



Licence

Environmental Protection Act 1986, Part V

Licensee: A Richards Pty Ltd

Licence: L7391/1999/9

Registered office: 203 Acourt Road
JANDAKOT WA 6164

ACN: 008 734 852

Premises address: Amazon Soils & Landscaping Supplies
206 Wesco Road
NOWERGUP WA 6032
Being Lot 12738 on Plan 193226 as depicted in Schedule 1.

Issue date: Thursday, 19 December 2013

Commencement date: Monday, 06 January 2014

Expiry date: Wednesday, 05 October 2016

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 | 100,000 tonnes per annual period |

Conditions

Subject to this Licence and the conditions set out in the attached pages.

Date signed: 22 October 2015

.....
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 works with the business owners, community, consultants, industry and other representatives 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

Amazon Soils & Landscaping Supplies (Amazon) on Wesco Road in Nowergup has been composting biosolids, green waste, sawdust and other materials for the A. Richards Pty Ltd (Richgro) group since 2004. The closest sensitive receptor is a rural residence approximately 1.1 km to the west-north-west, with the next closest residence 1.4 km to the south-west. Directly adjoining the premises (to the south) is an active limestone quarry, with several other quarry operations in the surrounding area. Pinjar pine plantation is to the north-east of the premises, with all separation distances complying with Environmental Protection Authority Guidance Statement No. 3 - Separation Distances between Industrial and Sensitive Land Uses (June 2005).

An approximate total of 34,254 tonnes of various compost component materials (coarse green waste, jarrah and pine bark, sawdust, biosolids, food waste, manure and plasterboard) were used to produce compost in the last reporting period from March 2012 – Feb 2013. Greenwaste is accepted from councils, contractors and other sources, but not from the general public. Compost is manufactured by grinding raw green waste, blending it with sawdust, other materials and biosolids before turning it into windrows. Regular aeration (at least once a week) takes place to ensure that optimal temperature and oxygen levels are maintained.

Compacted limestone hardstands, bunds and site topography are used to direct leachate and contaminated run-off to the lined storage dam. Amazon has received permission from the Water Corporation to utilize an additional lined leachate dam in the north-western corner of the lot to assist in managing excess wastewater and run-off when it occurs.

This Licence is the result of an amendment sought by the Licensee to allow an update to the acceptance criteria definitions to include food waste and manures.

The licences issued for the Premises since 08/10/1999 are:

| Instrument log | | |
|----------------|------------|---|
| Instrument | Issued | Description |
| L7391/1999/1 | 08/10/1999 | New application |
| L7391/1999/2 | 28/09/2000 | Licence re-issue |
| L7391/1999/3 | 06/10/2001 | Licence re-issue |
| L7391/1999/4 | 24/02/2003 | Licence re-issue |
| L7391/1999/5 | 15/09/2003 | Licence re-issue |
| L7391/1999/6 | 30/08/2004 | Licence re-issue |
| L7391/1999/7 | 03/10/2005 | Licence re-issue |
| L7391/1999/8 | 18/09/2008 | Licence re-issue |
| L7391/1999/9 | 06/01/2014 | Licence amendment and re-issue to REFIRE format |
| L7391/1999/9 | 25/07/2014 | Licence amendment |
| L7391/1999/9 | 22/10/2015 | Licence amendment |



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:

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

'annual period' means the inclusive period from 1 January until 31 December in each year;

'ARI' means Average Recurrence Interval;

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

'averaging period' means the time over which a limit or target is measured or a monitoring result is obtained;

'biosolids' means solid, semi-solid or slurry material produced by the treatment of sewage (sewage sludge);

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

'CEO' for the purpose of correspondence means;

Manager - Licensing (Waste Industries)

At the following address:

Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: info@der.wa.gov.au

'code of practice for the storage and handling of dangerous goods' means document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

'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*;



'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'feedstock' means the organic material used in the composting process and listed in Table 1.3.1;

'fugitive emissions' means all emissions not arising from point sources;

'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;

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

'Licence' means this Licence numbered L7391/1999/9 and issued under the Act;

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

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

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

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

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.4 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and



- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.3 Premises operation

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

- (a) it is of a type listed in Table 1.3.1;
(b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
(c) it meets any specification listed in Table 1.3.1.

| Table 1.3.1: Waste acceptance | | |
|-------------------------------|--|--|
| Waste type | Specification ¹ | Quantity limit tonnes/ year (combined total) |
| Biosolids | Biologically treated wastewater sludge or biosolids. | 100,000 |
| Coarse Green waste | Includes jarrah bark and pine bark. | |
| Sawdust | None specified | |
| Food waste | None specified | |
| Manure | None specified | |
| Plasterboard | None specified | |

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*.

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 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.

1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 1.3.2 and in accordance with any process limits described in that Table.

| Table 1.3.2: Processing of materials | | |
|--------------------------------------|---|--|
| Waste type | Process | Process requirements |
| As detailed in Table 1.3.1 | Receipt, handling and storage prior to composting | <ul style="list-style-type: none"> i) Waste shall not be stored for longer than 14 days before being added to the composting process. ii) Mulched greenwaste shall be stored in windrows that are no larger than 8 metres wide, 60 metres long and 3.5 metres high |
| | Treatment by composting | <ul style="list-style-type: none"> iii) Windrows shall be turned regularly to ensure aerobic conditions are maintained. iv) Moisture levels in the composting piles shall be maintained between 40 to 65 per cent. v) Windrows shall not exceed 3.5 metres high, 8 metres wide and 120 metres long. vi) Composting leachate is collected and returned to the composting process. vii) Ensure that, as a minimum, compost meets physical and chemical requirements set out by AS 4454. |



1.3.4 The Licensee shall ensure that waste is stored and/or contained within infrastructure in accordance with Table 1.3.3 and that the integrity of the containment infrastructure is maintained.

| Table 1.3.3: Containment infrastructure | | |
|---|--|---|
| Containment area/infrastructure | Material | Infrastructure requirements |
| Waste storage area | Waste types as detailed in Table 1.3.1 (feedstock) | Bunded hardstand area. |
| Composting area | | Bunded hardstand area. |
| Lined leachate storage dam | Contaminated stormwater and leachate | <ol style="list-style-type: none"> 1. Lined to achieve a permeability of less than 10^{-9} m/s or equivalent; 2. A minimum top of embankment freeboard of 300mm is maintained 3. Capacity to store a 72 hour duration, 1 in 10 year ARI critical rainfall event without overflow. |

1.3.5 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.

2 Monitoring

2.1 Monitoring of inputs and outputs

2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

| Table 2.1.1: 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 |

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 ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 3.1.3 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.
- 3.1.4 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 licensee to address 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 3.1.4(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 CEO an Annual Environmental Report within 28 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 |
| 3.1.3 | Compliance | Annual Audit Compliance Report (AACR) |
| 3.1.4 | Complaints summary | None specified |

Note 1: Forms are in Schedule 2

- 3.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under condition 2.1.1;
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and
 - (c) a list of any original monitoring reports submitted to the Licensee from third parties for the annual period and make these reports available on request.



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 |
| N/A | Fire at the premises | As soon as practicable | None specified |
| 2.1.1 | 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. | N1 |
| - | Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution | Part B: As soon as practicable | |

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 map below. The pink line depicts the Premises boundary.



| LEGEND | | |
|---|--|---|
| <ul style="list-style-type: none"> Town Planning Scheme Zones Road Centralines Perth Metropolitan North 20cm Orthomosaic - Landgate 2006 Perth Metropolitan Central 20cm Orthomosaic - Landgate 2006 | <ul style="list-style-type: none"> Perth Metropolitan South 20cm Orthomosaic - Landgate 2006 Cadastre Mundaring 1m Orthomosaic - Landgate 2009 -> Image Index Recently added Coverage | <ul style="list-style-type: none"> Ugbin 30cm Orthomosaic - Landgate 2006 Perth Metropolitan Area Central 15cm Orthomosaic - Landgate 2012 Perth Metropolitan North 15cm Orthomosaic - Landgate 2011 |
| <p>Scale 1:6601 (Approximate when reproduced at A4)</p> <p>Geocentric Datum Australia 1994</p> <p>Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.</p> <p>Prepared by: laurento Prepared for: Date: 2/10/2013 2:22:46 PM</p> <p>Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.</p> <p>Government of Western Australia Department of Environment Regulation WA Crown Copyright 2002</p> | | |
| <p>* Project Data. This data has not been quality assured. Please contact map author for details.</p> | | |



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

SECTION A

LICENCE DETAILS

| | |
|--|--|
| Licence Number: L7391/1999/9 | Licence File Number: DEC3864 |
| Company Name: A. Richards Pty Ltd Trading as: Amazon Soils and Landscaping Supplies | ABN: 97 008 734 852 |
| Reporting period: 1 January 20_____ to 31 December 20_____ | |

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: L7391/1999/9
 Form: N1

Licensee: A. Richards Pty Ltd
 Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

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 | |

| Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution | |
|--|--|
| Date and time of event | |
| Reference or description of the location of the event | |
| Description of where any release into the environment took place | |
| Substances potentially released | |
| Best estimate of the quantity or rate of release of substances | |
| Measures taken , or intended to be taken, to stop any emission | |
| Description of the failure or accident | |



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 A. Richards Pty Ltd | |
| Date | |



Decision Document

Environmental Protection Act 1986, Part V

Proponent: A Richards Pty Ltd

Licence: L7391/1999/9

Registered office: 203 Acourt Road
JANDAKOT WA 6164

ACN: 008 734 852

Premises address: Amazon Soils & Landscaping Supplies
206 Wesco Road
NOWERGUP WA 6032
Being Lot 12738 on Plan 193226

Issue date: Thursday, 19 December 2013

Commencement date: Monday, 06 January 2014

Expiry date: Wednesday, 05 October 2016

Decision

Based on the assessment detailed in this document, the Department of Environment Regulation (DER) has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Jane Dalin
Licensing Officer

Decision Document authorised by: Alan Kietzmann
Delegated Officer



Contents

| | |
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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application for a works approval or licence, 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 |
| | 67A | 100,000 tonnes per annual period |
| | | |
| 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"/> |
| If Yes include details of which EPP(s) here. | | |
| Is the Premises subject to any EPP requirements? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If Yes, include details here, e.g. Site is subject to SO ₂ requirements of Kwinana EPP. | | |



3 Executive summary of proposal

Amazon Soils & Landscaping Supplies (Amazon) on Wesco Road in Nowergup has been composting biosolids, greenwaste, sawdust and other materials for the A. Richards Pty Ltd (Richgro) group since 2004.

An approximate total of 34,254 tonnes of various compost component materials (coarse green waste, jarrah and pine bark, sawdust, biosolids, food waste, manures and plasterboard) are used to produce compost. Greenwaste is accepted from councils, contractors and other sources, but not from the general public. Compost is manufactured by grinding raw green waste, blending it with sawdust, other materials and biosolids before turning it into windrows. Regular aeration (at least once a week) takes place to ensure that optimal temperature and oxygen levels are maintained.

The closest sensitive receptor is a rural residence approximately 1.1 km to the west-north-west, with the next closest residence 1.4 km to the south-west. Directly adjoining the premises (to the south) is an active limestone quarry, with several other quarry operations in the surrounding area. Pinjar pine plantation is to the north-east of the premises, with all separation distances complying with Environmental Protection Authority Guidance Statement No. 3 - Separation Distances between Industrial and Sensitive Land Uses (June 2005).

The main discharges that have the potential for concern are: contaminated stormwater and composting leachate, dust from vehicles and composting operations, odour from biosolids and active composting windrows and noise from machinery operation.

Compacted limestone hardstands, bunds and site topography are used to direct leachate and contaminated run-off to the lined storage dam. Amazon has received permission from the Water Corporation to utilise an additional lined leachate dam in the north-western corner of the lot to assist in managing excess wastewater and run-off when it occurs.

Amazon holds a current groundwater licence for the abstraction of bore water and this is utilised for dust suppression (sprinklers and a water cart), mulch production and in the active composting windrows.

Odour generation is managed primarily through the effective control of the composting process, however, along with noise, these impacts are primarily mitigated by the isolation of the site from sensitive receptors.

The current amendment is sought to update the acceptance criteria definitions to include food waste and manures. Discharges and emissions have not been reassessed as part of this amendment. DER has updated wording to reflect the latest licence template requirements.



4 Decision table

All applications are assessed under the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, DER's Corporate Policy Statement No.7 – Operational Risk Management and the risk matrix attached to this Decision Document in Section 6. Where other references have been used in making the decision they are detailed in the decision table.

| 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 | L1.2.3 L1.3.1 (Table 1.3.1) | <p>Condition 1.2.3 has been removed as all chemicals onsite are managed to adhere to Dangerous Goods Safety Act 2004 and Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007.</p> <p>Waste acceptance table has been updated to include the acceptance of food waste and manures on site. This was an oversight when the licence was converted to the new template. Amazon have been accepting this material for over 12 years without any issues with compliance inspections or complaints until recently.</p> <p>See Appendix A for further information.</p> | <i>Environmental Protection (Unauthorised Discharges) Regulations, 2004.</i> |
| Fugitive emissions | | <p>Dust emissions – fugitive dust emissions are sufficiently regulated under the general provisions of the Environmental Protection Act 1986. As a result condition 2.6 of the previous licence, which requires the licensee to suppress dust within the premises boundary, has been removed as part of this amendment.</p> <p>DER will monitor site operations and complaints associated with dust emissions and where warranted the licence may be amended to include prescriptive conditions relating to the management of dust emissions.</p> | <i>Environmental Protection (Unauthorised Discharges) Regulations, 2004.</i> |
| Odour | | Fugitive odour emissions are sufficiently regulated under the general provisions of the <i>Environmental Protection Act 1986</i> . As a result condition | <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>2.7 of the previous licence, relating to odour emissions, has been removed as part of this amendment.</p> <p>DER will monitor site operations and complaints associated with odour emissions and where warranted the licence may be amended to include prescriptive conditions relating to the management of odour emissions.</p> | EPA Guidance Statement No. 3 - Separation Distances Between Industrial and Sensitive Land Uses 2004. |
| Improvements | 4 | <p>The improvements section of the licence has been removed as the licensee has met all of the commitments in Table 4.1.1.</p> <p>Groundwater monitoring is proposed to be placed on this licence as a result of the improvement conditions. As this amendment is only dealing with adding the acceptance of food waste and manures to the licence, the groundwater monitoring will be assed and included in the subsequent amendment coming from Amazon Soils to accept liquid waste. The frequency of monitoring will be assessed and included in this amendment to be in line with the acceptance of liquid waste.</p> | Amazon Soils DER Improvement Program – L7391/1999/9, 27 August 2014 |

5 Advertisement and consultation table

| Date | Event | Comments received/Notes | How comments were taken into consideration |
|------------|---|---|--|
| 21/10/2015 | Proponent sent a copy of draft instrument | No comments. Waiver for emailed back on 22 October 2015 | N/A |



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No.7 – 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 |



Appendix A

Waste Acceptance

Amazon Soils & Landscaping Supplies (Amazon) on Wesco Road in Nowergup has been composting biosolids, green waste, sawdust and other materials for the A. Richards Pty Ltd (Richgro) group since 2004. The site, an old limestone quarry, has been used for composting for approximately 20 years.

During May and August of 2015, the City of Wanneroo received a number of odour complaints. The City of Wanneroo substantiated a complaint relating to odour on 27 August 2015 by tracing the sewage odour back to Amazon's western facility boundary. An easterly wind was blowing at the time. The City of Wanneroo inspectors noted that a processing/aeration process for the biosolids was being carried out which may have been the cause of the odour. It was also noted that a large pile of chicken manure was on the premises and a Cleanaway truck was emptying bread and vegetables onto one of the mulch piles. The City of Wanneroo was concerned that these mulch piles could be creating an environment for fly breeding. The City of Wanneroo requested that Amazon take steps to immediately ensure that all odour is contained within the property so that it does not create a nuisance to surrounding properties. The City of Wanneroo letter to Amazon was dated 10 September 2015.

DER was also notified of the City of Wanneroo letter to Amazon. In response, DER organised an inspection of the premises. The inspection was carried out with a Compliance Inspector, Enforcement Officer and Controlled Waste Officer on 24 September 2015.

The outcome of the inspection note that the licensee was accepting waste not authorised on the licence.

DER inspectors directed the licensee to immediately stop receiving food waste, manure and any other wastes not listed in table 1.3.1 of this licence (set at the time of inspection on the 24 September 2015) until such time the licence is amended authorising the acceptance of other waste streams.

The Licensee has always accepted food waste and some manures for composting. The removal of the ability to accept food waste and manures in the REFIRE licence (6 Jan 2014) was an oversight by the Licensee.

This amendment is to rectify the acceptance of food waste and manures on site as it has been accepting this waste for 12 years.

Due to the urgency of this amendment to start accepting food waste and manures as was previously the case, a subsequent amendment will be applied to accept liquid waste on site.