



Annual Audit Compliance Report Form

Environmental Protection Act 1986, Part V Division 3

Once completed, please submit this form either via email to info@dwer.wa.gov.au, or to the below postal address:

Department of Water and Environmental Regulation
Locked Bag 10
Joondalup DC WA 6919

Section A – Licence details			
Licence number:	L6932/1988/11	Licence file number:	2010/002314
Licence holder name:	Derby Industries Pty Ltd		
Trading as:	CM Farms		
ACN:	009 033 612		
Registered business address:	6 Short Street Fremantle, WA 6160		
Reporting period:	01/01/2022 to 31/12/2022		

Section B – Statement of compliance with licence conditions
Did you comply with all of your licence conditions during the reporting period? (please tick the appropriate box)
<input type="checkbox"/> Yes – please complete: <ul style="list-style-type: none">• section C;• section D (if required); and• sign the declaration in Section F.
<input checked="" type="checkbox"/> No – please complete: <ul style="list-style-type: none">• section C;• section D (if required);• section E; and• sign the declaration in Section F.

Section C – Statement of actual production	
Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.	
Prescribed premises category	Actual production quantity
2: Intensive Piggery	Refer to Pig Numbers – Appendix I

Section D – Statement of actual Part 2 waste discharge quantity	
Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached.	
Prescribed premises category	Actual Part 2 waste discharge quantity
N/A	N/A

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	16	Date(s) of non-compliance:	March 2022
Details of non-compliance:			
<p>Ponds 3 and 4 have been desludged by the dates specified in Condition 16. However, the sediment has not been stored in accordance with Column 3 of Table 5 specified in Condition 16.</p> <p>Column 3 of Table 5 specifies that sediment from Ponds 3 and 4 is to be either:</p> <p><i>“Removed from the Premises; or</i></p> <p><i>Stored in an area that:</i></p> <p><i>a) is bunded to retain all liquid from the sludge removed from the ponds; and</i></p> <p><i>b) meets the hydraulic conductivity requirements of less than 1.0×10^{-9} m/s, prior to removal from the Premises”.</i></p> <p>Sediment from ponds 3 and 4 has been placed on the paddock area to the north of the wastewater treatment ponds, within the boundary of the Premises.</p>			
What was the actual (or suspected) environmental impact of the non-compliance?			
<p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>The landowner has installed two groundwater monitoring bores in April 2022 up and down gradient of the sediments to monitor groundwater qualities. In addition, CM Farms undertakes regular monitoring of the groundwater bores around the Premise in accordance with their Licence requirements. There have been no observable exceedances in background nutrient levels at the bores located on the Premise boundary (MW03 and MW04) since the sediment was moved to the paddock area.</p>			
Cause (or suspected cause) of non-compliance:			
<p>CM Farms understands that the works relating to the placement of the sediments were undertaken by another party as part of the broader management of contamination at the site and were reviewed by a contaminated sites auditor.</p>			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>CM Farms has requested that the sediments are either removed from the site or relocated to an impermeable bunded area.</p> <p>Construction of an impermeable bunded area and the movement of the sediments is expected to occur in autumn 2023 at a time when the condition of the sediments is dry.</p>			




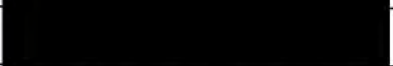
Section E – Details of non-compliance with licence condition	
Was this non-compliance previously reported to DWER?	
<input checked="" type="checkbox"/> Yes, and	
<input checked="" type="checkbox"/> Reported to DWER verbally	Date: 7/7/2022
<input type="checkbox"/> Reported to DWER in writing	Date: / /

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	17	Date(s) of non-compliance:	May 2022
Details of non-compliance:			
Condition 17 requires the Licence Holder to provide a report to the Department within 21 days of ponds 3 and 4 being desludged. A report was provided to the Department in compliance with Condition 17, which states that works were completed in March 2022, however, it was submitted on 7 June 2022, being later than the timeframe specified in condition 17.			
What was the actual (or suspected) environmental impact of the non-compliance? NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
There is no actual or suspected environmental impact from submission of the report past the due date.			
Cause (or suspected cause) of non-compliance:			
Works relating to the desludging of Ponds 3 and 4 are undertaken by the landowner and the resulting report was prepared by the landowner's consultant.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
There are no adverse effects from the late submission of the report. No further reporting is required to address Condition 17.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date: 7/7/2022	
<input type="checkbox"/> Reported to DWER in writing		Date: / /	

Section F – Declaration

I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular¹.

I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.

Signature ² :		Signature:	
Name: (printed)		Name: (printed)	
Position:	DIRECTOR	Position:	COMPANY SECRETARY
Date:	22/3/23	Date:	22/3/2023
Seal (if signing under seal):			

¹ 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.

² AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.