



Licence

Environmental Protection Act 1986, Part V

Licensee: Visy Board Proprietary Limited

Licence: L6794/1992/8

Registered office: 2 Southbank Boulevard
SOUTHBANK VIC 3006

ACN: 005 787 913

Premises address: Visy Board O'Connor
49 Peel Road
O'CONNOR WA 6163
Being Lot 50 on Diagram 78224 as depicted in Schedule 1

Issue date: Thursday, 14 January 2016

Commencement date: Friday, 22 January 2016

Expiry date: Thursday, 21 January 2021

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
30	Pulp, paper or paperboard manufacturing: premises on which paper pulp, wood pulp, kraft paper, kraft paperboard, cardboard, paper or paperboard is manufactured	Not more than 50 000 tonnes per year	40 000 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 14 January 2016

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Jonathan Bailes
Manager Licensing (Process Industries)
Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places 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.



Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The facility is located in the O'Connor industrial area approximately 50 metres from the nearest residence. The wastewater treatment plant located on the facility is approximately 75 metres from the nearest residence.

The facility manufactures cardboard packaging with an average production of approximately 38,000 tonnes per year. The main emission is ink-contaminated wastewater arising from the cleaning of printing equipment, which is discharged to sewer after preliminary treatment (activated sludge). Screenings and filter cake are disposed of at an approved landfill. The wastewater treatment plant (WWTP) was upgraded in 2010 to increase the storage and treatment capacity.

This Licence is the successor to licence L6794/1992/7 and includes changes to update the licence to the current template.

The licences and works approvals issued for the Premises since 2011 prior to issue of this licence are:

Instrument log		
Instrument	Issued	Description
L6794/1992/7	22/01/2011	Licence reissue
L6794/1992/8	14/01/2016	This licence. Licence reissue and update to licence template.

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 July until 30 June in the following year;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means:

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au

'Licence' means this Licence numbered L6794/1992/8 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated; and

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.



1.2 Premises operation

- 1.2.1 The Licensee shall ensure that where wastes produced on the Premises are not taken off site for lawful use or disposal, they are managed in accordance with the requirements in Table 1.2.1.

Table 1.2.1: Management of Waste		
Waste Type	Process	Operational requirements
Process wastewater	Disposal	Discharge to Water Corporation's sewer
Process wastewater including wastewater not suitable for discharge to sewer	Temporary storage onsite	Temporary storage onsite in containment structure with permeability less than 1×10^{-9} m/s

2 Information

2.1 Records

- 2.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 2.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.
- 2.1.2 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 2.1.3 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

2.2 Reporting

- 2.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 2.2.1 in the format or form specified in that table.

Table 2.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
2.1.3	Compliance	Annual Audit Compliance Report (AACR)
2.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The **pink** line depicts the Premises boundary.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

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

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the 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 initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



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 non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<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
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialised by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

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

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____

SEAL (if signing under seal)

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____



Decision Document

Environmental Protection Act 1986, Part V

Licensee: Visy Board Proprietary Limited

Licence: L6794/1992/8

Registered office: 2 Southbank Boulevard
SOUTHBANK VIC 3006

ACN: 005 787 913

Premises address: Visy Board O'Connor
49 Peel Road
O'CONNOR WA 6163
Being Lot 50 on Diagram 78224

Issue date: Thursday, 14 January 2016

Commencement date: Friday, 22 January 2016

Expiry date: Thursday, 21 January 2021

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:

Peter Johns
Licensing Officer

Decision Document authorised by:

Jonathon Bailes
Delegated Officer



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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 checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	30	40 000 tonnes per annual period
Application verified	Date: 10 November 2015	
Application fee paid	Date: 16 December 2015	
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 checked="" 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

The facility is located in the O'Connor industrial area approximately 50 metres from the nearest residence. The wastewater treatment plant located in the facility is approximately 75 metres from the nearest residence.

The facility manufactures cardboard packaging with an average production of approximately 38,000 tonnes per year. The main emission is ink-contaminated wastewater arising from the cleaning of printing equipment, which is discharged to sewer after preliminary treatment (activated sludge). Screenings and filter cake are disposed of in an approved landfill. The wastewater treatment plant (WWTP) was upgraded in 2010 to increase storage and treatment capacity, in consultation with Water Corporation.

During normal operations, there are no discharges to the environment.

This Licence is the successor to licence L6794/1992/7 and includes changes to update the licence to the current template. DER has considered whether the risk profile of emissions and discharges from the premises has significantly changed since the previous licence was granted. No changes have occurred and, therefore, DER has not amended conditions relating to emissions and discharges.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and the 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
General conditions	N/A	<p>Condition W2 of the previous licence has been deleted. The reference to ponds is obsolete as ponds are no longer in use at these premises.</p> <p>Condition W1(c) of the previous licence has been removed because it inconsistently regulates for activities below the prescribed threshold for EP Act Licences, and between premises that are prescribed for other purposes and those which are not.</p> <p>Condition S1 of the previous licence has been removed. The removal of waste offsite is not an emission or discharge.</p> <p><u>Emission Description</u> <i>Emission:</i> Stormwater contamination from operations including small quantities on hydrocarbons from machinery and vehicles, and inks used on the site. <i>Impact:</i> Contamination of the stormwater system and potentially watercourses connected to the stormwater system. <i>Controls:</i> All process activities on site are conducted inside a building and process wastewater flows via pipes to a covered wastewater treatment system.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u></p>	<p>Application supporting documentation</p> <p><i>Environmental Protection (Unauthorised Discharge) Regulations 2004.</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		Contaminated run-off from this site is adequately addressed by the <i>Environmental Protection (Unauthorised Discharge) Regulations 2004</i> . <u>Residual Risk</u> <i>Consequence</i> : Minor <i>Likelihood</i> : Rare <i>Risk Rating</i> : Low	
Premises operation	L1.3.1	Conditions W1(a) and W1(b) in the previous licence have been replaced by condition 1.3.1 which specifies the disposal of process waste waters to the Water Corporation sewer.	
Emissions general	N/A	There are no conditions relating to emissions in the previous licence and DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Point source emissions to air including monitoring	N/A	There are no point source emissions to air. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Point source emissions to surface water including monitoring		There are no point source emissions to surface water. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Point source emissions to groundwater including monitoring	N/A	There are no point source emissions to groundwater. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Emissions to land including monitoring	N/A	There are no emissions to land. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Fugitive emissions	N/A	There are no significant fugitive emissions. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Odour	N/A	There are no significant odour emissions. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Noise	N/A	There are no conditions relating to noise emissions. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted. The premises is subject to the <i>Environmental Protection (Noise) Regulations 1996</i> .	<i>Environmental Protection (Noise) Regulations 1996.</i>
Monitoring general	N/A	There are no monitoring conditions on this licence. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Monitoring of inputs and outputs	N/A	There are no conditions regarding monitoring inputs and outputs. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Process monitoring	N/A	There are no process monitoring conditions. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Ambient quality monitoring	N/A	There are no ambient quality monitoring conditions. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	
Meteorological monitoring	N/A	There are no conditions relating to meteorological monitoring. DER has reviewed the risk profile of the site and does not consider that the risks have significantly changed since the previous licence was granted.	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Information	2.1.1 to 2.1.3 2.2.1	Condition 2.1.1 has been added to require the licensee to keep legible records and set the time periods that records should be kept. Condition 2.1.3 replaces condition G2 of the previous licence. Condition 2.1.4 has been added to require that the licensee maintains a complaints register. Condition 2.2.1 has been added to require the licensee to submit an Annual Environmental Report. Conditions G1(a) and G1(b) of the previous licence have been deleted because they are covered by provisions of the <i>Environmental Protection Act 1986</i> .	<i>Environmental Protection Act 1986</i> .
Licence Duration	N/A	The risk of operating these premises is low with no emissions during normal operation. The licence will be issued for a period of five years.	<i>Guidance Statement Licence Duration</i> (DER, revised May 2015)



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
04/01/2016	Application advertised in West Australian	No comments received.	Not applicable.

6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High