



Application to renew a licence

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

Licence Number	L6794/1992/9
Licence Holder	Visy Board Proprietary Limited
ACN	005 787 913
File Number	DEC6544/1
Premises	Visy Board O'Connor 49 Peel Road O'CONNOR WA 6163 Legal description Lot 50 on Deposited Plan 78224 As defined by the Premises map
Date of Report	19 January 2023
Decision	To grant a licence

**SENIOR INDUSTRY REGULATION OFFICER
INDUSTRY REGULATION'**

An officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L6794/1992/9 without conducting any additional risk assessment.

The licence can be issued for 20 years, which is consistent with the *Guidance Statement on Licence Duration 2016*. In renewing the licence the Delegated Officer has determined to

- update the format and appearance of the licence;
- incorporate licence amendment/s issued prior to the replacement licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements); and
- transfer all relevant existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L6794/1992/9 subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 7 November 2022 Visy Board Proprietary Limited (licence holder) applied to renew licence L6794/1992/8 as the licence is due to expire on 21 January 2023. The application to renew the licence included an application to amend the licence to allow for an increase to the approved production limit from 40,000 tonnes per annum to up to 60,000 tonnes per annum. Due to the short timeframe to expiry of the existing licence and the need for a risk assessment associated with the proposed 50% increase to annual production, the Delegated Officer determined that an administrative renewal, would proceed based on the existing approved production limit, with the application to amend the licence to undergo a separate assessment.

The renewed licence was granted to the licence holder for the premises located at 49 Peel Road, O'Connor WA 6163 (Premises).

The licence relates to the prescribed premises category as described in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 30: Pulp, paper or paperboard manufacturing	Not more than 40,000 tonnes per annual period

The main activities occurring on the Premises include the manufacturing of cardboard packaging with a current average production capacity of 60,000 tonnes/year. The main emission is ink-contaminated wastewater arising from the cleaning of printing equipment and starch from the corrugator. This process wastewater is discharged to sewer under a trade agreement with Water Corporation after preliminary treatment by the wastewater treatment plant (activated sludge). Screenings and filter cake are disposed of at an approved landfill using a registered waste contractor. The wastewater treatment plant (WWTP) was last upgraded in 2010.

3. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position* October 2021.

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

4. Considerations for issuing a new licence

4.1 Compliance and enforcement actions

There were two odour complaints registered by the department in early 2021 identifying the wastewater treatment tanks and/or a drainage pit at the Visy Board Premises as the alleged odour source. These incidents have been closed and there have been no enforcement actions taken against the occupier in the last 5 years regarding the licence.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

4.3 Categories of the licence

The requested category for the renewal of the licence is consistent with the category for which the licence holder currently holds a licence and which was previously assessed. As noted above, the licence holder has also applied for a licence amendment to increase the Category 30 production limit to allow for product manufacturing of up to 60,000 tonnes per annum. The licence amendment is being separately assessed and will follow on from the issue of the new licence L6794/1992/9.

4.4 Planning approval

The licence holder has informed the department that it has planning approval for the activities on the Premises.

5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licenses. Most licenses are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Table 2 summarizes the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

Table 2: Licence conditions changes, description and rationale

Current condition / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
1.1.1; 1.1.3 & 1.1.4	Interpretation	N/A	Redundant conditions removed as no longer relevant.
1.1.2	Definitions	Table 2	Definitions revised to current licensing format.
1.2.1	Premises operation	1, Table 1	Transfer of existing condition.
2,1.1	Records	4 & 5	Revised to current licensing format.
2.1.2	AACR	3	
2.1.3	Complaints management	2	
2.2.1	Annual Environmental Report	N/A	Condition removed in line with Notice of amendment and schedule of licenses with amended reporting conditions, 16 May 2022.
Schedule 1	Premises map	Figure 1	Premises boundary map
	Key infrastructure - process wastewater	Figure 2	Key infrastructure (Plan as provided by licence holder)
Schedule 2	Reporting form	N/A	Redundant AACR form removed

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 3.

Table 3: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 18 November 2022	<i>No comments received</i>	Not required
Local Government Authority advised of application on 5 December 2022	<i>No comments received</i>	Not required
Applicant was provided with draft documents on 6 December 2022	<i>No comments received</i>	Not required