



<b>Licence number</b>	L9350/2022/1
<b>Licence holder</b>	Christopher George David Vogel
<b>Registered business address</b>	308 Churchill Road SCOTTSDALE WA 6333
<b>DWER file number</b>	DER2022/000437
<b>Duration</b>	03/02/2023 to 02/02/2043
<b>Date of amendment</b>	28/10/2024
<b>Premises details</b>	Dellendale Creamery 308 Churchill Road SCOTTSDALE WA 6333

Legal description -

Lot 2091 on Plan 130312

As defined by the premises map in Schedule 1

<b>Prescribed premises category description (Schedule 1, Environmental Protection Regulations 1987)</b>	<b>Assessed production capacity</b>
Category 17: milk processing, premises on which – (a) Milk is separated or evaporated (other than a farm); or (b) Evaporated or condensed milk, butter, ice cream, cheese or any other dairy product is manufactured, and from which liquid waste is or to be discharged onto land or into waters.	Not more than 265,000 litres of milk processed per year

This amendment is granted to the licence holder, subject to the attached conditions, on 28 October 2024, by:

**MANAGER, PROCESS INDUSTRIES  
STATE-WIDE DELIVERY**

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

## Licence history

Date	Ref number	Summary of changes
06/07/2005	W4142/2005/1	Works approval granted. Works approval expired in 2008, no compliance certification submitted to the department indicating that the works were completed in accordance with the works approval conditions.
03/02/2023	L9350/2022/1	Licence granted.
28/10/2024	L9350/2022/1	Amendment to give effect to the Minister's appeal determination (Appeal 006/23)

## Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean 'including but not limited to', and similar, as appropriate;
- (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 licence:
  - (i) if dated, refers to that particular version; and
  - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

### NOTES:

1. This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.
2. This licence includes conditions resulting from the Minister's decision on an appeal lodged under section 102(3) of the EP Act. These conditions are shown as blue underlined text and cannot be further amended or deleted.

## Licence conditions

The licence holder must ensure that the following conditions are complied with:

### Infrastructure and equipment

1. The licence holder must ensure the site infrastructure and equipment listed in Table 1 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in that table.

**Table 1: Infrastructure and equipment requirements**

	Site infrastructure and equipment	Operational requirement	Infrastructure location
<b><i>Cheese production and equipment</i></b>			

	Site infrastructure and equipment	Operational requirement	Infrastructure location
1	Enclosed production building including cellars 1 and 2, and drainage. Open undercover areas including washdown bay and milk van bay.	<ol style="list-style-type: none"> <li>1. All plant and equipment used in the production and packaging of cheese must be operated within the production building.</li> <li>2. All wastewater from the production building and open under covered areas must drain to the enclosed 1,300 L sump.</li> </ol>	As shown in Schedule 1, Figure 2 as: production room, laboratory, cool room, cellar 1, cellar 2, packaging and storage room, open washdown area, milk van bay and cellar 3.
<b>Wastewater storage</b>			
2	1,300 L sump	<ol style="list-style-type: none"> <li>3. No overflowing or spilling of sump contents must occur.</li> <li>4. No direct discharge of wastewater to pasture from overflow pipe permitted.</li> </ol>	As shown in Schedule 1 Figure 2 as: underground collection tank wastewater 1300lt
3	10,000 L storage tank	<ol style="list-style-type: none"> <li>5. Only wastewater from the sump within the production building and water for fire firefighting must be stored within the storage tank.</li> <li>6. No overflowing or spilling from the storage tank must occur.</li> <li>7. Mechanical water level marker fitted to the storage tank must be maintained in working condition.</li> <li>8. No direct discharge of wastewater to pasture from overflow pipe permitted.</li> </ol>	As shown in Schedule 1 Figure 2 as: wet weather holding tank wastewater
4	Volumetric flow meter connected to the 1,300 L sump outlet	<ol style="list-style-type: none"> <li>9. Once installed, must be maintained to enable the cumulative volume of wastewater discharge to the irrigation area and taken offsite to be accurately measured.</li> </ol>	As shown in Schedule 1 Figure 2 as underground collection tank wastewater 1300lt
5	Other	<ol style="list-style-type: none"> <li>10. Rain gauge once installed must be maintained to enable 24-hour rainfall to be accurately measured and recorded</li> <li>11. A rainfall log booked must be maintained to determine when wastewater irrigation can occur.</li> </ol>	N/A
<b>Irrigation of wastewater</b>			
6	3,500 L irrigation tank mounted to an irrigation vehicle including irrigation sprayers	<ol style="list-style-type: none"> <li>12. Irrigation vehicle, tank, pipelines, sprayers and fittings must be maintained and inspected daily for ruptures or leaks when irrigating.</li> </ol>	As shown in schedule 1, Figure 2 as: wastewater truck
7	Irrigation areas (55 ha) summer paddocks (S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15,	<ol style="list-style-type: none"> <li>13. Logbook must be kept on each application of irrigated wastewater, recording the date of application, volume of wastewater, paddock identification number and area covered.</li> </ol>	As shown in Schedule 1 Figure 3 labelled as S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17, S18, W1, W2, W3, W4, W5, W6, W7,

	Site infrastructure and equipment	Operational requirement	Infrastructure location
	S16, S17 and S18), winter paddocks (W1, W2, W3, W4, W5, W6, W7, W8, W9, W19, W11, W12, W13, W14 and W15).		W8, W9, W19, W11, W12, W13, W14 and W15.

### Installation of irrigation and wastewater infrastructure

2. The licence holder must install the equipment or infrastructure listed in Table 2, in accordance with:
- the corresponding installation requirements;
  - at the corresponding infrastructure location; and
  - by the corresponding timeframe,
- as set out in Table 2.

**Table 2: Installation requirements**

	Infrastructure	Installation requirements	Infrastructure location- Schedule 1, Figure 2 Map of infrastructure	Timeframe
1	1 x Volumetric flow meter connected to the 1,300 L sump outlet	Must be installed on the outflow pipe that discharges wastewater for irrigation and removal offsite.	Underground collection tank wastewater 1300 L	Must be installed within 6 months from the issue of the licence.
2	Wastewater storage tank	Must install a mechanical water level marker within the wastewater storage tank that is visible to the cheese production room in the building.	Underground collection tank wastewater 1300 L and wet weather holding tank wastewater	
3	Rain gauge	Must be installed in an open area within the proximity of the cheese production building	N/A	

3. The licence holder must, within 30 calendar days of the infrastructure items required by condition 2 being installed:
- undertake an audit of their compliance with the requirements of condition 2; and
  - prepare and submit to the CEO an Environmental Compliance Report on that compliance.
4. The Environmental Compliance Report required by condition 3, must include as a minimum the following:
- certification by a person authorised to represent the licence holder that each item of infrastructure or component thereof, as specified in condition 2, have been installed in accordance with the relevant requirements specified in condition 2;

- (b) a site plan for each item of infrastructure or component of infrastructure specified in condition 2; and
- (c) be signed by a person authorised to represent the licence holder and contains the printed name and position of that person.

## Emissions and discharges

5. The licence holder must ensure treated wastewater is discharged to land only at the locations specified in Table 3 and in accordance with the corresponding discharge requirements specified in Table 3.

**Table 3: Authorised discharge of treated wastewater**

Emission point reference as specified in Schedule 1, Figure 3	Discharge requirements
Whey based wastewater irrigation areas summer paddocks (S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17 and S18), winter paddocks (W1, W2, W3, W4, W5, W6, W7, W8, W9, W19, W11, W12, W13, W14 and W15).	<ol style="list-style-type: none"> <li>1. Irrigation application rate at any time must not be greater than 1 mm per day.</li> <li>2. Wastewater irrigation on summer paddocks must not occur from 1 May to 31 October inclusive.</li> <li>3. Wastewater irrigation must not be undertaken from 1 June to the 31 August, 12 hours before, during, or 24 hours immediately after a rainfall event of 2 mm or greater.</li> <li>4. Wastewater irrigation must not be undertaken from 1 September to the 31 May, 12 hours before, during, or 24 hours immediately after a rainfall event of 10 mm or greater.</li> <li>5. Wastewater irrigation must occur on a rotational basis ensuring <a href="#">an irrigation frequency interval of at least 30 days with a maximum of 4 x 1 mm irrigation events per year over any irrigation area.</a></li> <li>6. Wastewater irrigation applied must not run-off beyond the boundary of the irrigation areas.</li> <li>7. Healthy vegetation (paddock grasses) must be maintained over the irrigation areas.</li> <li>8. Irrigation areas harvested must have the biomass and crop type recorded.</li> <li>9. Other fertilisers applied to irrigation areas must be recorded.</li> <li>10. <a href="#">Wastewater irrigation must target a soil phosphorus environmental risk index of ≤0.4 in each irrigation area.</a></li> <li>11. <a href="#">Wastewater must not be irrigated onto saturated soils.</a></li> </ol>

6. The licence holder must ensure that emissions from the discharge point listed in Table 4 for the corresponding parameter do not exceed the corresponding limit when monitored in accordance with condition 7.

**Table 4: Emission and discharge limits**

Discharge point	Parameter	Limit
Irrigation of whey-based wastewater to irrigation area summer paddocks (S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17 and S18), winter paddocks (W1, W2, W3, W4, W5, W6, W7, W8, W9, W19, W11, W12, W13, W14 and W15). as shown in Schedule 1 Figure 3	Total nitrogen	Not more than <a href="#">16.5</a> kg/ha/annual period
	Total phosphorus	Not more than <a href="#">8.0</a> kg/ha/annual period
	Biochemical oxygen demand	Not more than 1,500 kg/ha/month

## Monitoring

### Monitoring of emissions to land

7. The licence holder must monitor emissions in accordance with the requirements specified in Table 5 and record the results of all such monitoring.

**Table 5: Emissions and discharges monitoring**

Discharge point	Monitoring location	Parameter	Units	Frequency	Averaging period	Method
Irrigation of whey-based wastewater to irrigation area Summer paddocks (S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17 and S18) Winter paddocks (W1, W2, W3, W4, W5, W6, W7, W8, W9, W19, W11, W12, W13, W14 and W15). as shown in Schedule 1 Figure 3	<a href="#">Flow meter and irrigation tank</a>	<a href="#">Volume irrigated<sup>1</sup></a> (cumulative)	L/day	<a href="#">Every day that wastewater is irrigated</a>	N/A	N/A
	Wastewater sampling point outlet of 1,300 L sump.	pH <sup>2</sup>	-	Twice yearly once in April and October	Spot sample	AS/NZS 5667.1 and AS/NZS 5667.10
		Electrical conductivity <sup>2</sup>	dS/m			
		Total nitrogen	mg/L			
		Total phosphorus				
		Total dissolved solids				
		Total suspended solids				
		BOD				
		Sodium ion (Na <sup>+</sup> )				
		Calcium ion (Ca <sup>2+</sup> )				
		Magnesium ion (Mg <sup>2+</sup> )				
Sodium adsorption ratio	-	-				

*Note 1: As determined by comparing the measured volume, via the flow meter, and the observed discharge volumes from the fixed volume irrigation tank.*

*Note 2: In field non-NATA accredited analysis permitted.*

### Soil sampling

8. The licence holder must monitor the soil for concentrations of the parameters listed in Table 6:
- at the corresponding monitoring location;
  - in the corresponding unit;
  - at no less than the corresponding frequency;
  - at the corresponding soil profile and the corresponding number of core samples; and
  - using the corresponding method,
- as set out in that table.

**Table 6: Monitoring of ambient soil concentrations**

Parameter	Monitoring location As shown in Sch 1 Fig 3	Unit	Frequency	Number of core samples	Soil profile	Number of core samples	Soil profile	Methods Soil Chemistry Methods – Australasia <sup>2</sup>
				Composite surface soil sample		Composite deep soil sample		
pH	W3	-	Once every <u>2</u> years in <a href="#">summer (Dec – Feb)</a> starting in 2023	30	0 – 10 cm	5	40 - 50 cm	4B1
Electrical conductivity	W15	dS/m						3A1
Total nitrogen	S1	mg/kg						7A5 or 7A6
Nitrate-Nitrogen	S6							7C2
Total phosphorus	S12							9A
Phosphorus (Colwell)								9B1
PBI		-						9I2
PERI <sup>1</sup>		-						-
Exchangeable sodium percentage		%						15N1

Note 1: Phosphorus Environmental risk index (PERI). This is the ratio of Colwell P to PBI and is an indication of the risk of soluble P loss by various transport pathways.

Note 2: Methods – Rayment G, and Lyons D. 2010, Soil Chemical methods – Australasia, CSIRO Publishing

9. The licence holder must ensure that all non-continuous analysis undertaken pursuant to conditions 7 and 8, is undertaken by a holder of a current accreditation from NATA for the methods of analysis relevant to the corresponding relevant parameter.

## Records and reporting

### Record-keeping

10. The licence holder must record the following information in relation to complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
  - (a) the name and contact details of the complainant, (if provided);
  - (b) the time and date of the complaint;
  - (c) the complete details of the complaint and any other concerns or other issues raised; and
  - (d) the complete details and dates of any action taken by the licence holder to investigate or respond to any complaint.
11. The licence holder must maintain accurate and auditable books including the following records, information, reports, and data required by this licence:
  - (a) the calculation of fees payable in respect of this licence;
  - (b) the works conducted in accordance with condition 2 of this licence;
  - (c) any maintenance of infrastructure that is performed in the course of complying with condition 1 of this licence;

- (d) monitoring programmes undertaken in accordance with conditions 7 and 8 of this licence; and
  - (e) complaints received under condition 10 of this licence.
12. The books specified under condition 11 must:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
  - (c) be retained by the licence holder for the duration of the licence; and
  - (d) be available to be produced to an inspector or the CEO as required.

### Annual reporting requirements

13. The licence holder must:
- (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
  - (b) prepare and submit to the CEO by no later than 90 days after the end of that annual period an Annual Audit Compliance Report in the approved form.

### Biennial reporting requirements

14. The licence holder must submit to the CEO, by 1 April 2026 and biennially thereafter, an Environmental Report for the preceding biennial period for the conditions listed in Table 7, and which provides information in accordance with the corresponding requirement set out in that table.

**Table 7: Environmental report**

Condition	Requirement
1	Volume (in m <sup>3</sup> or kL) of wastewater removed for off-site disposal, <a href="#">supported by copies of each Controlled Waste tracking receipt</a>
5, 6, 7, 8	<p><a href="#">Annual summaries of fertiliser application, crop harvest, and nutrient loading data at a scale of kg/ha/year that includes explanations of:</a></p> <ul style="list-style-type: none"> <li>(a) <a href="#">How the volume of input and outputs varied across the different irrigation areas; and</a></li> <li>(b) <a href="#">How the variation in the data across different irrigation areas is managed and calculated consistent with the conditions of the licence.</a></li> </ul> <p><a href="#">An explanation of:</a></p> <ul style="list-style-type: none"> <li>(a) <a href="#">The management of wastewater production volumes across the reporting period in relation to storage capacity, irrigation volumes, climate, and rainfall;</a></li> <li>(b) <a href="#">The nutrient export risk based on all available data, including trends, soil data, and any variability in the nutrient loading and management of different irrigation areas; and</a></li> <li>(c) <a href="#">The management actions that will be, or are being, implemented where PERI results are <math>\geq 0.4</math>.</a></li> </ul>
7	<p><a href="#">Volume of wastewater irrigated, reported as a comparison of the measured volume, via the flow meter, and observed discharge volumes</a></p> <p>Wastewater monitoring data in tabulated and graphical form including the sampling date, laboratory sample analysis data sheets and description of sampling procedures</p>
8	Soil sampling results every 3 years in tabulated form including sampling date, laboratory sample analysis data sheets and description of sampling procedure and methods.
10	A summary of complaints recorded for the annual period.



***Targeted irrigation reporting***

15. The licence holder must, by 25 September 2025, submit to the CEO a report that:
- (a) reviews the approach to targeted irrigation and establishes how the areas targeted for irrigation are effectively represented by, and align with, the soil testing locations, including potential changes to locations over time; and
  - (b) establishes management actions that will be implemented in response to irrigation areas with PERI results that are  $\geq 0.4$ .

## Definitions

In this licence, the terms in Table 8 have the meanings defined.

**Table 8: Definitions**

Term	Definition
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).
annual period	a 12-month period commencing from 1 day of January until the last day in December of the immediately following year.
biennial period	means 1 January of an even-numbered year through 31 December of the next even-numbered year and 1 January of an odd-numbered year through 31 December of the next odd-numbered year
AS/NZS 5667.1	means the current version of Australian / New Zealand Standard AS/NZS 5667.1 <i>Water Quality – Sampling, Part 1: Guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples</i>
AS/NZS 5667.10	means the current version of Australian / New Zealand Standard AS/NZS 5667.10 <i>Water Quality – Sampling, Part 10: Guidance on sampling of waste waters</i>
BOD	biochemical oxygen demand
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer of the Department. "submit to / notify the CEO" (or similar), means either: 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>
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
discharge	has the same meaning given to that term under the EP Act.
dS/m	decisiemens per metre
emission	has the same meaning given to that term under the EP Act.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
harvest	means to cut and remove biomass (usually as hay) from the irrigation area as a means of nutrient removal.
kg/ha	kilograms per hectare
kL	kilolitres
L/day	litres per day
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
m or mm	metres or millimetres

<b>Term</b>	<b>Definition</b>
Mg <sup>2+</sup>	magnesium ion
mg/L	milligrams per litre
monthly	means a one-month period from the first day of a month until the last day of that same month
Na <sup>+</sup>	sodium ion
NATA	means the (Australian) National Association of Testing Authorities
NATA accredited	means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis
Method 4B1	Soil Chemical methods – Australasia, CSIRO Publishing
Method 3A1	
Method 7A5	
Method 7A6	
Method 7C2	
Method 9A	
Method 9B1	
Method 9I2	
Method 15N1	
monthly period	
PERI	Phosphorus Export Risk Index, being the ratio of Colwell P to PBI and an indication of the risk of soluble P loss by various transport pathways.
premises	refers to the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map Figure 1 in Schedule 1 to this licence.
prescribed premises	has the same meaning given to that term under the EP Act.
rainfall event	means the rainfall measured in mm that falls in a 24-hour period
spot sample	means a discrete sample representative at the time and place at which the sample is taken
waste	has the same meaning given to that term under the EP Act.

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**END OF CONDITIONS**



# Schedule 1: Maps

## Premises map

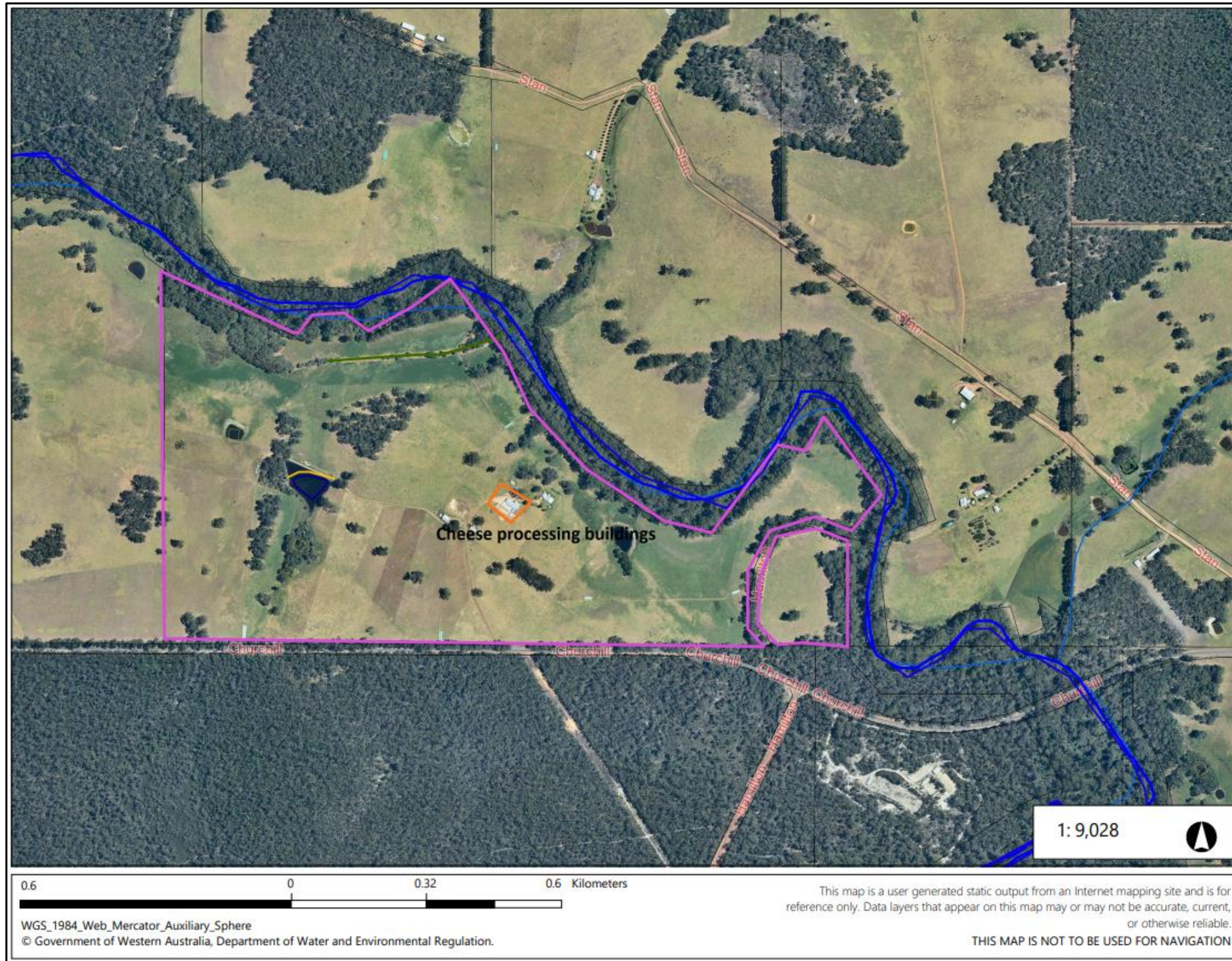


Figure 1: Map of the boundary of the prescribed premises



Site layout map

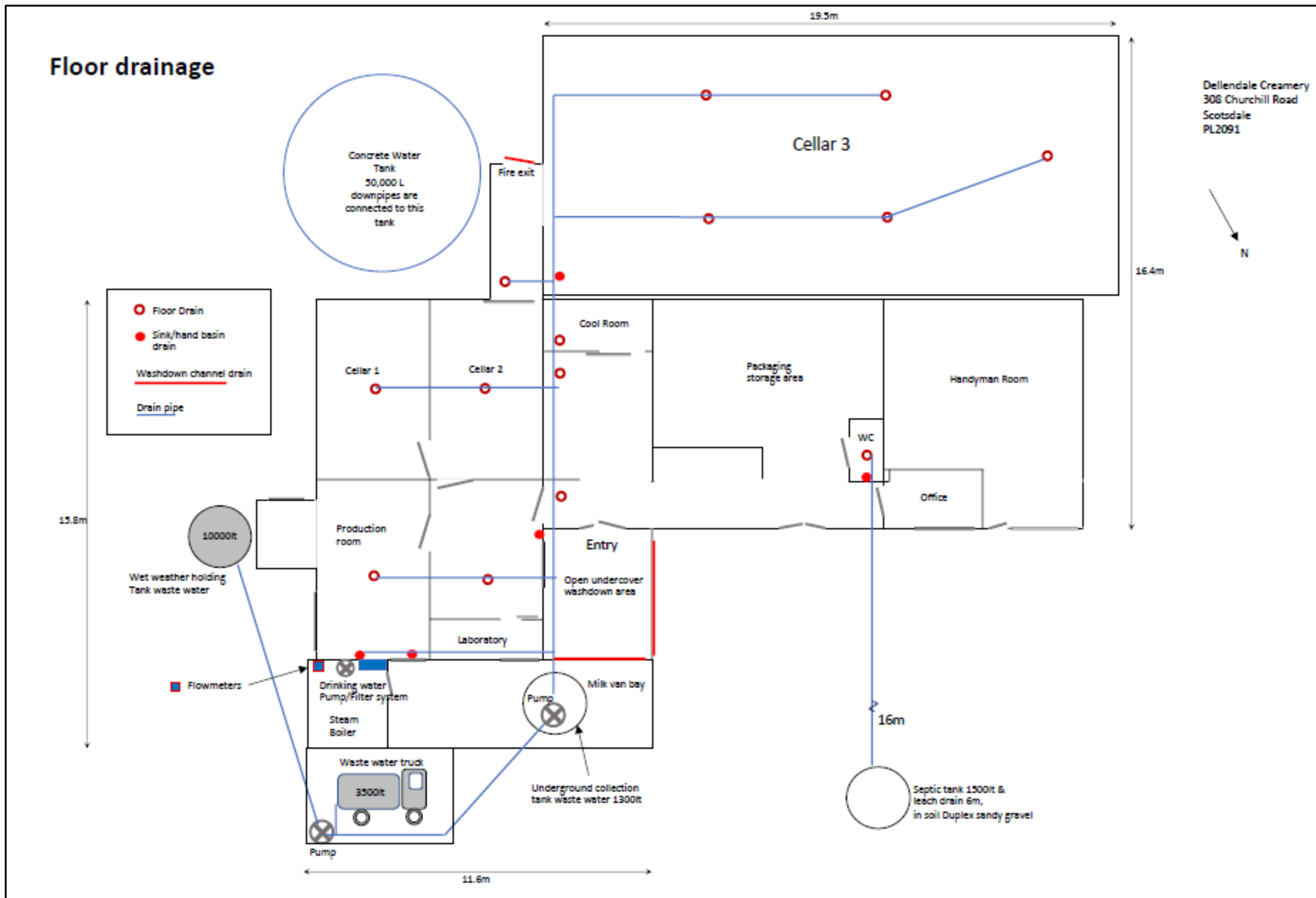


Figure 2: Site layout map of the buildings of the prescribed premises

Irrigation area map



Figure 3: Map of the wastewater irrigation paddocks