



Decision Document

Environmental Protection Act 1986, Part V

Proponent: A.K.C Pty Ltd

Licence: L7236/1997/11

Registered office: A.K.C Pty Ltd
C/- Grant Thornton Australia Limited (Perth)
Level 1, 10 Kings Park Rd, West Perth WA 6005

ACN: 008 747 911

Premises address: Baileys Fertilisers
24 Beach Street
KWINANA WA 6167
Being Lot 432 on Plan 3837 as depicted in Schedule 1.

Issue date: Monday, 5 January 2015

Commencement date: Wednesday, 7 January 2015

Expiry date: Saturday, 4 January 2022

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 Works Approval Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Peter van Schoubroeck
Licensing Officer

Decision Document authorised by: Caron Goodbourn
Delegated Officer



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1 Purpose of this Document

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



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	67A	20 000 tonnes per annual period
	33	10 000 tonnes per annual period
Application verified	Date: not applicable	
Application fee paid	Date: not applicable	
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	Not applicable	
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"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
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"/>	Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Environmental Protection (Kwinana)(Atmospheric Wastes) Policy Approval Order 1999,		
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



3 Executive summary of proposal and assessment

A.K.C. Pty Ltd trading as Baileys Fertilisers (Baileys) manufacture fertilisers, potting mixes and mulches for horticultural and domestic market. The company has been operating in Kwinana since the 1980's. Baileys is an AS/NZS ISO9001 quality endorsed company, are NIASA EcoHort certified and a Fertcare accredited organisation.

Baileys is located 42 kilometres south west of Perth city. It is located in an area zoned General Industrial. The site is almost level with a gentle gradient towards the south west corner. The surface geology of the site is Safety Bay Sand with Leolian and Beach lime sand. Groundwater is at ~4 meters below ground level. The groundwater flow is in a westerly direction towards the ocean. The closest residents are located about two kilometres away, directly east within the City of Kwinana centre.

Baileys purchase products such as sawdust and pine bark for composting. Lime sand, superphosphate and urea are added to these products and composted on site. The material undergoing treatment in compost stockpiles is watered with sprinklers to assist the composting process. Baileys also purchase composted organic material for packaging or blending into soil conditioners and mulches.

The blending and processing into granulate material occurs inside a shed. A dust extraction system and cyclone unit are used to control dust emissions, capturing product for returning to the production cycle. Products are then packaged on site for sale as blended fertiliser products. The process involves raw fertiliser material fed into the hopper, the hammer mill pulverises it and then the milled product moves to the granulation pan where water is added. The moist granules are placed into the drying oven. Once dried are screened out into different grades and sizes.

This Decision Documents is for the Licence amendment issued on 18 January 2016 as a result of an amendment sought by the Licensee to remove the requirements for moisture monitoring of the compost stockpiles, increase the waste input production capacity limit for composting activities to 20,000 tonnes per annual period and includes administrative amendments. The amendments cover:

- Administrative amendments;
- Updated interpretation terminology;
- Removal of redundant text and conditions;
- Removal of the requirement to monitor moisture content within the compost;
- Increase the waste input production capacity limit for composting activities to 20,000 tonnes per annual period;
- Extend the licence duration until 2022; and
- Reassessment of odour and dust regulatory controls for composting activities.

No risk assessments for any emissions or activities other than dust and odour arising from composting activities (category 67A) have been undertaken as part of this amendment.

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
<p>Interpretation and general conditions</p>	<p>N/A</p>	<p>Operation</p> <p>Administrative amendments included the following:</p> <ul style="list-style-type: none"> Condition 1.1.2 has been amended: to ensure definitions listed within the licence were accurate and appropriate. This includes the definition for AHD and BGL with regards to groundwater monitoring under condition 2.4.1 and a more accurate definition for green waste. Condition 1.1.4 has been amended: the reference to code of practice has been deleted, no codes of practice are referred to in the licence. Condition 1.2.1 has been deleted; the provision was not a condition, it provided an explanatory statement that attempted to clarify the operation of a licence. Condition 1.2.2 under the previous licence version has been deleted; the condition is considered redundant. Condition 1.2.3 under the previous licence version has been deleted; the condition is considered redundant. Condition 1.2.4 under the previous licence version has been deleted; the condition is considered redundant. Condition 1.2.5 under the previous licence version has been deleted; the condition is considered redundant. Emission risks arising from stormwater can be adequately regulated by conditions specified within the licence, the <i>Environmental Protection (Unauthorised Discharge) Regulations 2004</i> or the general provisions of the <i>Environmental Protection Act 1986</i> 	<p>General provisions of the <i>Environmental Protection Act 1986</i></p>



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Premises operation	N/A	<p>Operation</p> <p>Administrative amendments included the following:</p> <ul style="list-style-type: none"> • Condition 1.2.1 (being condition 1.3.1 under the previous licence version) has been amended to specify the production limit of 20,000 tonnes per annual period, up from 15,000 tonnes per annual period. The increase is justified by: <ul style="list-style-type: none"> ◦ The Licensee calculation that the existing composting facilities at the Premises provides for a production capacity of 15,484 tonnes per annual period; and ◦ The risk assessments under the 'Fugitive emissions' and 'Odour' sections of this Decision Document. • Condition 1.3.2 (under the previous licence version) has been deleted; the condition is considered redundant. • Condition 1.2.2 (being condition 1.3.3 under the previous licence version) has been amended to ensure appropriate referencing and terminology to definitions and between conditions. • Condition 1.2.3 (being condition 1.3.4 under the previous licence version) has been amended to remove the reference to sumps. As described in Schedule 1 of the licence sumps manage uncontaminated stormwater and lined ponds manage contaminated stormwater and leachate. 	General provisions of the <i>Environmental Protection Act 1986</i>
Emissions general	N/A	<p>Operation</p> <p>Administrative amendments included the following:</p> <ul style="list-style-type: none"> • Sections 2.1 - 2.5 and 2.8 under the previous licence version were deleted. The no specified conditions text was a provision and not a condition. It was a drafting construction that was used to retain consistent numbering in templates. 	General provisions of the <i>Environmental Protection Act 1986</i>
Fugitive emissions	N/A	<p>Operation</p> <p><u>Emission description:</u> <i>Emission:</i> Dust from vehicle and machinery operations and lift off from compost and raw material stockpiles is possible if appropriate dust management procedures are not implemented. This includes the provision for an increase in the production capacity from 15, 000 to 20,000 tonnes per annual period.</p>	General provisions of the <i>Environmental Protection Act 1986</i>



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Fugitive emissions cont.		<p>Impact: Reduced local air quality from airborne particulates is possible which may impact roadways and commercial receptors which are located adjacent to and surrounding the Premises.</p> <p>Controls: Vehicle speed restrictions, controlled access, partially sealed roads, access to water carts and compost stockpile sprinkler systems.</p> <p><u>Risk assessment:</u> Consequence: Minor Likelihood: Possible Risk Rating: Moderate</p> <p><u>Regulatory Controls:</u> It is considered that the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> are sufficient to regulate dust emissions. Conditions 2.6.1 and 2.6.2 in the previous licence version have been removed. Condition 1.2.1 in the licence set in an input production limit of 20,000 tonnes per annual period, up from 15, 000 tonnes.</p> <p><u>Residual risk assessment:</u> Consequence: Minor Likelihood: Possible Risk Rating: Moderate</p>	
Odour	N/A	<p>Operation <u>Emission Description</u> Emission: Odour arising from the storage and processing of waste material feed stocks, compost and any liquid waste (leachate) residing at the Premises. This includes the provision for an increase in the production capacity from 15, 000 to 20,000 tonnes per annual period.</p> <p>Impact: Interference with the health, welfare, convenience, comfort or amenity of commercial receptors located adjacent to and surrounding the Premises is possible.</p> <p>Controls: Adherence to standard operational procedures (SOP4.03 Raw material release procedure; SOP5.03f Compost, soil conditioner and mulch manufacture; and</p>	General provisions of the <i>Environmental Protection Act 1986</i>



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Odour cont.		<p>SOP4.02 Incoming goods handling) for the management and acceptance materials contribute to odour management. Only pine bark, sawdust, fully composted chicken manure and trace materials are used at the Premises. Composting stockpiles are turned weekly.</p> <p><u>Risk assessment:</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> It is considered that the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> are sufficient to regulate potential fugitive (odour) emissions from the liquid waste facility and any other fugitive emissions arising from activities at the Premises. Condition 1.2.1 in the licence set in an input production limit of 20,000 tonnes per annual period, up from 15, 000 tonnes. Condition 1.2.2 in the licence requires the standards operation procedures to be followed ensuring that odour mitigating process controls are maintained. Condition 2.7.1 in the previous licence version has been removed.</p> <p><u>Risk assessment:</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Operation</u> Administrative amendments included the following: • Sections 3.2 – 3.5 and 3.9 in the previous licence version were deleted. The no specified conditions text was a provision and not a condition. It was a drafting construction that was used to retain consistent numbering in templates.</p>	
Monitoring general	N/A		General provisions of the <i>Environmental Protection Act 1986</i>



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Process monitoring	2.3.1	<p>Operation An amendment was requested by A.K.C Pty Ltd to remove the requirement to monitor moisture content within the compost stockpiles. The amendment request is on the basis that moisture monitoring has never been undertaken and does not form part of the standard operational procedures at the premises. The provision was applied through the license amendment issued on 05/01/2015.</p> <p>Considering that the monitoring of moisture content within the compost stockpiles has never taken place there are no grounds to consider that removal of the requirement within the licence would affect the potential for emissions of leachate or odour. The amendment to condition 2.3.1 is granted.</p>	General provisions of the <i>Environmental Protection Act 1986</i>
Ambient quality monitoring	2.4.1	<p>Operation The provision for groundwater monitoring to record groundwater levels has been included. The parameter is considered to be a standard parameter for the monitoring of groundwater.</p>	General provisions of the <i>Environmental Protection Act 1986</i>
Improvements	N/A	<p>Operation All improvement conditions were deleted. As per DER correspondence dated 28 May 2015 the improvement conditions have been complied with. Compliance documents for Works Approval W5069/2011/1 were submitted on 23 March 2015.</p>	General provisions of the <i>Environmental Protection Act 1986</i>
Information	N/A	<p>Operation Administrative amendments included the following:</p> <ul style="list-style-type: none"> Condition 5.1.2 (under the previous licence version) has been deleted; the condition is considered redundant. Section 5.3 has been deleted. The no specified conditions text was a provision and not a condition. It was a drafting construction that was used to retain consistent numbering in templates. 	General provisions of the <i>Environmental Protection Act 1986</i>



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Licence duration	N/A	The expiry date of the licence has been amended with an extension of two years, being until (6 January 2022). The Licensee holds a lease over the Premises land valid until 19 April 2022. This timeframe takes into consideration the factors within the document <i>Guidance statement: licence duration</i> . No other relevant statutory approvals have been identified as limiting the timeframe for the granting of the licence.	Department of Environment Regulation 2015, <i>Guidance statement: licence duration</i> General provisions of the <i>Environmental Protection Act 1986</i>

5 Advertisement and consultation table

Date	Event	Comments received/ notes	How comments were taken into consideration
09/12/2015	Proponent sent a copy of draft instrument	(i) Request to increase production design limit for composting from 15,000 tonnes to 20,000 tonnes per year. (ii) Removal of existing improvement conditions. (iii) Administrative type errors.	(i) Approved as per risk assessment within the decision document. (ii) Improvement conditions removed, as per Department of Environment Regulation correspondence dated 28 May 2015, the condition have been complied with. (iii) Errors corrected.
18/01/2016	Instrument issue advertised in West Australian		



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

