



***Environmental Protection Act 1986***  
**LICENCE**

**LICENCE NUMBER:** L2/2008/2

**FILE NUMBER:** 2010/010797

**NAME OF OCCUPIER:**

Charla Downs Pty Ltd  
ACN: 008 671 083

**ADDRESS OF OCCUPIER:**

Lot 37 & Lot 38 Coronation Rd  
WAROONA WA 6215

**NAME AND LOCATION OF PREMISES:**

Charla Downs Pty Ltd  
Lot 37 on Plan 228592 & Lot 38 on Plan 119205, Coronation Rd,  
WAROONA WA 6215  
(as depicted in attachment 1)

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***Environmental Protection Regulations 1987***

**CLASSIFICATION(S) OF PREMISES:**

Category 01: Cattle Feedlot

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**COMMENCEMENT DATE OF LICENCE:** Sunday 17 April 2011

**AMENDMENT DATE:** Wednesday 6 April 2016

**EXPIRY DATE OF LICENCE:** Saturday 16 April 2022

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**CONDITIONS OF LICENCE:**

As described and attached:

DEFINITION(S) (2)

GENERAL CONDITION(S) (5)

AIR POLLUTION CONTROL CONDITION(S) (1)

WATER POLLUTION CONTROL CONDITION(S) (5)

SOLID WASTE POLLUTION CONTROL CONDITION(S) (1)

ATTACHMENT(S) (2)

Date signed: 6 April 2016

.....  
Officer delegated under Section 20  
of the *Environmental Protection Act 1986*

Date of Issue: Monday 11 April 2011



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## PREAMBLE

### Applicability

This licence is issued to Charla Downs Pty Ltd for the Charla Downs Operations located on Lots 37 and 38 Coronation Road, Waroona, which is a prescribed premises within Schedule 1 of the *Environmental Protection Regulations 1987*. Collected manure from the feedlot shall either be spread over the property as a fertiliser substitute or exported offsite.

This facility is prescribed within Schedule 1 of the *Environmental Protection Regulations 1987* as outlined in Table 1:

**Table 1: Categories under which Charla Downs Pty Ltd is prescribed**

Category number	Category name	Description
1	Cattle feedlot	Premises on which the watering and feeding of cattle occurs, being premises- (a) Situated less than 100 metres from a watercourse; and (b) On which the number of cattle per hectare exceeds 50.

### Nominal Rated Throughput

The nominal rated throughput of the premises covered by this Licence is in accordance with the following:

- Quantity of cattle at any one time: 5000 animals

Any significant increase (greater than 10 percent) above the nominal rated throughput listed shall not occur unless the licensee has been granted prior approval in writing from the CEO under the provisions of the *Environmental Protection Act 1986*.

### Other legal requirements

The Licensee should be aware that these conditions do not exempt the Premises/ Licensee from other statutory obligations under the *Environmental Protection Act 1986* or any other Acts. This includes the Licensee's obligations under the:

- Environmental Protection Regulations 1987 (as amended)*; and
- Environmental Protection (Noise) Regulations 1997*.

Where there is conflict between the conditions set in this Licence and any Act or Regulations, the latter takes precedence.

### Non-standard Operations

The Licensee should inform the CEO, at least 24 hours prior to the commencement of any planned non-standard operation which may have the potential to cause pollution.

### Emergency, Accident or Malfunction

The Licensee should inform the CEO within 2 normal working days of the identification of any discharge of waste which has occurred as a result of an emergency, accident or malfunction, or extreme weather conditions, otherwise than in accordance with any condition of this licence and has caused or is likely to cause pollution.



LICENCE NUMBER: L2/2008/2

FILE NUMBER: 2010/010797

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### General Requirements

The following statements reflect important sections of the *Environmental Protection Act 1986* and are included for the information of the licensee:

- The licensee should take all reasonable and practicable measures to prevent pollution of the environment.
- The licensee should take all reasonable and practicable measures to prevent or minimise the discharge of waste and the emission of noise, odours or electromagnetic radiation from the premises.
- The licensee should inform the CEO at least 24 hours prior to the commencement of any planned non-standard operations, which may have the potential to cause pollution.

### Alteration to Premises

Prior to making any significant alterations to the premises which may affect the air, water or noise emissions from the premises the Licensee must submit a proposal to the CEO accompanied by supporting information and plans which allow the environmental impacts of that change to be assessed.

## CONDITIONS OF LICENCE

### DEFINITIONS

“CEO” means the Chief Executive Officer of the Department of Environment Regulation;

“CEO” for the purpose of correspondence means:

Chief Executive Officer

At the following address:

Department Administering the *Environmental Protection Act 1986*

Locked Bag 33

CLOISTERS SQUARE WA 6850

Email: [info@der.wa.gov.au](mailto:info@der.wa.gov.au)

### GENERAL CONDITIONS

#### REPORTING REQUIREMENTS

- G1 The licensee shall, **by 1 November of each year**, provide to the CEO, an annual monitoring report containing the monitoring data or other collected data required by condition G5 of this licence. The report shall contain data collected over the **12 month period commencing 1 September and finishing on 31 August**.
- G2 The licensee shall **by 1 November in each year**, provide to the CEO an annual audit compliance report in the form in Attachment 2 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the Premises, during the period beginning 1 January the previous year and ending on 31 December.



**LICENCE NUMBER: L2/2008/2**

**FILE NUMBER: 2010/010797**

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#### DISPOSAL OF ANIMAL CARCASSES

- G3 The licensee shall dispose of any dead animal within 24 hours of their death in an approved manner.

#### REMOVAL AND STORAGE OF MANURE

- G4(a) The licensee shall ensure that manure generated from the feedlotting of animals is collected on at least an annual basis or at the end of each extended use (six months or more) of a particular feedlot paddock.
- G4(b) The licensee shall only stockpile manure onsite in the manure storage areas, constructed as per W3(a).

#### MONITORING OF ANIMAL NUMBERS AND LOCATION

- G5 The licensee shall maintain a fortnightly record of animal numbers feedlotted at the premises, and the paddock numbers that the animals were feedlotted on. The licensee shall provide a copy of this record to the CEO in the annual report in a tabular format.

### AIR POLLUTION CONTROL CONDITIONS

#### DUST MANAGEMENT

- A1 The licensee shall use measures to prevent the emission of visible dust crossing the boundary of the premises. Such measures may include:
- (i) seeding, cultivating, top dressing and/or destocking so as to maintain vegetative ground cover through the summer and autumn months;
  - (ii) installing sprinkler or ground water irrigation to maintain soil moisture at a level which minimises dust generation; or
  - (iii) the construction of further feedlot facilities.

### WATER POLLUTION CONTROL CONDITIONS

#### STOCK HOLDING LOCATION

- W1 The licensee shall undertake all intensive stock holding at least 100 metres away from any premises boundary, river, drain or creek bed.

#### UNCONTAMINATED STORMWATER RUN-OFF

- W2 The licensee shall direct uncontaminated stormwater run-off away from intensive stock holding areas.

#### INTENSIVE STOCK HOLDING, MANURE STORAGE AND TRUCK WASHDOWN AREAS

- W3(a) The licensee shall construct and maintain the manure storage areas with a compacted crushed limestone (or other similar material in an approved manner) base of minimum thickness of 300 millimetres and with side bunding of compacted crushed limestone (or other similar material in an approved manner) of minimum height of 300 millimetres.



**LICENCE NUMBER: L2/2008/2**

**FILE NUMBER: 2010/010797**

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- W3(b) The licensee shall construct and maintain the truck washdown areas with a compacted crushed limestone (or other similar material in an approved manner) base of minimum thickness of 300 millimetres and with side bunding of compacted crushed limestone (or other similar material in an approved manner) of minimum height of 300 millimetres.

#### WASTEWATER COLLECTION AND STORAGE

- W4(a) The licensee shall install and maintain cutoff drains around all intensive stock holding areas, manure storage areas and truck washdown areas to collect contaminated runoff and to intercept contaminated groundwater. The depth of the cutoff drains shall be excavated down to the underlying coffee rock or clay soil horizon.
- W4(b) The licensee shall direct all contaminated run-off and wastewater in the cutoff drains (from all intensive stock holding areas, manure storage areas and truck washdown areas) to a wastewater holding pond(s).
- W4(c) The licensee shall construct and maintain the wastewater holding pond(s) to incorporate the following features:
- (i) there is no observable seepage loss from the pond(s);
  - (ii) vegetation and floating debris (emergent or otherwise) shall be prevented from encroaching onto pond surfaces or inner pond embankments;
  - (iii) the pond(s) are sized such that an overflow does not occur except in a rainfall year exceeding one in ten; and
  - (iv) water discharges from the holding pond(s) shall be via a dedicated discharge point.

#### IRRIGATION OF WASTEWATERS

- W5 The licensee shall only irrigate wastewater from the holding pond(s) in an approved manner.

### SOLID WASTE POLLUTION CONTROL CONDITIONS

#### MANURE SPREADING

- S1(a) The licensee shall apply manure dry matter to the premises as a fertiliser substitute at an application rate of not more than 10 dry tonnes per hectare per year. This is equivalent to a loading rate of 150 kilograms of Nitrogen, 150 kilograms of Phosphorus and 250 kilograms of Potassium per hectare per year.
- S1(b) The licensee shall not apply manure within 50 metres any river, drain or creek bed on the premises, or when rain is expected or has occurred within 48 hours of proposed application.

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**LICENCE NUMBER: L2/2008/2**

**FILE NUMBER: 2010/010797**

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Officer delegated under Section 20  
of the *Environmental Protection Act 1986*  
Date of issue: Monday 11 April 2011

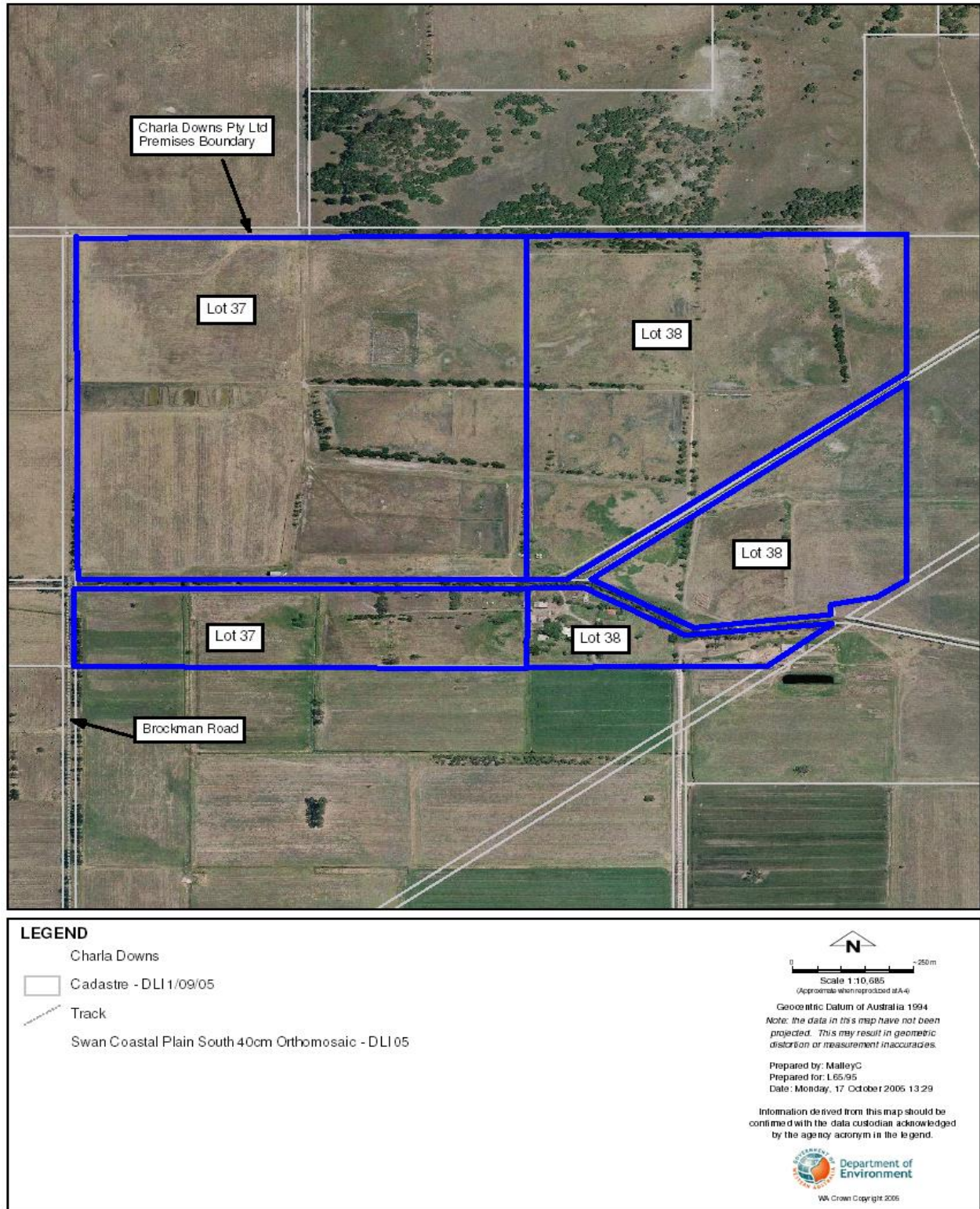




LICENCE NUMBER: L2/2008/2

FILE NUMBER: 2010/010797

### Attachment 1: Plan of Premises





LICENCE NUMBER: L2/2008/2

FILE NUMBER: 2010/010797

**ATTACHMENT 2**  
**SECTION A**

**LICENCE DETAILS**

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

**STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS**

1. Were all conditions of 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: \_\_\_\_\_





LICENCE NUMBER: L2/2008/2

FILE NUMBER: 2010/010797

## **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 breach occurred, if applicable?	
Did this breach result in an incident that is reportable under section 72 of the <i>EP Act 1986</i> or licence condition?	
<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
c) Summary of particulars of compliance breach, and what was the environmental impact?	
d) If relevant, the precise location where the breach occurred (attach map or diagram)	
e) Cause of breach	
f) Action taken or that will be taken to mitigate any adverse effects of the breach	
g) Action taken or that will be taken to prevent recurrence of the breach	

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report



LICENCE NUMBER: L2/2008/2

FILE NUMBER: 2010/010797

INITIAL: \_\_\_\_\_

## **SECTION C - SIGNATURE AND CERTIFICATION**

This Annual Audit Compliance Report may only be signed by a person(s) with legal authority to sign it. The ways in which the Annual Audit Compliance Report 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 Annual Audit Compliance Report 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 Corporations Act 2001; 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)



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Charla Downs Pty Ltd

**Licence:** L2/2008/2

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**Registered office:** Unit 2, 356 Oxford Street  
LEEDERVILLE WA 6007

**ACN:** 008 671 083

**Premises address:** Charla Downs Pty Ltd  
Lot 37 on Plan 228592 & Lot 38 on Plan 119205  
WAROONA WA 6215

**Issue date:** Monday 11 April 2011

**Commencement date:** Sunday 17 April 2011

**Expiry date:** Saturday 16 April 2022

### Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Gargi Joshi  
Licensing Officer

Decision Document authorised by: Lauren Trott  
Delegated Officer



## Contents

Decision Document	1
Contents	2
1 Purpose of this Document	2
2 Administrative summary	3
3 Executive summary of proposal and assessment	4
4 Decision table	5
5 Advertisement and consultation table	6

## 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
	1	5000 animals
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		
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 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

Charla Downs Pty Ltd operates a beef cattle feedlot with design capacity to hold up to 5000 head of cattle. The feedlot has operated at this location for approximately 30 years. First licence under the *Environmental Protection Act 1986* (EP Act) was granted to the premises on 17 April 2008. The feedlot also holds accreditation under the National Feedlot Accreditation Scheme.

Existing infrastructure at the premises include following:

- Fenced paddocks and laneways;
- Feed troughs;
- Stock watering infrastructure (bores, pipe, troughs);
- Tractor and feed mixer;
- Fodder shed for hay and grain;
- Front end loader for moving fodder and pen clearing;
- Cutoff drain and wastewater holding ponds.

Key emissions associated with the premises include solid/ liquid waste management, stormwater management, odour emissions and fugitive dust management. Fugitive dust management measures at the premises include maintaining vegetative ground cover through summer and autumn using measures such as seeding, cultivating, top dressing and destocking. Uncontaminated stormwater runoff is directed away from intensive stock holding areas. Cutoff drains around intensive stock holding areas are directed to wastewater holding ponds.

This licence amendment is initiated by the Department of Environment Regulation (DER). DER's *Guidance Statement: Licence Duration* provides for the granting of licences for up to 20 years duration. DER is implementing this guidance statement by extending the durations for all licensed prescribed premises. Any restrictions on the duration of planning approval have been considered when determining duration of licences.

The extension of expiry dates will enable both DER and licensees to undertake an ordered and structured implementation of DER's risk-based regulatory framework (currently undergoing public consultation) to existing premises. Risk-based reviews for the assessment of licenced prescribed premises will be undertaken in accordance with DER's regulatory framework. Existing licence conditions and controls are considered appropriate in the interim. The premises will be subject to ongoing compliance inspections and investigations following incidents and complaints, in accordance with the EP Act.





## 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
Licence Duration	-	<p>Original expiry date of licence L2/2008/2 was 16 April 2016. This licence amendment is initiated by the Department of Environment Regulation (DER). DER's <i>Guidance Statement: Licence Duration</i> provides for the granting of licences for up to 20 years duration. DER is implementing this guidance statement by extending the durations for all licensed prescribed premises. Any restrictions on the duration of planning approval have been considered when determining duration of licences.</p> <p>The extension of expiry dates will enable both DER and licensees to undertake an ordered and structured implementation of DER's risk-based regulatory framework (currently undergoing public consultation) to existing premises. Risk-based reviews for the assessment of licenced prescribed premises will be undertaken in accordance with DER's regulatory framework. The premises will be subject to ongoing compliance inspections and investigations following incidents and complaints, in accordance with the EP Act.</p> <p>DER therefore has decided to extend duration of current licence to 16 April 2022.</p>	<p>DER Guidance Statement: <i>Land use planning</i>, October 2015</p> <p>DER Guidance Statement: <i>Licence duration</i>, May 2015</p>



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
24/3/2016	Proponent sent a copy of draft instrument	No changes requested.	Not applicable.