



Licence

Licence number L9134/2018/2

Licence holder Brownes Food Operations Pty Ltd

ACN 146 849 881

Registered business address 22 Geddes Street
BALCATTA WA 6021

DWER file number DER2018/000658

Duration 1/07/2022 to 30/06/2027

Date of issue 22/06/2022

Premises details

Brownes Whey

172 Morrell Road

WEST ARTHUR

Legal description -

LOT 8 ON PLAN 24841, LOT 9 ON PLAN 24840,
LOT 20 ON PLAN 410883, LOT 3273 ON PLAN
118395, LOT 3396 ON PLAN 119301, LOT 3274
ON PLAN 118394, LOT 3353 ON PLAN 119302,
LOT 3551 ON PLAN 120595, LOT 5611 ON PLAN
133341, LOT 5612 ON PLAN 133343 and LOT
5777 ON PLAN 135892

| Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>) | Assessed production / design capacity |
|--|--|
| Category 61: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated. | 10,000 tonnes per annual period |

This licence is granted to the licence holder, subject to the attached conditions, on 22 June 2022, by:

Stephen Checker

MANAGER WASTE INDUSTRIES

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

Licence history

| Date | Reference number | Summary of changes |
|------------|------------------|--|
| 26/07/2018 | L9134/2018/1 | <i>Licence granted.</i> |
| 22/05/2019 | L9134/2018/1 | <i>Amendment Notice 1 – extend licence expiry to 30/06/2022 and reduction in annual production capacity.</i> |
| 22/06/2022 | L9134/2018/2 | <i>Licence Renewal</i> |

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.

NOTE: 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.

Licence conditions

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

Infrastructure and equipment

1. The licence holder must ensure that 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 Table 1.

Table 1: Infrastructure and equipment requirements

| Site infrastructure and equipment | Operational requirement | Infrastructure location |
|-----------------------------------|---|---------------------------------|
| T1 Storage Tank | <ul style="list-style-type: none"> • 50,000 litre tank; • be able to receive and store whey inflow of up to 10,000kL per annual period; • overtopping of the tanks does not occur; and • the integrity of the containment infrastructure is maintained. | Schedule 1 map of Tank location |
| T2 Storage Tank | <ul style="list-style-type: none"> • 50,000 litre tank; • be able to receive and store whey inflow of up to 10,000kL per annual period; • overtopping of the tanks does not occur; and • the integrity of the containment infrastructure is maintained. | |

2. The licence holder must only accept onto the premises waste of a waste type, which does not exceed the corresponding rate at which waste is received, and which meets the corresponding acceptance specification set out in Table 2.

Table 2: Types of waste authorised to be accepted onto the premises

| Waste type | Rate at which waste is received | Acceptance specification |
|------------|---------------------------------|---|
| Whey | 10,000kL per annual period | Delivered into the premises and transferred into either of: <ul style="list-style-type: none"> • 2 x 50,000L Storage tank. |

3. The licence holder shall ensure that where waste does not meet the waste acceptance criteria set out in Table 2 is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

4. The licence holder must ensure that the waste types specified in Table 3 are only subjected to the corresponding process(es), subject to the corresponding process limits and/or specifications.

Table 3: Waste processing

| Waste type | Process(es) | Process limits and/or specifications |
|------------|------------------|--|
| Whey | Physical storage | <ul style="list-style-type: none"> Only to be receipted, consolidated, stored, within an impervious (permeability of 1×10^{-9} m/s or less) 50,000L tank capable of preventing spillage. Whey is to be irrigated to one of the 200 ha irrigation areas onsite within 24 hours of receipt |

Emissions and discharges

Whey disposal

5. The licence holder must:
- during each annual period, irrigate no more than 70 kL/ha of whey to separate irrigation areas of not more than 200 ha within the area shown in purple shading in Schedule 1: map of irrigation areas;
 - irrigate whey such that ponding or pooling of whey does not occur;
 - ensure that any whey-contaminated runoff does not leave the irrigation areas shown in purple shading in Schedule 1: map of irrigation areas;
 - ensure that whey or whey-contaminated runoff does not enter any water course, water body or riparian zone;
 - maintain buffers for the irrigation of whey as follows:
 - 200 m from the Beaufort River;
 - 50 m from any other watercourse or water body; and
 - 25 m from any public road.
 - keep accurate and auditable records relating to the annual irrigation of whey within each irrigation area at the Premises; and
 - submit to the CEO a map of the irrigation area at the Premises with the Annual Audit Compliance Report required under condition 10.

Monitoring

6. The licence holder must record the total amount of waste accepted onto the premises, for each waste type listed in Table 4, in the corresponding unit, and for each corresponding time period, as set out in Table 4.

Table 4: Waste accepted onto the premises

| Waste type | Unit | Time period |
|------------|--------|-------------------------------------|
| Whey | litres | Each load accepted at the premises. |

7. The licence holder must monitor emissions:
- at the corresponding monitoring location;
 - for the corresponding parameter;
 - at the corresponding frequency;
 - for the corresponding averaging period;
 - in the corresponding unit; and
 - using the corresponding method,
- as set out in Table 5.

Table 5: Emissions and discharge monitoring

| Monitoring location | Parameter | Frequency | Averaging period | Unit | Method |
|---|---------------------------|------------|------------------|------|----------------------|
| | | | | | Sampling |
| Outlet pipe of processing plant prior to filling Tanker | pH | November | Spot sample | mg/L | AS5667.10.1998 |
| | Total Phosphorus | | | | |
| | Total Nitrogen | | | | |
| | Biochemical Oxygen Demand | | | | |
| | Volume | Continuous | Continual | L | Flow metering device |

8. The licence holder must submit all water samples required in condition 7 to a laboratory with current NATA accreditation of the analyses of samples specified in condition 7 Table 5.

Records and reporting

9. 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.
10. 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 30 days after the end of that annual period an Annual Audit Compliance Report in the approved form.
11. The licence holder must submit to the CEO by no later than 30 calendar days after the end of each annual period, an Annual Environmental Report for that annual period for the conditions listed in Table 6, and which provides information in accordance with the corresponding requirement(s) set out in Table 6.

Table 6: Annual Environmental Report

| Conditions | Requirement |
|------------|---|
| 7 | <ol style="list-style-type: none">(a) volume (L) of whey applied to each irrigation area, and monthly cumulative volumes presented in table format;(b) map of each whey application area for the annual period with respective irrigation volumes;(c) whey monitoring data in tabulated and graphical form including the sampling date;(d) tabulated monthly and annual loadings of pH, Total Nitrogen, Total Phosphorus and Biochemical Oxygen Demand applied to each irrigation area, including an explanation of the basis for determining loading rates;(e) an assessment and interpretation of the data, including comparison to historical trends and loading limits; and(f) copies of laboratory sample analysis reports. |

12. 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) any maintenance of infrastructure that is performed in the course of complying with condition 1 of this licence;
 - (c) monitoring programmes undertaken in accordance with conditions 6 and 7 of this licence; and
 - (d) complaints received under condition 9 of this licence.

- 13.** The books specified under condition 12 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.

Definitions

In this licence, the terms in Table 7 have the meanings defined.

Table 7: 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). |
| ACN | Australian Company Number |
| AS5667.10.1998 | Means the most recent version of Australian Standard AS/NZS 5667.10 Water quality – sampling – guidance on sampling of waste waters |
| annual period | a 12 month period commencing from 1 August until 31 July of the immediately following year. |
| 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 or: info@dwer.wa.gov.au |
| 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. |
| 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) |
| 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. |
| premises | refers to the premises to which this licence applies, as specified at the |

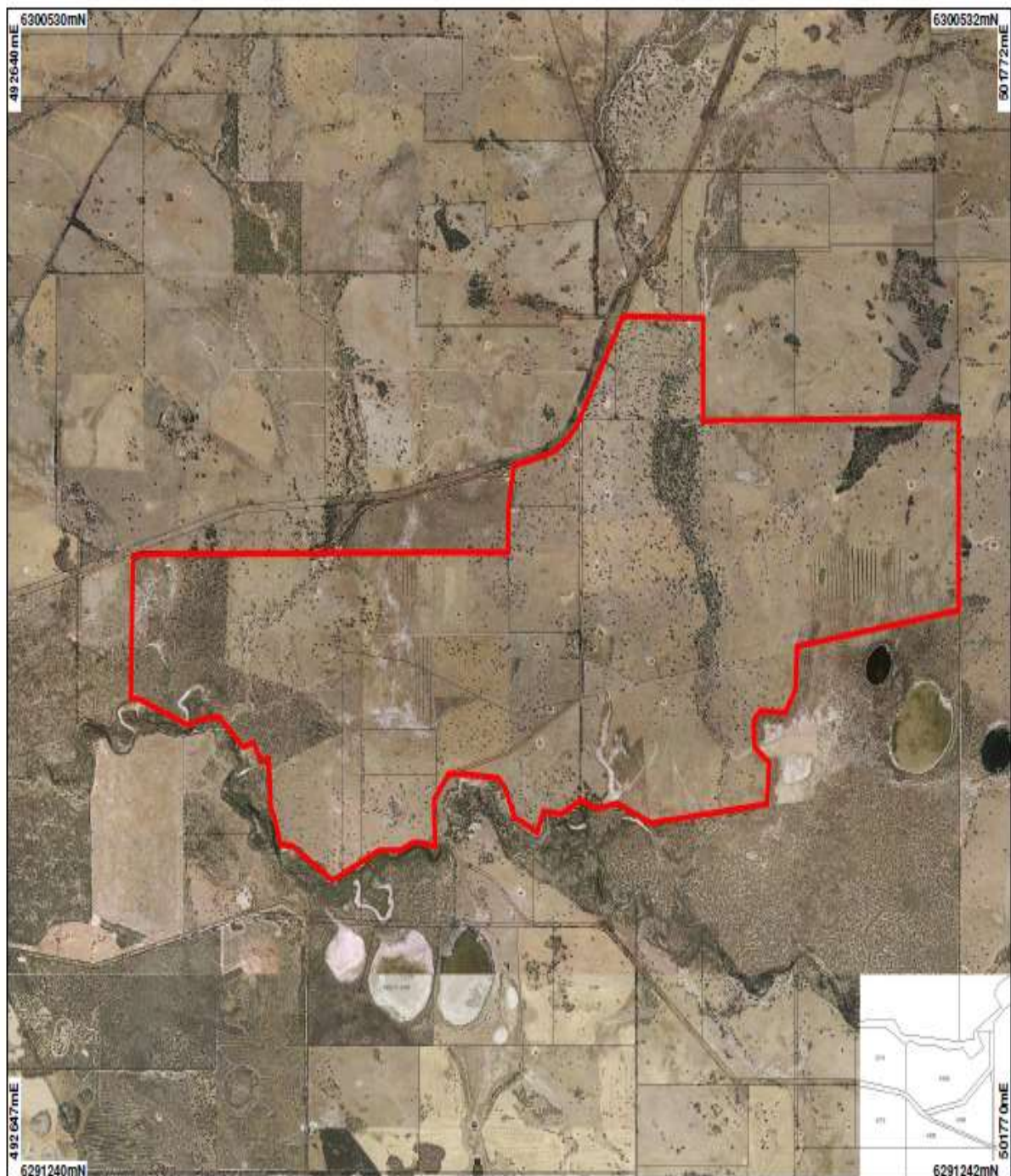
| Term | Definition |
|---------------------|---|
| | front of this licence and as shown on the premises map in Schedule 1 to this licence. |
| prescribed premises | has the same meaning given to that term under the EP Act. |
| waste | has the same meaning given to that term under the EP Act. |

END OF CONDITIONS

Schedule 1: Maps

Premises map

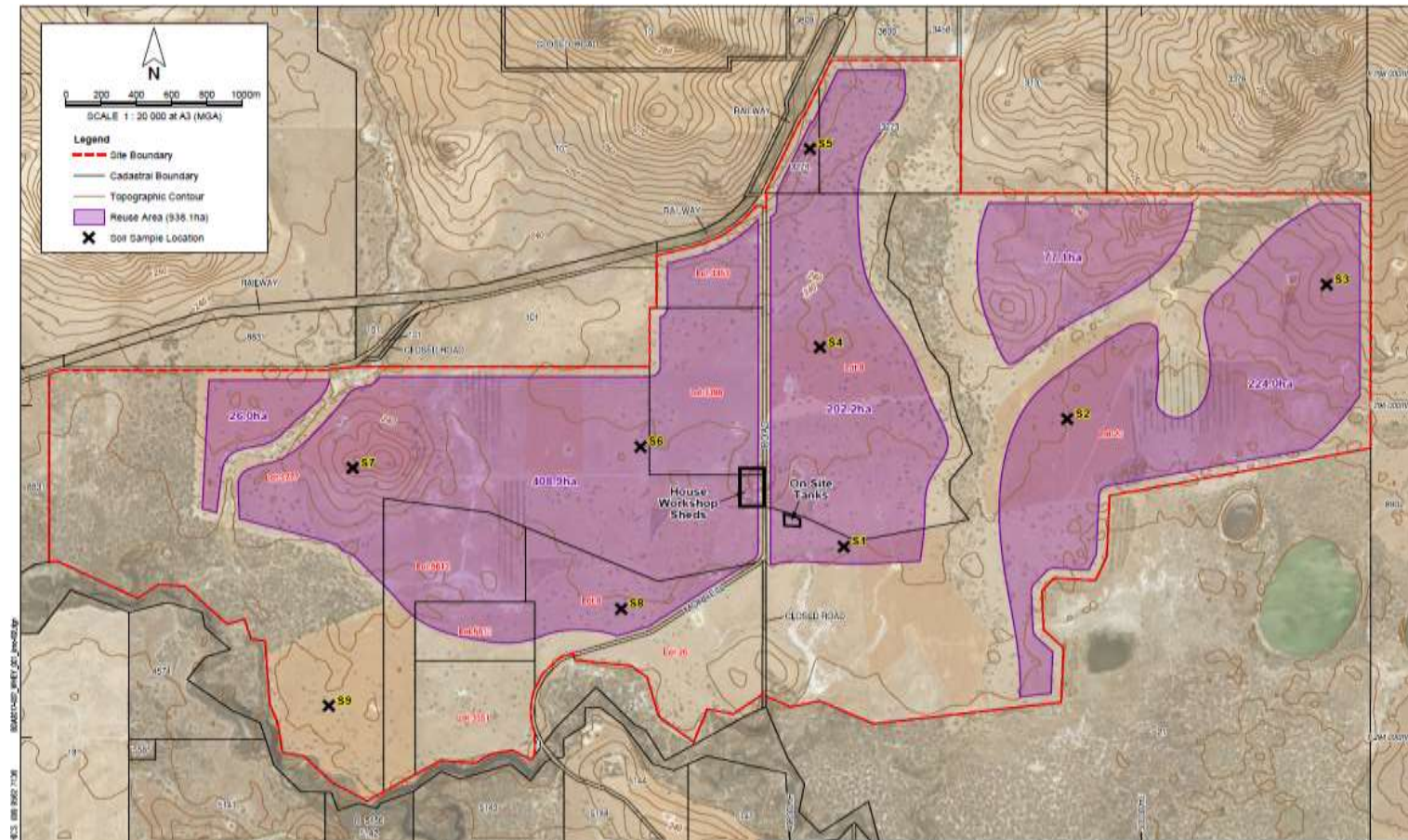
The boundary of the prescribed premises is shown in the map below in the red line.



L913420182

IR-T06 Licence template (v7.0) (February 2020)

Map of irrigation areas



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Map of Tank location



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