1 – 5	Ammonia nitrogen	mg/L	Spot sample		
Bores 1 – 5	Nitrate + nitrite nitrogen	mg/L	Spot sample		
Bores 1 – 5	Aluminium	mg/L	Spot sample		
Bores 1 – 5	Arsenic	mg/L	Spot sample		
Bores 1 – 5	Cadmium	mg/L	Spot sample		
Bores 1 – 5	Chromium	mg/L	Spot sample		
Bores 1 – 5	Copper	mg/L	Spot sample		
Bores 1 – 5	Lead	mg/L	Spot sample		
Bores 1 – 5	Mercury	mg/L	Spot sample		
Bores 1 – 5	Nickel	mg/L	Spot sample		
Bores 1 – 5	Zinc	mg/L	Spot sample		

Note 1: All units are referenced to STP dry

Signed on behalf of JD Organics Pty Ltd: Date:



Licence: L8887/2015/1
 Form: N1

Licensee: JD Organics Pty Ltd
 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 JD Organics Pty Ltd	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: JD Organics Pty Ltd

Licence: L8887/2015/1

Registered office: C/O Nell & Associates
Suite 5
56 Creaney Drive
KINGSLEY WA 6026

ACN: 154 081 651

Premises address: Garden Organics
276 Aurisch Road
BOONANARRING WA 6503
Being Part of Lot 12 on Diagram 92147 as depicted in Schedule 1 and as defined by the Global Positioning System coordinates:

Position No.	Latitude	Longitude
A	31° 12' 45.59" S	115° 49' 4.96" E
B	31° 12' 45.53" S	115° 49' 50.67" E
C	31° 13' 5.41" S	115° 50' 0.86 E
D	31° 13' 5.61" S	115° 49' 11.71" E

Granted: Thursday, 13 August 2015

Commencement date: Monday, 17 August 2015

Expiry date: Tuesday, 16 August 2033

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) CEO's delegated officer has decided to grant an amended licence. The DER delegated officer considers that in reaching this decision, he has taken into account all relevant considerations.

Decision Document prepared by: Lauren Fox
A/Senior Licensing Officer

Decision Document authorised by: Alan Kietzmann
Delegated Officer



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1 Purpose of this Document

This decision document explains how the DER delegated officer has assessed and determined the application and provides a record of the 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
	67A	25,500 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
Compliance Certificate received	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome	N/A	
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

JD Organics Pty Ltd (JD Organics) trading as Garden Organics is a family owned business involved in the compost and soil blending industry. The Premises is located within the Shire of Gingin in an area zoned Rural and has valid Planning Approval for Noxious Industry (Composting Facility) in accordance with the Shire's Local Planning Scheme No. 9.

The nearest residence is located immediately adjacent to the north-eastern boundary of the Premises; however it is located approximately 900m from the footprint of the composting facility. Other nearby residences are located 1.6km west of the Premises and others are located approximately 4.5 to 5.5km to the south and south-east.

Several unnamed lakes are located 1.3km south and 2.5 to 3.3km west of the Premises boundary. White Lake and Beermullah Lakes are located approximately 1.5km west and 3km north-west from the Premises boundary. Based on information provided with the original works approval and licence applications, the superficial aquifer is located approximately 20m below ground level, with inferred groundwater flow from east to west, towards the lakes. The Leederville aquifer is located approximately 60m below the premises and flows towards the south-west.

A works approval (W4653/2010/1) was issued to JD Organics in May 2010 to construct a composting facility at Lot 12 Aurisch Road in Boonanarring (the Premises). It included construction of the following:

- HDPE lined leachate pond;
- Limestone hardstand;
- Concrete mixing pad;
- Installation of groundwater monitoring bores;
- Composting shed with lined concrete leachate sump and floor aeration;
- Bagging shed;
- Lined drainage sump;
- Leachate dam aeration system; and
- Water piping around stockpiles.

A lined leachate pond, compacted limestone hardstand, bagging shed and composting shed were constructed under the works approval. Due to unforeseen circumstances and changes to the original application, the works approval expired in May 2014 without all of the works being completed.

The occupier was granted a new works approval on 11 June 2015 (W5836/2015/1) to finalise outstanding works at the Premises. The works approval consisted of two stages as outlined below.

Stage 1 consisted of the following works:

- Sealing of limestone hardstand with asphalt;
- Construction of concrete bunds around hardstand;
- Construction of concrete bund around limestone wall between hardstand and leachate pond; and
- Installation of two groundwater monitoring bores.

Stage 2 works included:

- Concrete lined sump for composting shed leachate collection;
- Aeration motor and fan for below ground aeration in composting shed;
- Concrete tilt panels surrounding internal walls of composting shed; and
- Watering system within composting shed.



Feedstock received at the premises is initially placed onto the mixing pad where it is mixed with different waste/feedstock as required for the final product. The mixed feedstock is then transferred into windrows to undergo pasteurisation. Leachate or fresh water will be used for moisture content during pasteurisation (approximately 4 weeks).

After pasteurisation, the windrows undergo composting and are turned once a week during the composting process to maintain aerobic conditions for biological activity. Fresh water is used in the process to retain moisture content. After two weeks of composting, the windrows will undergo two weeks of maturation prior to being moved into the bagging plant or moved to the mixing pad to be blended with additional products. Once the blended products have been finalised, the product will then be transferred into the bagging plant. Bagged products will then be removed offsite for sale.

The Licence was originally granted for the Stage 1 operations which involved the processing of green wastes and other various organic wastes (olive wastes, pine bark, sawdust, and blended soils) in windrows on the outside hardstand to produce up to 22,000 tonnes of product each year. This amendment application is for the inclusion of Stage 2 works (manure composting inside composting shed) and will increase the annual throughput 27,000 tonnes, an increase of 5,000 tonnes. No liquid wastes will be accepted at the premises.

A compliance document was received by DER on 31/07/2015 which documents the occupier's compliance for Stage 1 works, and the second compliance document for Stage 2 works was received on 9/06/2016. Both of these documents claimed compliance as specified under the works approval.

This amendment has also been updated to reflect DER's current licence version and to reduce the prescribed premises boundary to encompass the areas utilised for the composting facility rather than the whole of Lot 12 which is predominately not associated with the prescribed activities. The changes are documented in this decision document.



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
Interpretation	N/A	<p>The following definitions have been included into this section as they are directly referred to in licence conditions and the definitions provide context to their application:</p> <ul style="list-style-type: none"> • Assessment and management of contaminated sites guidelines; and • HDPE. <p>The definition of 'CEO' has been amended to reflect DER's updated contact details and the definition of 'environmentally hazardous material' has been removed from the licence as it is no longer referenced in the licence conditions and is therefore no longer applicable.</p> <p>Paragraph 1.1.5 of the previous licence, which related to the licence not authorising pollution or unreasonable emissions, has been removed from the licence. It was an explanatory statement, not a condition. Provisions in section 49 of the <i>Environmental Protection Act 1986</i> apply (is an offence to cause pollution and unreasonable emissions) therefore it is not required to be duplicated in the licence.</p>	<p>DER's <i>Guidance Statement: Regulatory Controls</i> (December 2015)</p>
General conditions	N/A	<p>Condition 1.2.1 of the previous licence required the occupier to operate and maintain all pollution control and monitoring equipment in accordance with the manufacturer's specifications. This condition is not sufficiently clear. This condition has been removed in accordance with administration changes implemented by DER.</p> <p>Previous condition 1.2.2, which related to the requirements for spill management, has been removed from this licence as the condition was unclear and not enforceable. It is the occupier's responsibility to ensure that any environmentally hazardous materials are sufficiently contained to prevent discharges to the environment. Any offsite</p>	<p><i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions continued		<p>discharges into the environment may be subject to the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>. This condition has been removed in accordance with administration changes implemented by DER.</p> <p>Condition 1.2.3 of the previous licence required the occupier to undertake actions to prevent stormwater becoming contaminated from site activities. This condition was not clear as it did not refer to any specific stormwater infrastructure or what specific management action should be undertaken. This condition has been removed in accordance with administration changes implemented by DER.</p> <p>There are no longer any conditions within this section, therefore this section has been removed and the consecutive section, 'Premises operation', has been renumbered as section 1.2.</p>	<i>(Unauthorised Discharges) Regulations 2004</i>
Premises operation	L1.2.1 – L1.2.4	<p>Table 1.2.1 of condition 1.2.1 (formerly condition and table 1.3.1) has been amended to include additional feedstock requested by the occupier as part of the inclusion for Stage 2 operations. These feedstocks include olive pressings, composted cow manure (on green waste chips) and sheep waste. This table specified (where applicable) the sources of the feedstock material as provided by the occupier. This table also now authorises an annual acceptance volume of 25,500 tonnes. The occupier also requested the acceptance of 1,500 tonnes per year of chicken manure on jarrah sawdust however this has not been authorised based on advice received from an Officer within the Department of Agriculture and Food (WA) – this is detailed further in the 'Advertisement and consultation table'.</p> <p>Table 1.2.2 of condition 1.2.2 has been amended to specify the aeration requirements and separation distances for outside windrows, as well as including the requirement for indoor windrows to be aerated. Condition 1.2.3 has not been amended, other than being renumbered.</p> <p>Table 1.2.3 of condition 1.2.4 relates to the infrastructure requirements for waste</p>	Application supporting documentation



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation continued		storage, mixing areas, composting areas, leachate pond and drainage channel. This table has been amended to include the infrastructure completed under Stage 2 of the works approval and to address the additional feedstock materials.	
Odour	1.2.3 – 1.2.4	<p>The odour assessment conducted under works approval (W4653/2010/1) forms the basis of the assessment below.</p> <p><u>Emission Description</u> <i>Emission:</i> Odours generated from composting processes including processing of manures. Odour may also be generated from leachate pond, especially if it becomes anaerobic.</p> <p><i>Impact:</i> Potential for nuisance odour complaints. Nearest odour sensitive receptors are located approximately 1 km from the composting operations. Odour emissions are anticipated to be localised with reversible effects.</p> <p><i>Controls:</i> Higher odour generating wastes, such as manures, will be initially stored in concrete storage bins for a maximum of two days before being moved into the enclosed composting shed for processing.</p> <p>The shed has been constructed with an inbuilt floor aeration system to maintain windrows in an aerobic condition. The shed has an extraction fan fitted with carbon filters to treat any odorous air.</p> <p>All windrows are monitored for CO₂, moisture and temperature on a weekly basis to ensure that windrows are at optimum processing levels (12% CO₂, 60°C and 40-50% moisture) which are less likely to generate offensive odours.</p> <p>The leachate pond is fitted with an aerator to maintain aerobic conditions in the pond. In the event that the pond begins to turn anaerobic, the occupier will dose the pond</p>	



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Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Odour continued		<p>with a biocide and oxidizer product called e-Sanit 50. Boosta Blocks are specially designed wax based blocks that provide the trace elements required for healthy pond microbes. A block is placed on either side of the leachate entry point on the pond to assist in maintaining aerobic conditions.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> No specific odour conditions have been included on the licence. Table 1.2.2 of condition 1.2.3 has been included to require that the odorous feedstocks are stored for no more than 48 hours before being included into the composting process. The extraction fan with carbon filters shall be operated as required to manage odour (Table 1.2.2) and has been included in the containment infrastructure table (Table 1.2.3 of condition 1.2.4). This is consistent with the occupier's commitments.</p> <p>Odour emissions are also regulated under section 49 of the <i>Environmental Protection Act 1986</i>.</p> <p>Additional regulatory controls for odour may be included if odour emissions cause unreasonable impacts.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Monitoring general	L2.1.1 and L2.1.2	<p>Conditions 2.1.3 and 2.1.4 of the previous licence, which related to the requirement to have monitoring equipment calibrated and to notify the CEO when calibration cannot be met, have been removed from the licence in accordance with administration changes implemented by DER. These conditions were unclear and not enforceable.</p> <p>Conditions 2.1.1 and 2.1.2 have not been amended.</p>	N/A
Monitoring of inputs and outputs	L2.2.1	The existing regulatory controls are considered adequate; no amendments required.	N/A
Process monitoring	L2.3.1	The existing regulatory controls are considered adequate; no amendments required.	N/A
Ambient quality monitoring	L2.4.1	The existing regulatory controls are considered adequate; no amendments required.	N/A
Information	L3.1.1 – L3.1.3, L3.2.1 – L3.2.2 and L3.3.1	<p>Condition 3.1.2 of the previous licence, requiring knowledge of licence conditions, has been removed from the licence. It is not a defence to offences under the EP Act for the Licensee or its agents to claim they were unaware of licence conditions. Moreover, knowledge does not ensure compliance and the obligation to comply with conditions of the Licence must remain with it and its agents. This condition has been removed in accordance with administration changes implemented by DER. Former conditions 3.1.3 and 3.1.4 have been renumbered as 3.1.2 and 3.1.3 to reflect the removal of this condition.</p> <p>Table 3.2.1 of condition 3.2.1 has been amended to reflect the renumbering in section 3.1 detailed above. This table has also been amended to require a summary and assessment of ambient groundwater data against relevant standards and to compare data against the previous monitoring results, inclusive of trend graphs to depict the</p>	DER's <i>Assessment and management of contaminated sites</i> , Contaminated sites guidelines, December 2014



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Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Information continued		<p>results. This replaces, in part, the requirements of former condition 3.2.2.</p> <p>Condition 3.2.2 has been removed from the licence as these requirements are included in condition 3.2.1. This previously required the occupier to provide an assessment of the inputs and outputs data, groundwater data, complaints and compliance against Licence limits and/or targets, and an assessment of the previous monitoring data.</p> <p>Condition 3.2.2, formerly 3.2.3, has not been amended.</p> <p>Table 3.3.1 of condition 3.3.1 has been amended to remove the requirement to provide a calibration report. The calibration report requirement was removed in accordance with administration changes implemented by DER and is no longer relevant to be included in this table.</p>	
Licence Duration	N/A	<p>In accordance with DER's <i>Guidance Statement: Licence duration</i> (revised May 2015), this licence was amended to extend the duration until 16 August 2033. This came into effect on 29 April 2016. This amendment has been updated to reflect the extended licence duration.</p>	N/A



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
27/07/2016	Comment sought from the Shire of Gingin (the Shire) in regards to Planning Approval	<p>Comments received from the Shire 03/08/2016 confirmed that the Premises has valid Planning Approval for Industry Noxious (composting facility).</p> <p>The Shire raised concerns over stable fly breeding associated with chicken manure, and stated that the <i>Biosecurity and Agriculture Management Act 2007</i> prohibits the transport of raw chicken manure into the Shire, unless previously treated.</p> <p>The Shire recommended that the Department of Agriculture and Food (WA) be contacted directly in regards to stable fly.</p>	Comments were sought from the Stable Fly Project Officer at DAFWA.
03/08/2016	Comment sought from Department of Agriculture and Food, Western Australia (DAFWA) Stable Fly Project Manager	<p>Comments received from the Project Manager – Stable Fly Management (PM-SFM) in DAFWA on 04/08/2016 advised that the current <i>Stable Fly Management Plan 2013</i> does not authorise the movement of raw poultry manure within the Shire of Gingin.</p> <p>The PM-SFM advised that the occupier received a warning letter for transport and use of raw chicken manure earlier in 2016 and recommended that the occupier does not accept it onto the site until such a time that approval for the use of this waste has been approved by DAFWA. The PM-SFM recommended the occupier consult directly with DAFWA on potential re-use options for this waste</p>	<p>The CEO's Delegated Officer has not authorised raw chicken manure to be accepted onto the Premises.</p> <p>As the occupier proposed to accept 1,500 tonnes of this waste per year, the annual throughput for the premises has been reduced from the occupiers requested 27,000 tonnes to an authorised throughput of 25,500 tonnes. This is an overall increase of 3,500 tonnes of feedstock per year.</p>
11/08/2016	Proponent sent a copy of draft instrument	On 12 August 2016 the occupier provided a signed waiver to the 21 day comment period, requesting that the licence amendment be issued as soon as possible.	DER processed the finalised amendment upon receipt of the waiver form.



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