



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** **Accolade Wines Australia Ltd**

**Licence:** **L7359/1995/10**

**Registered office:** Reynell Road  
 REYNELLA SA 5161

**ACN:** 008 273 907

**Premises address:** Houghton Wines  
 148 Dale Road  
 MIDDLE SWAN WA 6056  
 Being Lot 103 on Plan 77141 as depicted in Schedule 1.

**Issue date:** Friday, 11 September 2015

**Commencement date:** Monday, 14 September 2015

**Expiry date:** Sunday, 13 September 2020

**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
25	Alcoholic beverage manufacturing: premises on which an alcoholic beverage is manufactured and from which liquid waste is or is to be discharged onto land or into water.	350 kilolitres or more per year	7000 kilolitres per annual period

**Conditions**

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

.....  
**Lauren Trott**  
 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**

In 2012, Accolades Wines Australia Ltd (Accolades) took over the operation of the Houghton Wines from Constellation Australia Limited. The Premises has been operating as an alcoholic beverage operation (winery) since 1995 with a current nominated crush capacity of 10,000 tonnes per year.

The winery is located within the Swan Valley rural land use zone. The nearest sensitive receptor is the Swan Christian Education Association located on the southern boundary and the nearest residential premises is approximately 100 m to the north of the Premises. The surrounding land for at least 3 km is primarily cleared. The western boundary of the Premises adjoins the Swan River and irrigation woodlots are located approximately 200 m east of the river. A small water course (Jane Brook) flows through the Premises. The groundwater resource at the Premises is the Eastern Superficial unconfined aquifer with flows from the south-east. Infiltration of treated wastewater from the premises flows towards the Swan River which is the main environmental receptor. Depth to groundwater is approximately 11 metres below ground level (mbgl), with seasonal fluctuations from 9.7 to 12.4 mbgl

Core winemaking activities are mainly undertaken during February when the bulk of wastewater is produced. Wastewater from the plant is directed to a concrete lined sump which also receives stormwater from hardstand areas and excess stormwater collected from the roof of the processing shed. Treatment of the wastewater consists of settlement and filtration after dilution with stormwater. From the sump the wastewater is directed to two 45,000 litre above-ground closed tanks in which solids settle prior to filtration through a disc filter. From the second tank wastewater is pumped for irrigation onto a 4.02 ha area of date palms and blue gums. Approximately 8.5 ML of wastewater is irrigated each year. The treated wastewater is analysed monthly. The soil and underlying groundwater is also monitored.

Sludge is removed from the wastewater tanks by a licenced operator and is removed from the premises. Lees from the fermentation process is also removed by a licenced operator. Sludge and lees are not stored onsite.

This Licence is the successor to licence L7359/1995/9. DER has re-assessed emissions and discharges from the premises. Improvement requirements requiring the licensee to develop a Nutrient Irrigation Management Plan has been included. The licence is being renewed for a term of 5 years.

The licences and works approvals issued for the Premises since 13/09/2010 are:



Instrument log		
Instrument	Issued	Description
L7359/1995/9	13/09/2010	Licence re-issue
L7359/1995/9	13/09/2013	Licence amendment – transfer of licence
L7359/1995/9	18/12/2014	Licence amendment to REFIRE format
L7359/1995/10	10/09/2015	Licence re-issue.

### 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*;

**'AHD'** means the Australian height datum;

**'annual period'** means the inclusive period from 1 August until 31 July in the following year;

**'AS 4482.1-2005'** means the Australian Standard AS 4482.1-2006 *Guide to the investigation and sampling of sites with potentially contaminated soil - Non-volatile and semi-volatile compounds*;

**'AS 4482.2-1999'** means the Australian Standard AS 4482.2-1999 *Guide to the sampling and investigation of potentially contaminated soil - Volatile substances*;

**'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*;

**'AS/NZS 5667.11'** means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

**'averaging period'** means the time over which a limit is measured or a monitoring result is obtained;

**'BOD 5-day'** means the biochemical oxygen demand over a testing period of 5 days;

**'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;

**'dS/cm'** means deci-Seimens per metre and is a unit of measurement of electrical conductivity;

**'leachate'** means liquid released by or water that has percolated through waste and which contains some of its constituents;

**'lees'** means the material which accumulates in the bottom of grape juice or wine fermentation tanks;

**'Licence'** means this Licence numbered L7359/1995/10 and issued under the Act;



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

**'marc'** means grape material (mainly skin, pulp and seeds) which is left over after grape crushing and pressing;

**'mBGL'** means metres below ground level;

**'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;

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

**'six monthly'** means the 2 inclusive periods from 1 August to 31 January and 1 February to 31 July;

**'spot sample'** means a discrete sample representative at the time and place at which the sample is taken;

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

**'vintage'** means the period of time during which the first and last grapes of the season are received for crushing; and

**'%w/w'** means percentage weight by weight.

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 General conditions**

1.2.1 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.

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

1.2.3 The Licensee shall implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises.



### 1.3 Premises operation

1.3.1 The Licensee shall ensure that all wastewaters from alcoholic beverage manufacturing operations including wash down water, by-products wastewater and contaminated run-off are directed to a wastewater treatment system.

1.3.2 The Licensee shall ensure that waste material is only stored and/or treated within areas or compounds provided with the infrastructure detailed in Table 1.3.1.

Table 1.3.1: Containment infrastructure		
Storage vessel or compound	Material	Infrastructure requirements
Solid waste storage area	Marc	Compacted gravel area that is capable of preventing surface runoff of leachate

1.3.3 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 1.3.2.

Table 1.3.2: Management of Waste		
Waste type	Disposal strategy	Operational requirements
Treated wastewater	Irrigation	The Licensee shall ensure irrigation meets the following requirements: <ul style="list-style-type: none"> <li>• irrigation does not occur in areas where the water table rises to within 2m of the surface during the irrigation period;</li> <li>• irrigation does not occur within 50 m of a surface water body excluding dams within premises boundary;</li> <li>• bunding is maintained adjacent to wastewater irrigation areas to divert uncontaminated stormwater away from the irrigation area;</li> <li>• no irrigation generated run-off, spray drift or discharge occurs beyond the boundary of the Premises;</li> <li>• treated wastewater is evenly distributed over the irrigation area;</li> <li>• no soil erosion occurs;</li> <li>• vegetation cover is maintained over the wastewater irrigation areas; and</li> <li>• irrigation does not occur on land that is water logged.</li> </ul>
Marc	Storage	Marc is stored onsite for no longer than two weeks.
Sludge	De-sludging of tanks	Sludge to be removed in post vintage period and at other times as required to allow for effective settling and filtration of wastewater

1.3.4 The Licensee shall manage the wastewater treatment system such that there is no discernible seepage loss from the wastewater treatment system.



## 2 Emissions

### 2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit specified in any part of section 2 of this Licence.

### 2.2 Emissions to land

2.2.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this Licence.

<b>Table 2.2.1: Emissions to land</b>			
<b>Emission point reference and location on Map of emission points</b>	<b>Emission point reference on Map of emission points</b>	<b>Description</b>	<b>Source including abatement</b>
L1	Irrigation field	Discharge from irrigation pump station to on-site irrigation field	Treated wastewater from wastewater treatment system

2.2.2 The Licensee shall not cause or allow emissions to land greater than the limits listed in Table 2.2.2.

<b>Table 2.2.2: Emission limits to land</b>			
<b>Emission point reference</b>	<b>Parameter</b>	<b>Limit (including units)</b>	<b>Averaging period</b>
L1	Load of total nitrogen	200 kg/ha/yr	Annually
	Load of total phosphorus	80 kg/ha/yr	
	Load of Biochemical Oxygen Demand (BOD 5-day)	50 kg/ha/day	Monthly



### 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;
  - (c) all groundwater sampling is conducted in accordance with AS/NZS 5667.11
  - (d) all soil sampling is conducted in accordance with AS 4482.1 and AS 4482.2 as relevant; and
  - (e) 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 six monthly monitoring is undertaken at least 5 months apart.
- 3.1.3 The Licensee shall record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.
- 3.1.4 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications.
- 3.1.5 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

#### 3.2 Monitoring of emissions to land

- 3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

<b>Table 3.2.1: Monitoring of emissions to land</b>					
<b>Emission point reference</b>	<b>Monitoring point reference and location on Map of monitoring points</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging Period</b>	<b>Frequency</b>
L1	M1 - Outflow from wastewater treatment system to irrigation area	Volumetric flow rate	m <sup>3</sup> /day	Weekly	Continuous
		pH <sup>1</sup>	-	Spot sample	Monthly while irrigating
		Total nitrogen	mg/L		
		Total phosphorus			
		Total dissolved solids			
		BOD 5-day			

Note 1: In-field non-NATA accredited analysis permitted.



### 3.3 Ambient environmental quality monitoring

3.3.1 The Licensee shall undertake the monitoring in Tables 3.3.1 and 3.3.2 according to the specifications in those tables and record and investigate results that do not meet any limit specified.

<b>Table 3.3.1: Monitoring of ambient soil quality</b>				
<b>Monitoring point reference and location</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>
S1 - S3	pH <sup>1</sup>	-	Spot sample <sup>2</sup>	Six monthly
	Sodium			
	Magnesium			
	Calcium			
	Total Kjeldahl Nitrogen			
	Total Available Phosphorus			
	Total Organic Carbon	%w/w		

Note 1: In-field non-NATA accredited analysis permitted.

Note 2: Samples to be taken from topsoil 1 (0-200 mm), topsoil 2 (200-600mm) and subsoil (600mm to bottom of root zone) at each monitoring point.

<b>Table 3.3.2: Monitoring of ambient groundwater quality</b>				
<b>Monitoring point reference and location</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>
GQ1 – GQ3	Standing water level	m(AHD)	Spot sample	February, May, August and November
	pH <sup>1</sup>	-		
	Total nitrogen (TN)	mg/L		
	Total phosphorus (TP)			
	Total dissolved solids			
	BOD 5-day			

Note 1: In-field non-NATA accredited analysis permitted.



## 4 Improvements

### 4.1 Improvement program

4.1.1 The Licensee shall complete the improvements in Table 4.1.1 by the date of completion in Table 4.1.1.

4.1.2 The Licensee, for improvements not specifically requiring a written submission, shall write to the CEO stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 4.1.1.

<b>Improvement reference</b>	<b>Improvement</b>	<b>Date of completion</b>
<b>IR1</b>	<p>The Licensee shall submit to the CEO a Nutrient Irrigation Management Plan (NIMP) in accordance with Department of Water's <i>Water Quality Protection Note 33 Nutrient and Irrigation Management Plans, June 2010</i> and accounts for cumulative nutrient loading to the approved irrigation area identified in the Licence. The NIMP must include but not be limited to:</p> <ul style="list-style-type: none"><li>(i) Assessment of adequacy of existing irrigation area based on:<ul style="list-style-type: none"><li>(a) Hydraulic loading rates;</li><li>(b) Nutrient loading rates; and</li><li>(c) Biochemical Oxygen Demand loading rates;</li></ul></li><li>(ii) Monthly water balance assessing adequacy of storage capacity of existing wastewater treatment/ storage system;</li><li>(iii) Nutrient balance which clearly identifies availability of nutrients from each source, vegetation uptake rates, soil storage capacity and environmental loss during the assessment year and accounts for any nutrient credits for following years;</li><li>(iv) Detailed assessment of total nutrient application rate to the existing irrigation area on the premises (t/ha/year) based on (i);</li><li>(v) Contingency plan for storage of wastewater during wet weather periods when irrigation may not occur or irrigation volumes may be lower;</li><li>(vi) Qualitative and quantitative risk assessment to determine acceptable nutrient application rate to minimise potential of soil, surface water and groundwater contamination;</li><li>(vii) Identification of improvements required;and</li><li>(viii) Details of proposed management measures (if applicable) including timelines, to be implemented to reduce the risk of potential environmental impacts that may occur as a result of exceeding the recommended nutrient loading rates.</li></ul>	31 October 2016



## 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 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 CEO an Annual Environmental Report within 45 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.

<b>Table 5.2.1: Annual Environmental Report</b>		
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Format or form<sup>1</sup></b>
-	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 3.2.1	Monitoring of emissions to land	Report to include chronological graphs of parameters
	Volume of treated wastewater discharged to land	
	Contaminant loading to land of parameters (total annual loading kg/ha/yr for nitrogen and phosphorus, average daily loading kg/ha/day for BOD).	
Table 3.3.1	Monitoring of ambient soil quality	
Table 3.3.2	Monitoring of ambient groundwater quality	
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2



5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains an assessment of the information contained within the report against previous monitoring results and Licence limits.

### 5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

<b>Table 5.3.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement<sup>1</sup></b>	<b>Format or form<sup>2</sup></b>
2.1.1	Breach of any limit specified in the Licence	As soon as practicable but no later than 5pm of the next usual working day.	N1

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

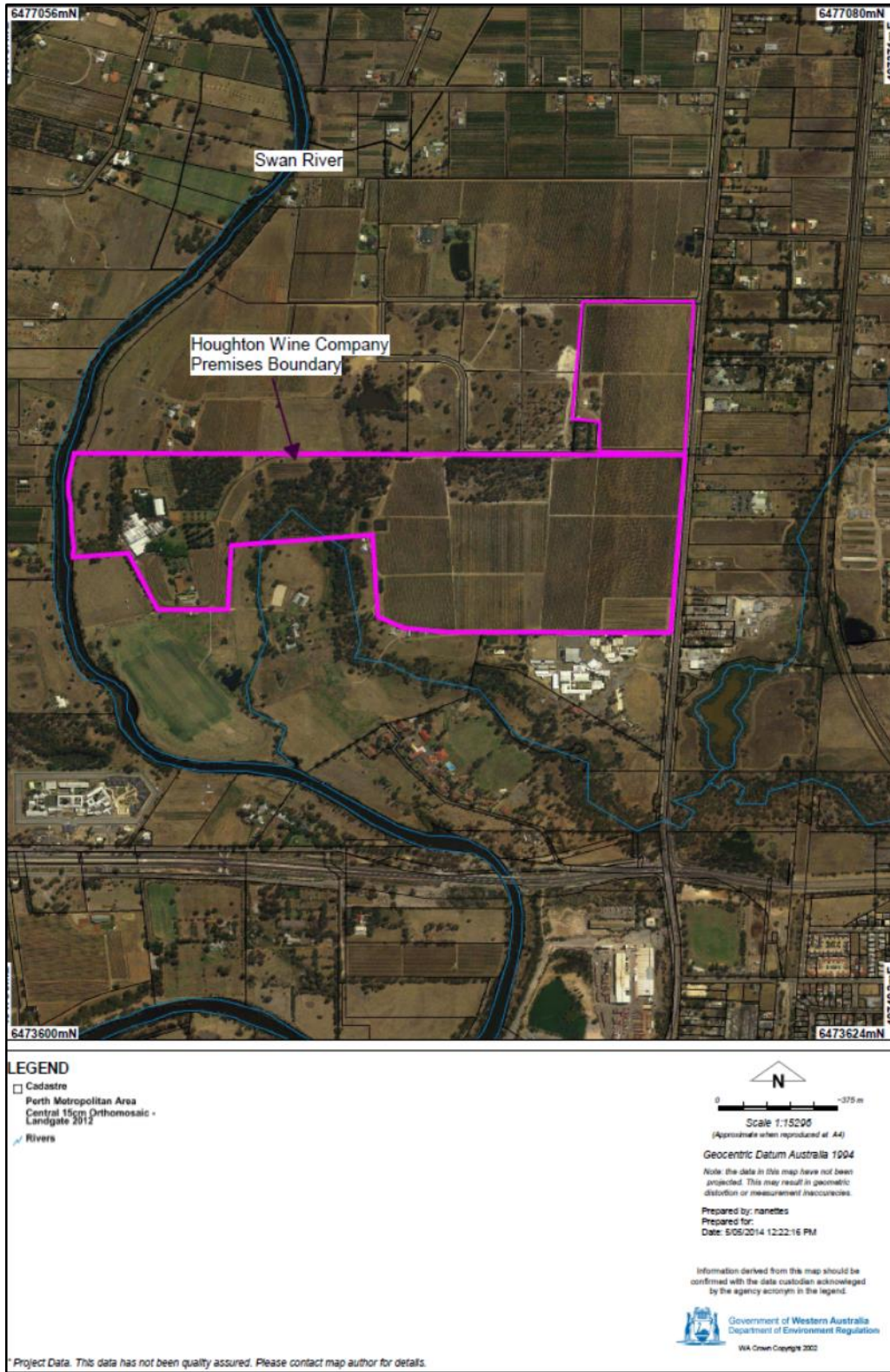
Note 2: Forms are in Schedule 2



## Schedule 1: Maps

### Premises map

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





### Map of emission points

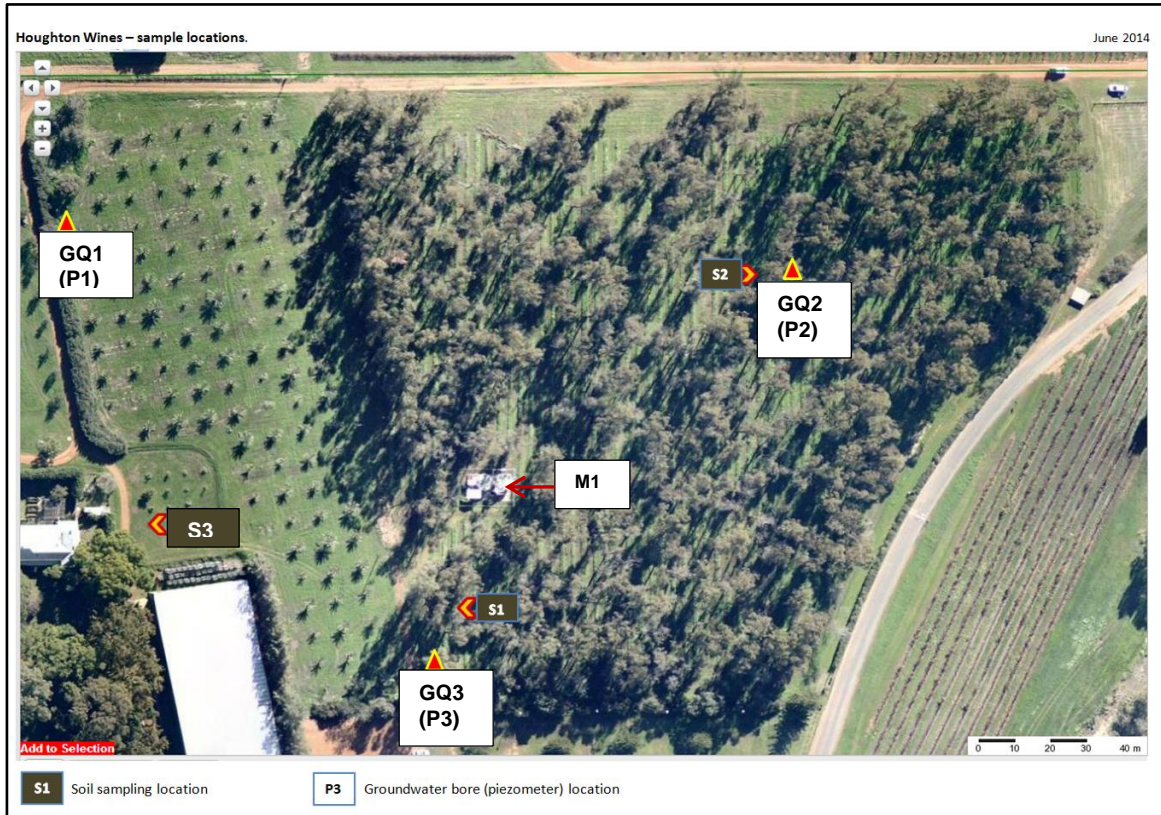
The location of emission point defined in Table 2.2.1 is shown below.





### Map of monitoring locations

The locations of the monitoring points defined in Tables 3.3.1 and Table 3.3.2 are shown below.





## 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 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: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)



Licence: L7539/1995/10  
 Form: N1

Licensee: Accolade Wines Australia Ltd  
 Date of breach:

**Notification of detection of the breach of a limit.**

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	
Name of operator	
Location of Premises	
Time and date of the detection	

<b>Notification requirements for the breach of a limit</b>	
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	



## 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 Accolade Wines Australia Ltd	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Accolade Wines Australia Ltd  
**Licence:** L7359/1995/10

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**Registered office:** Reynell Road  
REYNELLA SA 5161

**ACN:** 008 273 907

**Premises address:** Houghton Wines  
148 Dale Road  
MIDDLE SWAN WA 6056  
Being Lot 103 on Plan 77141

**Issue date:** Friday, 11 September 2015

**Commencement date:** Monday, 14 September 2015

**Expiry date:** Sunday, 13 September 2020

### **Decision**

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Gargi Joshi  
Licensing Officer

Decision Document authorised by: Lauren Trott  
A/Manager Licensing – Process Industries



## Contents

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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	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	25	7000 kilolitres per annual period
Application verified	Date: 13 July 2015	
Application fee paid	Date: 3 August 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"/>
If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.		



### **3 Executive summary of proposal and assessment**

In 2012, Accolades Wines Australia Ltd (Accolades) took over the operation of the Houghton Wines from Constellation Australia Limited. The Premises has been operating as an alcoholic beverage operation (winery) since 1995 with a current nominated crush capacity of 10,000 tonnes per year.

The winery is located within the Swan Valley rural land use zone. The nearest sensitive receptor is the Swan Christian Education Association located on the southern boundary and the nearest residential premises is approximately 100 m to the north of the Premises. The surrounding land for at least 3 km is primarily cleared. The western boundary of the Premises adjoins the Swan River and irrigation woodlots are located approximately 200 m east of the river. A small water course (Jane Brook) flows through the Premises. The groundwater resource at the Premises is the Eastern Superficial unconfined aquifer with flows from the south-east. Infiltration of treated wastewater from the premises flows towards the Swan River which is the main environmental receptor. Depth to groundwater is approximately 11 metres below ground level (mbgl), with seasonal fluctuations from 9.7 to 12.4 mbgl

Core winemaking activities are mainly undertaken during February when the bulk of wastewater is produced. Wastewater from the plant is directed to a concrete lined sump which also receives stormwater from hardstand areas and excess stormwater collected from the roof of the processing shed. Treatment of the wastewater consists of settlement and filtration after dilution with stormwater. From the sump the wastewater is directed to two 45,000 litre above-ground closed tanks in which solids settle prior to filtration through a disc filter. From the second tank wastewater is pumped for irrigation onto a 4.02 ha area of date palms and blue gums. Approximately 8.5 ML of wastewater is irrigated each year. The treated wastewater is analysed monthly. The soil and underlying groundwater is also monitored.

Sludge is removed from the wastewater tanks by a licenced operator and is removed from the premises. Lees from the fermentation process is also removed by a licenced operator. Sludge and lees are not stored onsite.

This decision document re-assesses potential environmental risks from irrigation of treated wastewater to the woodlot on the premises. An improvement requirement requiring the licensee to develop a Nutrient Irrigation Management Plan has been included. The licence is being renewed for a term of 5 years.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and 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	L1.2.1- L1.2.3 L1.3.1- L1.3.3	<p>The licence specifies monitoring requirements for wastewater, ambient groundwater and soil quality. L1.2.1 retains the requirement specified in condition 1.2.2 from previous licence to ensure that pollution control and monitoring equipment is operated and maintained effectively.</p> <p><u>Emission Description</u>  <i>Emission:</i> Contaminated stormwater. Wine making process uses various chemicals including sodium hydroxide, citric acid and tartaric acid. Spills and leaks of chemicals during normal operation or storage and handling that may lead to contamination of stormwater. Emissions to stormwater are also possible from solids storage area and from wastewater irrigation area.  <i>Impact:</i> The western boundary of the Premises adjoins the Swan River. A small water course (Jane Brook) flows through the Premises. There is potential for localised impact and potential or actual alteration of environment if contaminated stormwater is released to the environment.  <i>Control:</i> Sodium hydroxide (classified as Dangerous Goods under the Dangerous Goods Safety Act) is stored in drums on banded pallets. Tartaric acid and citric acid is stored in containers in a sump designed to direct any spillage to the wastewater treatment tanks. The tartaric and citric acid solutions are distributed to tanks throughout the site. The licensee has indicated that bunding of all pipes is not feasible. All wastewater and contaminated stormwater is directed to a sump prior to being directed to two solid settling tanks. Uncontaminated stormwater is diverted away from the irrigation area. Leachate from solid waste stockpile is contained within the area.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</p>



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<p><u>Risk Assessment</u>  <i>Consequence:</i> Moderate  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u>            Condition 1.2.2 has been retained from previous licence requiring the licensee to recover, remove and dispose of spills. Condition 1.2.3 has been added requiring the licensee to implement practical measures to prevent stormwater contamination from activities on the premises. Condition 1.3.1 – 1.3.3 have been carried forward from previous licence to ensure that any contaminated run-off is directed to the wastewater treatment system, marc storage area is managed so as to prevent surface run-off and to ensure that bunding is maintained adjacent to wastewater irrigation area to divert uncontaminated stormwater away.</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Moderate  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Moderate</p>	
<b>Emissions general</b>	L2.1.1	Emission limits will be set through Condition 2.2.1 of the licence and therefore condition 2.1.1 regarding recording and investigation of exceedances of limits or targets has been included.	N/A
<b>Point source emissions to air including monitoring</b>	N/A	There are no point source emissions to air from the premises.	N/A
<b>Point source emissions to surface water including monitoring</b>	N/A	There are no point source emissions to surface water from the premises.	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Point source emissions to groundwater including monitoring	N/A	There are no point source emissions to groundwater from the premises.	N/A
Emissions to land including monitoring	L2.2.1 - L2.2.2 L3.2.1 L1.3.4	<p><u>Emission Description</u>  <i>Emission:</i> Wastewater discharged to land through irrigation. Wastewater from winery operations is characterised by variable pH arising from natural acidity of the grape juice and periodic caustic flushing, high BOD (including residual yeasts and sugars), high suspended solids and elevated salt levels.</p> <p><i>Impact:</i> Potential for groundwater contamination. The irrigation field is approximately 150 m from the Swan River and the groundwater is approximately 11 mbgl. The groundwater resource at the Premises is the Eastern Superficial unconfined aquifer with flows from the south-east. Infiltration of treated wastewater from the premises flows towards the Swan River which is the main environmental receptor. An investigation report titled <i>Middle Swan Irrigated Woodlot 2005 Investigation- Findings and Recommendations</i>, authored by GHD and dated June 2006, identifies that soils in the woodlot area (irrigation area) are classified Houghton sand/ Swan sand. The report notes that texture, colour and structure indicate that soil has high saturated hydraulic conductivity and drains freely in the top 2m. The report notes that percolation to lower levels of soil profile is possible under conditions of hydraulic overloading. Previous assessment noted that BOD loading limit of 50 kg/ha/day was based on the Winery Wastewater Management and Recycling Operational Guidelines (2011). TN, TP , BOD loading limits currently specified on the licence are higher than nutrient application criteria specified in Department of Water's Water Quality Protection Note 22 Irrigation with nutrient-rich wastewater, published July 2008. In the absence of site-specific nutrient irrigation management plan, extent of potential environmental impact due to current limits set cannot be determined.</p> <p>The Premises undertakes irrigation of primary treated wastewater throughout the year. There is potential for nutrients leaching into groundwater if irrigation during wet weather months is</p>	<p>Grape and Wine Research Development Corporation. 2011. Winery Wastewater Management and Recycling Operational Guidelines- Figure 22: <i>Pollutants in winery effluent: limits for surface water and irrigation</i></p> <p>DoW, 2008. Water Quality Protection Note – Irrigation with Nutrient-rich Wastewater.</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>not appropriately managed. DER has previously notified the licensee (23 November 2012) of elevated phosphorus concentrations in groundwater monitoring results and the need for further investigation to ensure groundwater quality is protected. This suggests there is potential for alteration of the environment.</p> <p><i>Controls:</i> The wastewater is directed to settling tanks which enables settling of organic matter. This assists in the reduction of nutrients and biological oxygen demand (BOD) from the wastewater effluent. Once treated, the wastewater is irrigated to a 4.02 hectare field consisting of date palms and blue gums. Sprinklers disperse the water on a rotational basis. A peripheral clay bund prevents stormwater runoff from the irrigation field. Monitoring is undertaken monthly to ensure nutrient loading rates are below licensed limits. Review of recent monitoring reports submitted by the licensee indicates that wastewater generation volumes have significantly reduced in recent years.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Moderate  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u>            Condition 2.2.1 authorises irrigation of treated wastewater to onsite irrigation field. Condition 2.2.2 carries forward emission loading limits specified in previous licence. BOD loading target specified on previous licence has not been carried forward as there were no management actions associated with it. L1.3.4 requires the licensee to manage wastewater treatment system such that there is no seepage.</p> <p>Improvement requirement IR1 has been specified requiring the licensee to submit a Nutrient Irrigation Management Plan (NIMP) in accordance with Department of Water's <i>Water Quality Protection Note 33 Nutrient and irrigation management plans</i>, published June 2010. The loading limits on the licence will be reviewed upon submission of the NIMP.</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>The NIMP is expected to examine variability in application rates during different weather periods and also changes in nutrient uptake from the woodlot as the licensee has planted date palms instead of blue gums in an area of the woodlot. Conditions 3.3.1- 3.3.2 requiring ambient groundwater quality monitoring and soil quality monitoring have been retained.</p> <p><u>Residual Risk</u>  <i>Consequence</i>: Moderate  <i>Likelihood</i>: Unlikely  <i>Risk Rating</i>: Moderate</p>	
<b>Fugitive emissions</b>	N/A	No significant fugitive emissions (dust) are expected from the Premises. General provisions of the <i>Environmental Protection Act 1986</i> apply.	General provisions of the <i>Environmental Protection Act 1986</i>
<b>Odour</b>	L1.3.3, L2.2.2, L5.1.4	<p><u>Emission Description</u>  <i>Emission</i>: Potential odour emissions from discharge of wastewater with elevated Biochemical Oxygen Demand and from storage of march and sludge from wastewater treatment tanks.  <i>Impact</i>: The nearest residential premises is located approximately 100 m to the north of the Premises. There is potential for limited impact and possible complaints if odour emissions from the premises are not adequately managed.  <i>Controls</i>: Marc is not stored onsite for longer than 2 weeks and then disposed offsite. Sludge from wastewater tanks is disposed offsite.</p> <p><u>Risk Assessment</u>  <i>Consequence</i>: Insignificant  <i>Likelihood</i>: Possible  <i>Risk Rating</i>: Low</p>	General provisions of the <i>Environmental Protection Act 1986</i>



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<p><u>Regulatory Controls</u> Condition 1.3.3 requires that marc is not stored onsite for longer than 2 weeks. Condition 1.3.3 also requires that wastewater tanks are desludged regularly to ensure effective settling and filtration of wastewater to minimise BOD load in wastewater being irrigated. Condition 2.2.2 retains BOD limit on wastewater irrigation from previous licence. Condition 5.1.4 requires the licensee to implement a complaints management system. Any unreasonable odour emissions from the premises can be managed under general provisions of the EP Act.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	
<b>Noise</b>	N/A	Noise has not been reassessed as part of this amendment. As the previous licence did not impose controls on noise, no specified conditions have been included in this section. The <i>Environmental Protection (Noise) Regulations 1997</i> apply.	<p><i>Environmental Protection (Noise) Regulations 1997</i></p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p>
<b>Monitoring general</b>	L3.1.1 – 3.1.5	The licence includes requirements for wastewater monitoring, soil monitoring and groundwater quality monitoring. Conditions 3.1.1-3.1.5 have been carried forward from previous licence and specify general monitoring requirements regarding sample collection and analysis methods, monitoring frequency, calibration requirements for monitoring equipment used and throughput recording requirements.	N/A



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L = Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Monitoring of inputs and outputs</b>	N/A	The previous licence did not require monitoring of inputs and outputs and the risk assessments conducted for this amendment have not identified any input or output monitoring requirements. No specified conditions have been included in this section.	N/A
<b>Process monitoring</b>	N/A	The previous licence did not require process monitoring and the risk assessments conducted for this amendment have not identified any process monitoring requirements. No specified conditions have been included in this section.	N/A
<b>Ambient quality monitoring</b>	L3.3.1	Premises undertakes irrigation of primary treated wastewater to the woodlot. Condition 3.3.1 retains the requirements specified in condition 3.8.1 of previous licence. See Risk assessment for Emissions to land for details.	N/A
<b>Meteorological monitoring</b>	N/A	The previous licence did not require meteorological monitoring and the risk assessments conducted for this amendment have not identified any meteorological monitoring requirements. No specified conditions have been included in this section.	N/A
<b>Improvements</b>	L4.1.1 L4.1.2	Improvement requirement for developing a Nutrient Irrigation Management Plan has been specified. See Risk assessment for 'Emissions to land' for details.	N/A
<b>Information</b>	L5.1.1-L5.1.4, L5.2.1-L5.2.2, L5.3.1	Records keeping and notification requirements have been carried forward from previous licence.	N/A
<b>Licence Duration</b>	N/A	The Licence is being granted for duration of 5 years in accordance with DER's current practice.	



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
10/08/2015	Application advertised in West Australian new paper	No comments received	Not applicable.
3/09/2015	Proponent sent a copy of draft instrument	<p>Comments received on 8 September 2015.</p> <p>The Licensee requested that completion date for the improvement required IR1 be extended to enable collection of required data through vintage and winter period of 2016.</p> <p>The Licensee proposes to monitor existing groundwater bores at a higher frequency and investigate options for broader understanding of groundwater response. The Licensee proposes to install FullStop Wetting Front Detectors to investigate nutrient leaching beyond root zone and to compare nutrient uptake of different vegetation types in the irrigation area.</p>	<p>Completion date for IR1 has been set to 31 October 2016.</p> <p>Available information shows that while FullStop detectors are useful for data collection, they can have limitations and were not designed to measure water/nutrient leaching.</p> <p>It is expected that Nutrient Irrigation Management Plan, submitted as a result of IR1, includes relevant considerations. No further changes to licence conditions required at this stage.</p>



## 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