



CEO-initiated amendment

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L4437/1988/12
Licence holder	Brownes Foods Operations Pty Ltd
DWER file number	DER2013/001125
Premises	Brownes Milk Processing Facility – Brunswick 58 Ommaney Road BRUNSWICK WA 6224
Date of report	14 August 2024
Status of report	Final

1. Scope of amendment

Amendment summary

Brownes Foods Operations Pty Ltd (licence holder) hold licence L4437/1988/12, issued under Part V Division 3 of the *Environmental Protection Act 1986*. The licence is due to expire on 28 November 2024.

The licence relates to operation of a milk processing facility in the rural town of Brunswick, about 20 km north-east of Bunbury. The premises currently operates predominantly as a milk depot, consolidating milk received from local farms for transfer to the licence holder's main processing facility in Balcatta, and also excess milk is processed during high production months to produce evaporated milk and cheese, which includes the management wastewater, whey, and screened solids.

Due to the age and format of the existing licence, the age of the facility, and that the premises has not been subjected to a detailed environmental risk assessment under the department's current regulatory framework, the department had intended on conducting a targeted review of the licence as part of processing a replacement licence in 2024, to ensure:

- the licence still accurately reflects the activities being conducted on the premises;
- all emissions and discharges have been properly identified; and
- there is an appropriate level of regulatory control being applied, commensurate with the risk of impacts from ongoing operations to public health and the environment.

However, due to time constraints, the department proposes to extend the duration of the licence to allow sufficient time for a review and issue of a replacement licence in the new format.

2. Decision

The delegated officer has determined to extend the duration of the existing licence as an administrative change, on the grounds of time constraints to complete a targeted review and issue of a replacement licence in a new format during the transition period to the amended legislation, and that it does not change the obligations of the licence holder in the interim.

The licence duration will be extended by 5 years, now expiring in 2029, in which time it is anticipated the department will have completed its review of the existing licence and issue of a replacement licence in the new format.

In extending licence duration, the delegated officer has also determined to:

- replace references to the former-Department of Environmental Regulation (DER);
- update condition 4.1.3 relating to annual audit compliance reporting requirements, consistent with the current DWER licence template;
- delete redundant 'no specified condition' conditions;
- delete Schedule 2, being a superseded AACR template and outdated reporting forms (LR1, ET1);
- delete notification requirements for breach of licence conditions, which duplicate existing reporting obligations under section 72 of the EP Act; and
- revise licence condition numbers and realign for numerical consistency.

3. Consultation

The draft licence and this report were provided to the licence holder on 17 July 2024 who had no objection to the amendments, and in addition, requested the outdated requirement to report annual and non-annual monitoring data in a specified form to be deleted.

Summary of changes

The below table provides a summary of the updates and will act as a record of implemented changes. All changes have been incorporated on the licence.

Condition / table	Description
<i>Cover page</i>	<i>Expiry date changed to 28/11/2029</i>
<i>Introduction</i>	<i>Premises description and licence summary updated, including instrument log</i>
<i>Definitions</i>	<i>Added definition for Annual Audit Compliance Report Updated definition of CEO Deleted definition for Schedule 2</i>
<i>Condition 2.2-2.4, 2.6, 2.8, 3.2-3.4, 3.6-3.7, 3.9, 4</i>	<i>Deleted, as these are redundant (no-condition conditions)</i>
<i>Condition 5.1.3</i>	<i>Updated AACR condition, consistent with current DWER licence template</i>
<i>Condition 5.2.1</i>	<i>Deleted reference to superseded AACR template</i>
<i>Condition 5.3.1</i>	<i>Deleted duplicated obligations under section 72 of the EP Act</i>
<i>Schedule 2</i>	<i>Deleted, as the AACR template has been superseded and there no longer being a requirement for annual and non-annual monitoring data to be reported in a specified format</i>
<i>N1 form</i>	<i>Deleted</i>