



<b>Works Approval Number</b>	W6276/2019/1
<b>Works Approval Holder</b>	Ausvision Rural Services Pty Ltd
<b>ACN</b>	106 075 763
<b>Registered business address</b>	GLOBE BD, Unit 6, 78-84 Catalano Circuit, Canningvale WA 6155
<b>File Number</b>	DER2019/000403
<b>Duration</b>	17/10/2019 to 16/10/2022
<b>Date of issue</b>	17 October 2019
<b>Prescribed Premises</b>	Category 55 –Livestock saleyard or holding pen
<b>Premises</b>	Narrogin Farm Lot 566 (#394) Narrakine Road South DUMBERNING WA 6312 (Deposited Plan 409391)

This Works Approval is granted to the Works Approval Holder, subject to the following conditions, on 17 October 2019, by:

## **MANAGER, PROCESS INDUSTRIES**

an officer delegated under section 20 of the *Environmental Protection Act 1986 (WA)*

## Explanatory notes

These explanatory notes do not form part of this Works Approval.

### Defined terms

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Definition of terms used in this Works Approval can be found at the start of this Works Approval. Terms which are defined have the first letter of each word capitalised throughout this Works Approval.

### Department of Water and Environmental Regulation

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The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986 (WA)* (EP Act). The Department also monitors and audits compliance with licences and works approvals, takes enforcement action and develops and implements licensing and industry regulation policy.

### Works Approval

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Section 52 of the EP Act provides that an occupier of any premises commits an offence if any work is undertaken on, or in relation to, the premises which causes the premises to become, or to become capable of being, Prescribed Premises, except in accordance with a works approval.

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered or permitted to be altered from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987 (WA)* (EP Regulations).

This Works Approval does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to, the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Works Approval Holder to ensure that any action or activity referred to in this Works Approval is permitted by, and is carried out in compliance with, statutory requirements.

The Works Approval Holder must comply with the Works Approval. Contravening a Works Approval Condition is an offence under s.55 of the EP Act.

### Responsibilities of Works Approval Holder

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Separate to the requirements of this Works Approval, general obligations of Works Approval Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Works Approval Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under s.61; and
- 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 (s.53).

Strict penalties apply for offences under the EP Act.

### Reporting of incidents

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The Works Approval Holder has a duty to report to the Department all Discharges of Waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

### Offences and defences

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The EP Act and its regulations set out a number of offences including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Works Approval Holder commits an offence if Emissions are caused, or altered, from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a closure notice or an environmental protection notice.

Defences to certain offences may be available to a Works Approval Holder and these are set out in the EP Act. Section 74A(b)(iii) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Works Approval Holder can prove that an Emission or Discharge occurred in accordance with a Works Approval.

This Works Approval specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of specified Emissions and Discharges, in order for the defence to offence provision to be available.

### Authorised Emissions and Discharges

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The specified and general Emissions and Discharges from the Works authorised through this Works Approval are authorised to be conducted in accordance with the Conditions of this Works Approval.

### Amendment of Works Approval

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The Works Approval Holder can apply to amend the Conditions of this Works Approval under

s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Works Approval at any time on the initiative of the CEO without an application being made.

#### Duration of Works Approval

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The Works Approval will remain in force for the duration set out on the first page of this Works Approval or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

#### Suspension or revocation

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The CEO may suspend or revoke this Works Approval in accordance with s.59A of the EP Act.

## Definitions and interpretation

### Definitions

In this Works Approval, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Condition	means a condition to which this Works Approval is subject under s.62 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act
Department request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Works Approval Holder in writing and sent to the Works Approval's address for notifications, as described at the front of this Works Approval, in relation to:  (a) compliance with the EP Act or this Works Approval; (b) the Books or other sources of information maintained in accordance with this Works Approval; or (c) the Books or other sources of information relating to Emissions from the Premises.
Discharge	has the same meaning given to that term under the EP Act
DWER	Department of Water and Environmental Regulation
Emission	has the same meaning given to that term under the EP Act
Environmental Compliance Report	means a report to satisfy the CEO that Works have been constructed in accordance with the works approval.
Environmental Harm	has the same meaning given to that term under the EP Act.
EP Act	means the <i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	means the <i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	Licence L6859/1987/12 issued under Part V, Division 3 of the EP Act and in force prior to the commencement of, and during this Assessment
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
Material	has the same meaning given to that term under the EP Act.

Environmental Harm	
Premises	refers to the premises to which this Works Approval applies, as specified at the front of this Works Approval and as shown on the map in Schedule 2 to this Works Approval
Time Limited Operations Phase	refers to the limited operation of the primary activities and requirements listed in Table 3 of the Works Approval whilst an amendment application for the Existing Licence is assessed
Works	refers to the Works described in Table 2 of this Works Approval to be carried out at the Premises, subject to the Conditions
Works Approval	refers to this document, which evidences the grant of the works approval by the CEO under s.54 of the EP Act, subject to the Conditions
Works Approval Holder	refers to the occupier of the Premises being the person to whom this Works Approval has been granted, as specified at the front of this Works Approval.

## Interpretation

In this Works Approval:

- (a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a Condition, each row in a table constitutes a separate Condition;
- (d) any reference to an Australian or other standard, guideline or code of practice in this Works Approval means the version of the standard, guideline or code of practice in force at the time of granting of this Works Approval and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Works Approval; and
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

## Conditions

### Construction

1. The Works Approval Holder must construct, install and/or modify the infrastructure:
  - (a) specified in Column 1;
  - (b) to the requirements specified in Column 2; and
  - (c) at the location specified in Column 3; of Table 2 below.
  
2. The Works Approval Holder must not depart from the requirements specified in Column 2 of Table 2 except:
  - (a) where such departure does not increase risks to public health, public amenity or the environment; and
  - (b) all other Conditions in this Works Approval are still satisfied.
  
3. Subject to Condition 1, within 30 days of the completion of the Works specified in Column 1 of Table 2, the Works Approval Holder must provide to the CEO an Environmental Compliance Report which includes a report/engineering/building certification confirming each item of infrastructure or component of infrastructure specified in Column 1 of Table 2 below has been constructed with no material defects and to the requirements specified in Column 2 at the location specified in Column 3.
  
4. Where a departure from the requirements specified in Column 2 of Table 2 occurs and is of a type allowed by Condition 2, the Works Approval Holder must provide to the CEO a description of, and explanation for, the departure along with the certification required by Condition 3.

**Table 2: Infrastructure and equipment requirements table**

Column 1	Column 2	Column 3
<b>Infrastructure / Equipment</b>	<b>Requirements (design and construction)</b>	<b>Site plan reference (refer Schedule 3 )</b>
Livestock holding yard(s) <b>and dome shelters</b>	Constructed with bunding or cut off drains to divert stormwater flows away from livestock holding areas and to contain and prevent any manure from being washed out of the livestock holding areas	Drafting yard

### Time Limited Operations Phase

5. The Works Approval Holder may only operate during the Time Limited Operations Phase where the Environmental Compliance Report required by Condition 3 of this works approval has been submitted by the Works Approval Holder.
  
6. The Works Approval Holder may conduct the activities in accordance with the requirements listed in Table 3 during the Time Limited Operations Phase:
  - (a) for a period not exceeding 180 calendar days from the submission date of the Environmental Compliance Report required by Condition 3 of this works approval;
  - or**
  - (b) until such time as an amendment of the Existing Licence is granted.
  
7. During the Time Limited Operations Phase, the Works Approval Holder must ensure

that the site infrastructure and equipment listed in Column 1 is maintained and operated in accordance with the requirements listed in Column 2 at the corresponding infrastructure location listed in Column 3 of Table 3.

**Table 3: Infrastructure and equipment controls during the time limited operational phase**

Column 1	Column 2	Column 3
Infrastructure/ Equipment	Operational Requirements	Location as noted in Schedule 3
Livestock holding yard(s)	<ul style="list-style-type: none"> <li>• Washing of sheep delivery trucks is not to occur on site;</li> <li>• Manure is to be cleared from the holding yards on a monthly basis;</li> <li>• Manure cleared from the holding yards is to be immediately placed on trucks for disposal off-site;</li> <li>• No storage of manure is allowed on site;</li> <li>• Stormwater drainage infrastructure to be maintained to ensure that all manure generated in the holding yards is contained within the holding yards during rainfall events.</li> </ul>	Drafting yard
Dome Shelters	<ul style="list-style-type: none"> <li>• Spent straw and manure is to be cleared from the dome shelters on a monthly basis;</li> <li>• Spent straw and manure cleared from the dome shelters is to be immediately placed on trucks for disposal off-site;</li> <li>• No storage of spent straw is allowed on site;</li> <li>• Drainage infrastructure to be maintained to ensure that all manure generated in the dome shelters is contained within the dome shelters during rainfall events.</li> </ul>	Dome Shelters
Burial pit(s)	<ul style="list-style-type: none"> <li>• In the event of an animal fatality, carcasses are removed on a daily basis from the dome shelters or holding yards and disposed to the dedicated carcass burial pit(s) on site;</li> <li>• Carcasses are covered with at least 300mm of soil within a minimum of two hours following disposal in the carcass burial pit;</li> <li>• When full, burial pits are progressively capped with a minimum of 500mm of compacted clay and mounded to allow shedding of stormwater;</li> <li>• A minimum separation of 50m is to be maintained between the burial pits and the Premises boundary; and</li> <li>• The number of animal carcasses buried and the location of the burial site is to be recorded for the duration of the Works Approval.</li> </ul>	Burial area

## Time Limited Operational Phase requirements

8. Following the completion of the Time Limited Operations Phase, as specified in Condition 6, the Works Approval Holder must submit to the CEO a report within 30 calendar days which includes the following:
- a summary of operations;
  - the total number of animals processed through the Premises during the Time Limited Operations Phase;
  - a daily tally of sheep and lambs held in the livestock holding yards;
  - a weekly tally of sheep and lambs housed in the dome shelters;
  - the frequency of cleaning the livestock holding yards;
  - the frequency of cleaning the dome shelters;
  - the amount of manure and spent straw in tonnes collected from the holding yards and dome shelters and taken off site;
  - the total number of sheep buried in the burial pits; and
  - a list of any complaints received regarding operations on site.

## Emissions

9. The Works Approval Holder must not cause any Emissions from the Works and operations authorised through this Works Approval except for General Emissions described in Column 1 of Table 4, subject to the exclusions, limitations or requirements specified in Column 2, of Table 4.

**Table 4: Authorised Emissions table**

Column 1	Column 2
<b>General Emissions</b>	<b>Exclusions/Limitations/Requirements</b>
Emissions which arise from undertaking the Works and Primary Activities, as set out in Table 5 of Schedule 1	<p>Emissions excluded from General Emissions are:</p> <ul style="list-style-type: none"> <li>unreasonable Emissions; or</li> <li>Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or</li> <li>Discharges of Waste in circumstances likely to cause Pollution; or</li> <li>Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or</li> <li>Emissions or Discharges which do not comply with an Approved Policy; or</li> <li>Emissions or Discharges which do not comply with prescribed standard; or</li> <li>Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or</li> <li>Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</li> </ul>

## Schedule 1: Primary Activities

At the time of assessment, emissions and discharges from the following Primary Activities were considered in the determination of the risk and related conditions for the Premises. The Primary activity is listed in Table 5.

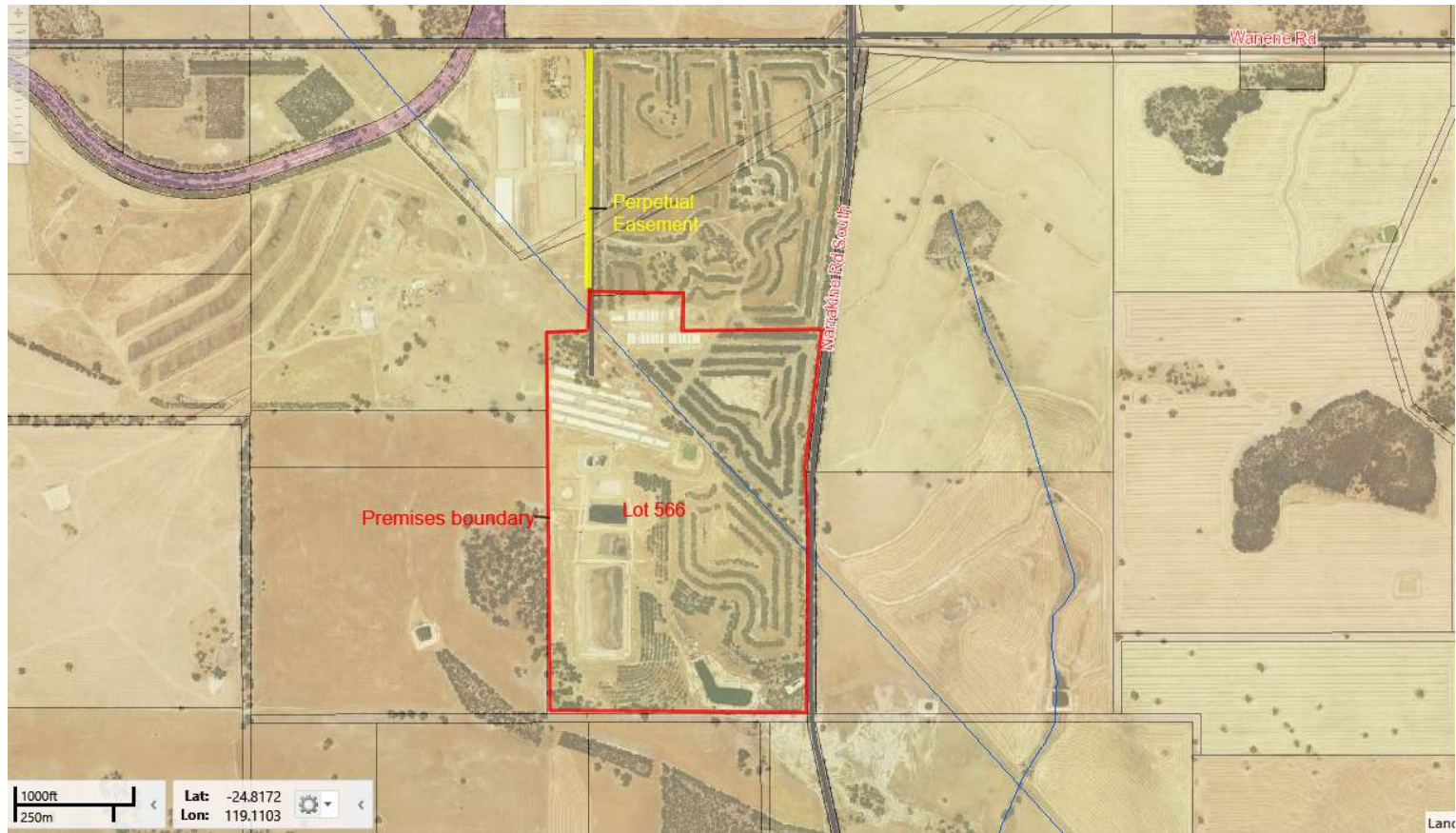
**Table 5: Primary Activities**

Primary Activity	Premises production or design capacity
Category 55: Livestock saleyard or holding pen: premises on which live animals are held pending their sale, shipment or slaughter	50,000 animals (sheep and lambs) per year or 10, 000 animals at any time.

## Schedule 2: Maps

### Premises map

The Premises is outlined in red on the map below.



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IR-T05 Works Approval Template v3.0 (April 2019)

### Schedule 3: infrastructure location

