



Mr Terrence Gliddon
Factory Manager
Nor-West Seafoods Pty Ltd
PO Box 21
CARNARVON WA 6701

Dear Mr Gliddon

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises: Nor - West Seafoods Pty Ltd
Lot 626 on Plan 206109 Binning Road, BABBAGE ISLAND, WA 6701

Licence Number: L7219/1997/9

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment Regulation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper. The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Clint Joseph on (08) 9964 0901.

Yours sincerely

Ed Schuller
Officer delegated under section 20
of the *Environmental Protection Act 1986*

20 March 2014



Licence

Environmental Protection Act 1986, Part V

Licensee: Nor-West Seafoods Pty Limited

Licence: L7219/1997/9

Registered office: U18/31 Stockdale Road
O'CONNOR WA 6163

ACN: 060 430 346

Premises address: Nor-West Seafoods Pty Limited
Lot 626 on Plan 206109
Binning Road
BABBAGE ISLAND
WA 6701
as depicted in Schedule 1.

Issue date: Thursday, 20 March 2014

Commencement date: Sunday, 23 March 2014

Expiry date: Friday, 22 March 2019

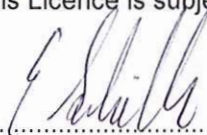
Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
22	Seafood processing: premises (other than a fish wholesaler) on which fish or other seafood is processed and from which liquid waste is or is to be discharged onto land or into waters.	200 tonnes or more per year	2000 tonnes per annual period

Conditions

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



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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 protect and conserve the state's environment on behalf of the people of Western Australia.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement 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

Nor-West Seafoods Pty Ltd seafood processing plant located on Lot 626, Binning Road, Babbage Island, Carnarvon WA . The closest sensitive premises are located within the town of Carnarvon approximately 1500 metres (m) north east of the processing plant.

The processing of prawn and scallop meat is predominantly done on board the ship at sea. Reprocessing of the seafood into export and domestic retail packs is then further carried out at the processing plant.

Prawn and scallop waste from the processing plant is crushed, macerated and pumped together with any other wastewater into the ocean via a polyvinyl chloride (PVC) discharge pipeline. The discharge pipeline extends approximately 80m southwest from the processing plant into the ocean.

This Licence is the result of a reissue by DER converting the existing licence to a new format REFIRE licence.

The licences and works approvals issued for the Premises since 08/03/2000 are:

Instrument log		
Instrument	Issued	Description
L7219/1997/2	08/03/2000	Re-issue
L7219/1997/3	26/02/2001	Re-issue
L7219/1997/4	18/02/2002	Re-issue
L7219/1997/5	24/03/2003	Re-issue
L7219/1997/6	22/03/2004	Re-issue
L7219/1997/7	23/03/2005	Re-issue
L7219/1997/8	06/03/2009	Re-issue
L7219/1997/9	20/03/2014	Licence re-issue to REFIRE format

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 November until 31 October in the following year;

'AS/NZS 5667.1' means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

'AS/NZS 5667.10' means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

'code of practice for the storage and handling of dangerous goods' means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

'dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'Director' means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under section 20 of the Act;

'Director' for the purpose of correspondence means;

Regional Leader, Industry Regulation, Midwest Region
Department of Environment Regulation
PO Box 72
GERALDTON WA 6531
Telephone: (08) 9964 0901
Facsimile: (08) 9921 5713
Email: GeraldtonIR@der.wa.gov.au;

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fugitive emissions' means all emissions not arising from point sources identified in sections 2.3;

'flow weighted data' means the data required to calculate the monthly and annual average loads of the contaminants;

'Licence' means this Licence numbered L7219/1997/9 and issued under the Act;

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



'NATA' means the National Association of Testing Authorities, Australia;

'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;

'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.

1.2 General conditions

1.2.1 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.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: The Environmental Protection (Unauthorised Discharges) Regulations 2004 make it an offence to discharge certain materials into the environment.

1.3 Premises operation

There are no specified conditions relating to Premises operation in this section.



2 Emissions

2.1 General

2.1.1 The Licensee shall record any descriptive or numerical emission specified in any part of section 2 of this Licence.

2.2 Point source emissions to air

There are no specified conditions relating to point source emissions to air in this section.

2.3 Point source emissions to surface water

2.3.1 The Licensee shall ensure that where waste is emitted to surface water from the emission points in Table 2.3.1 it is done so in accordance with the conditions of this Licence.

Table 2.3.1: Point source emissions to surface water		
Emission point reference and location on the map of emission points	Description	Source including abatement
W1	Wastewater and crushed offal pipeline	Process wastewater and offal waste via crushing plant

2.3.2 The licensee shall crush all seafood process waste generated on the premises prior to discharge to sea via the wastewater and crushed offal pipeline.

2.3.3 The licensee shall cease emission from the wastewater and crushed offal pipeline in the event that:

- (a) the crushing equipment fails; or
- (b) crushed seafood waste is deposited on the beach shoreline.

2.4 Point source emissions to groundwater

There are no specified conditions relating to point source emissions to groundwater in this section.

2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

2.6 Fugitive emissions

There are no specified conditions relating to fugitive emissions in this section.

2.7 Odour

There are no specified conditions relating to odour in this section.

2.8 Noise

There are no specified conditions relating to noise in this section.



3 Monitoring

3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all wastewater sampling is conducted in accordance with AS/NZS 5667.10; and
- (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in the relevant table.

3.1.2 The Licensee shall ensure that :

- (a) monthly monitoring is undertaken at least 15 days apart; and
- (b) six monthly monitoring is undertaken at least 5 months apart

3.2 Monitoring of point source emissions to air

There are no specified conditions relating to monitoring of point source emissions to air in this section.

3.3 Monitoring of point source emissions to surface water

3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table and identified on the map of monitoring points in Schedule 1.

Monitoring point reference and location	Parameter	Units	Frequency
S1	Volumetric flow rate	m ³ /day	Monthly
S1	Total nitrogen as N	mg/L	Six monthly during the following times: <ul style="list-style-type: none"> • production of prawn waste from processing; and • during routine washdown.
S1	Total phosphorous as P	mg/L	
S1	Total suspended solids	mg/L	
S1	5-day Biological oxygen demand	mg/L	
S1			

3.4 Monitoring of point source emissions to groundwater

There are no specified conditions relating to monitoring of point source emissions to groundwater in this section.

3.5 Monitoring of emissions to land

There are no specified conditions relating to monitoring of emissions to land in this section.

3.6 Monitoring of inputs and outputs

3.6.1 The Licensee shall undertake the monitoring in Table 3.6.1 according to the specifications in that table.

Input/Output	Parameter	Units	Averaging period	Frequency
Seafood Type	Raw weight prior to processing	kg	Monthly	Each batch arriving at premises



3.7 Process monitoring

There are no specified conditions relating to process monitoring in this section.

3.8 Ambient environmental quality monitoring

There are no specified conditions relating to ambient environmental quality monitoring in this section.

3.9 Meteorological monitoring

There are no specified conditions relating to meteorological monitoring in this section.

4 Improvements

There are no specified improvement conditions in this section.

5 Information

5.1 Records

5.1.1 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 5.1.1(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.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report (AACR) 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.

5.1.4 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.

5.2 Reporting

5.2.1 The Licensee shall submit to the Director an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.



Table 5.2.1: 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
Table 3.3.1	Volumetric flow rate, Total nitrogen as N, Total phosphorous as P, Total suspended solids, 5-day Biological oxygen demand.	As condition 3.3.2
5.1.3	Compliance.	AACR
Table 3.6.1	Summary of monthly volume and type(s) of seafood processed on the premises.	None specified
-	Monthly and annual average load of contaminants as stipulated in Table 3.3.1 using flow weighted data.	None specified
5.1.4	Complaints summary.	None specified

Note 1: Forms are in Schedule 2

5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the Director at the Contact Address and in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
-	Taking process equipment offline for maintenance works that may result in increased odour emissions	No less than 72 hours in advance of works	None specified
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part A: As soon as practicable but no later than 5pm of the next working day Part B: As soon as practicable	N1

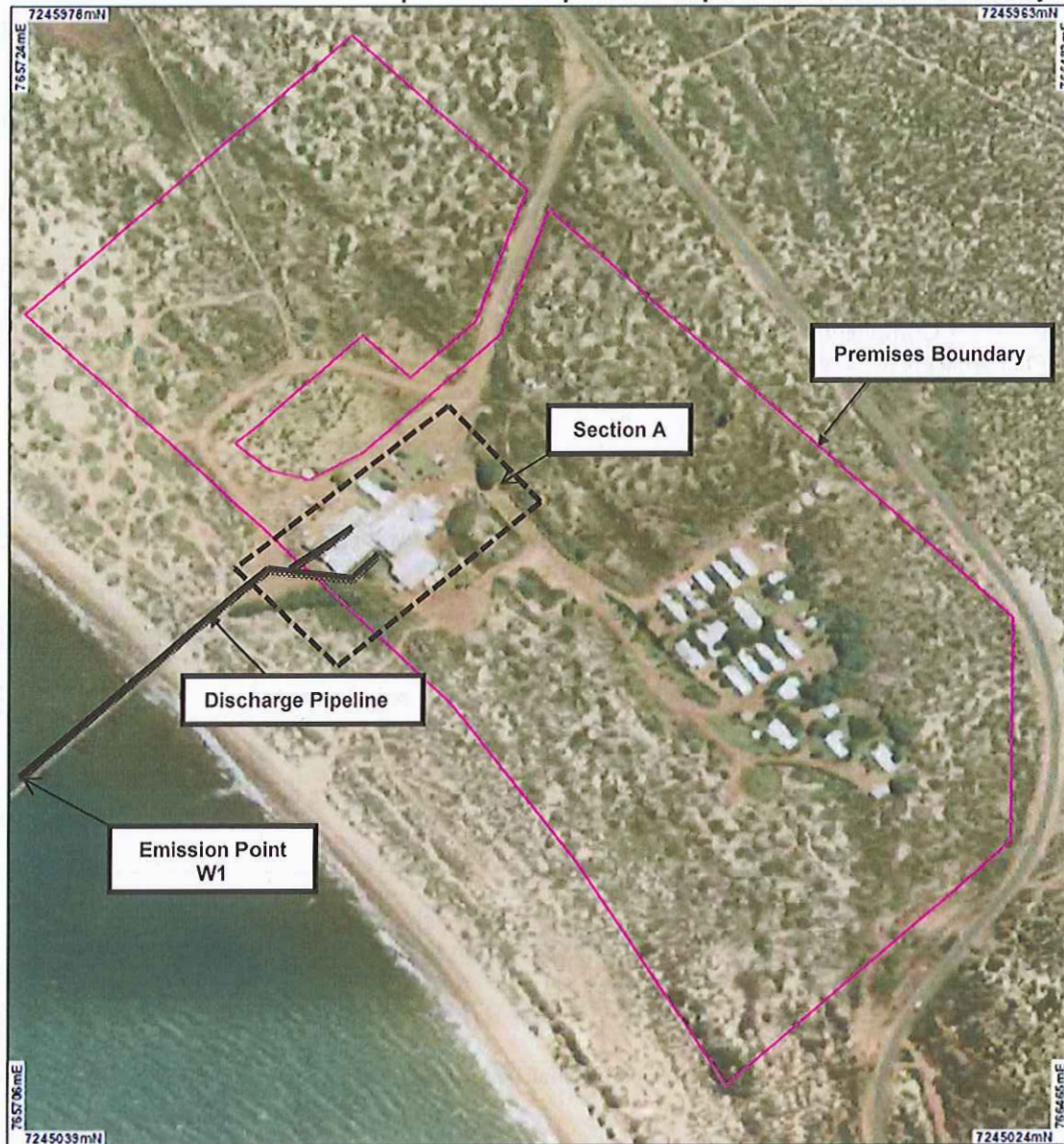
Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

Note 2: Forms are in Schedule 2



Schedule 1: Maps

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



LEGEND

- Local Government Authorities

Carmarvon 1:4m Orthomosaic - Landgate 2002

Scale 1:4200
(Applicable when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Prepared by: cllrj
Prepared for:
Date: 18/02/2014 12:18:59 PM

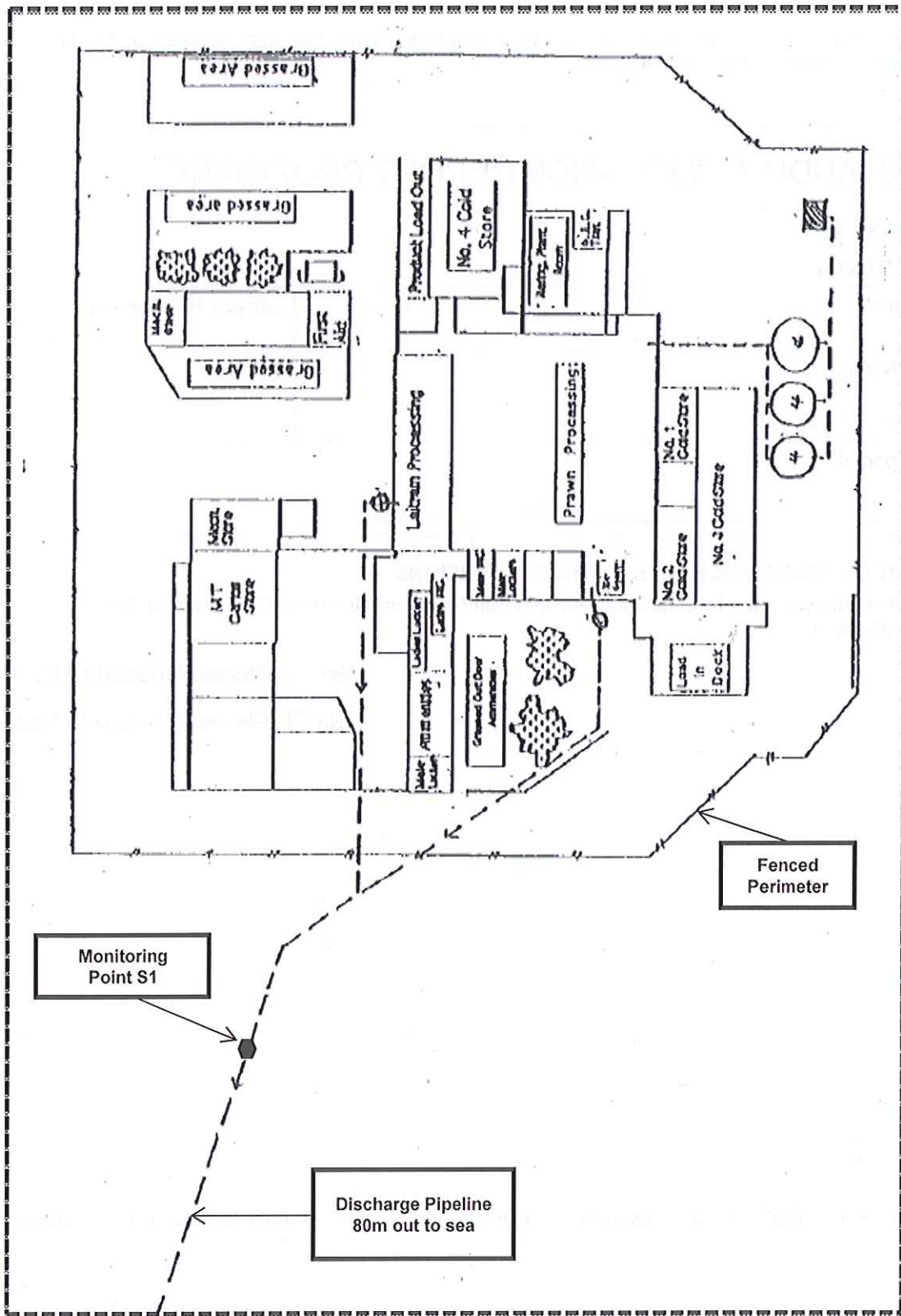
Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.

Government of Western Australia
Department of Environment Regulation
WA Govt Copyright 2014

* Project Data: This data has not been quality assured. Please contact map author for details.



Section A (Map of monitoring points)





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:	ABN:
Trading as:	
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 initialled 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"/>	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: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L7219/1997/9
Form: N1

Licensee: Nor-West Seafoods Limited
Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

These pages outline the information that the operator must provide.
Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number L7219/1997/9	
Name of operator	Nor-West Seafoods Limited
Location of Premises	Lot 626 on Plan 206109 Binning Road BABBAGE ISLAND WA 6701
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Nor-West Seafoods Limited	
Date	