



Application to transfer a licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L5177/1989/13
Applicant	Cutting Cart Pty Ltd
Trading name	Dardanup Butchering Co
ACN	661 123 404
File number	DER2014/001843
Premises	Dardanup Butchering Company Abattoir 100 Wimbridge Road PICTON WA 6229 Legal description – Lot 100 on Plan 61127
Date of report	20 February 2023
Decision	Transfer application granted

1. Decision summary

The delegated officer has determined to transfer licence L5177/1989/13 from the existing licence holder Dardanup Butchering Company Nominees Pty Ltd to Cutting Cart Pty Ltd trading as Dardanup Butchering Co (the applicant). The transfer is administrative in nature therefore does not alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department) has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Transfer summary

Licence L5177/1989/13 is held by Dardanup Butchering Company Nominees Pty Ltd for the DBC Abattoir (the premises), located in Picton at 1100 Wimbridge Road. The premises operates as a multi-species abattoir with an annual production throughput of 30,000 tonnes (liveweight).

The premises relates to Category 15 under schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which is defined in licence L5177/1989/13.

On 21 November 2022 Cutting Cart Pty Ltd submitted an application to the department to transfer licence L5177/1989/13 under section 61 of the EP Act. The application is limited to transferring the licence holder details, including the licence holder name and ACN. The registered business address is unchanged.

3. Assessment

The assessment of transfer applications requires the determination of whether the new occupier meets the department's fitness and competency requirements. The applicant must provide documentary evidence of the date they became occupier of the premises.

Legal occupancy

A certificate of title was provided demonstrating that Cutting Cart Pty Ltd and Cutting Cart Property Pty Ltd are the registered proprietors of the premises (Lot 100 on Deposited Plan 61127) as tenants in common in equal shares. The certificate of title was registered on 27 October 2022.

Cutting Cart Pty Ltd holds an ongoing lease agreement with Cutting Cart Property Pty Ltd relating to the premises, which commenced on 29 September 2022. The lease agreement provides Cutting Cart Pty Ltd with occupancy of the entire premises, including the share owned by Cutting Cart Property Pty Ltd.

Legal entity status

Cutting Cart Pty Ltd is a registered company with a valid and current entry on the Australian & Investments Commission register (ACN 661 123 404) and is therefore a legal entity.

Fitness and competency

The applicant advises it has not been convicted or paid a penalty for an offence under a provision of the EP Act or its subsidiary legislation or similar environmental protection legislation in Australia.

4. Decision

The delegated officer has determined to transfer licence L5177/1989/13 to Cutting Cart Pty Ltd trading as Dardanup Butchering Co on the grounds it is a current legal entity with legal access to the premises and has no known convictions.