Government of **Western Australia**
Department of **Environment Regulation**

Your ref: L8321/2008/2
Our ref: 2013/000140
Enquiries: Brad Cox
Phone: 08 9725 4300
Fax: 08 9725 4351
Email: bradley.cox@der.wa.gov.au

ATTN: Paul Dunnewyk
Margaret River Wine Production Pty Ltd
C/- Post Office
VASSE WA 6280

Dear Mr Dunnewyk

***ENVIRONMENTAL PROTECTION ACT 1986*: LICENCE GRANTED**
Premises
Margaret River Wine Production Pty Ltd
Cnr Payne and Treeton Roads
JINDONG WA 6280
Being Lot 3955 on Plan 203041 & Lot 1 on Diagram 87982
Licence Number: L8321/2008/2

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environmental 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 Brad Cox on 9725 4300.

Yours sincerely

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

Thursday, 16 January 2014

enc: *Environmental Protection Act 1986* Licence L8321/2008/2

South West Region
South West Highway, Bunbury WA 6230
Phone: 08 97254300 / Fax: 08 97254351
PO Box 1693, Bunbury, WA 6230
www.der.wa.gov.au

Government of **Western Australia**
Department of **Environment Regulation**

Licence

Environmental Protection Act 1986, Part V

Licensee: Margaret River Wine Production Pty Ltd

Licence: L8321/2008/2

Registered office: Level 2, 24 Outram St.
WEST PERTH WA 6005

ACN: 158 503 470

Premises address: Margaret River Wine Production Pty Ltd
Cnr Payne and Treeton Roads
JINDONG WA 6280
Being Lot 3955 on Plan 203041 & Lot 1 on Diagram 87982 as depicted in Schedule 1.

Issue date: Thursday, 16 January 2014

Commencement date: Thursday, 23 January 2014

Expiry date: Tuesday, 22 January 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
25	Alcoholic beverage manufacturing: premises on which alcoholic beverage is manufactured and from which is or is to be discharged onto land or into waters.	350 kilolitres or more per year	9000 kilolitres per annual period
61	Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	100 tonnes or more per year	1000 tonnes per annual period

Conditions
Subject to this Licence and the conditions set out in the attached pages.

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

Contents

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 with 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. Operating without a licence is an offence under the Act.

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

Premises description and Licence summary

The Margaret River Wine Production Pty Ltd (MRWP) own and operate a winery and own and lease (to Portavin) a packaging facility in Jindong (near Busselton), which was previously known as the Boars Rock Winery and transferred to MRWP in December 2012. The winery is 12 years old and last year had a crush amount of 5800 tonnes. The winery has a capacity to process up to 9000 kL of juice into finished wine products. In addition to the operations on the site, the facility can also receive wastewaters from similar facilities in the region up to a limit of 1000 tonnes. The nearest sensitive receptors are about 1km away from the winery and wastewater treatment plant.

The main emissions and discharges are similar to other large wineries in the south-west of WA. Waste water from the plant is directed through a screen and then a waste water treatment system before being discharged to land via irrigation. All solid waste is taken off-site. The main emissions and discharges that are the concern of this licence are odour from the waste water treatment system and ensuring appropriate discharge to land (such as suitable nutrient loading rates).

This Licence is the successor to licence L8321/2008/1 and includes changes to conditions to convert the licence into REFIRE format.

The licences and works approvals issued for the Premises since 22/01/2009 are:

Instrument log		
Instrument	**Issued**	**Description**
L8321/2008/1	22/01/2009	New application
L8321/2008/1	13/12/2012	Licence transfer from Boar's Rock Pty Ltd to Margaret River Wine Production Pty Ltd
L8321/2008/2	16/01/2014	Licence reissue, including conversion 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:

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

'AHD' means the Australian height datum;

'annual period' means the inclusive period from 1 October until 30 September in the following year;

'AS/NZS 2031' means the Australian Standard AS/NZS 2031 *Selection of containers and preservation of water samples for microbiological analysis;*

'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 5667.4' means the Australian Standard AS/NZS 5667.4 *Water Quality – Sampling – Guidance on sampling from lakes, natural and man-made;*

'AS/NZS 5667.6' means the Australian Standard AS/NZS 5667.6 *Water Quality – Sampling – Guidance on sampling of rivers and streams;*

'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 or target is measured or a monitoring result is obtained;

'BOD' means 5-day biological oxygen demand;

'code of practice for the storage and handling of dangerous goods' means the Storage and handling of dangerous goods - code of practice, Department of Mines and Petroleum, Government of Western Australia;

'controlled waste' has the definition in Environmental Protection (Controlled Waste) Regulations 2004;

'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 *Environmental Protection Act 1986;*

'Director' for the purpose of correspondence means;

Regional Leader, Industry Regulation, South West Region
Department of Environment Regulation
PO Box 1693
BUNBURY WA 6231
Telephone: (08) 9725 4300
Facsimile: (08) 9725 4351
Email: SWIRAdmin@dec.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;

'freeboard' means the distance between the maximum water surface elevations and the top of retaining banks or structures.

'fugitive emissions' means all emissions not arising from point sources identified in sections 2.2, 2.3, 2.4 and 2.5;

'hardstand' means a surface with a permeability of 10^{-9} metres/second or less;

'Licence' means this Licence numbered L8321/2008/1 and issued under the *Environmental Protection Act 1986;*

'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;

'normal operating conditions' means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

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

'quarterly' means the 4 inclusive periods from 1 April to 30 June, 1 July to 30 September, 1 October to 31 December and in the following year, 1 January to 31 March;

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

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

'shut-down' means the period when plant or equipment is brought from normal operating conditions to inactivity;

'six monthly' means the 2 inclusive periods from 1 April to 30 September and 1 October to 31 March in the following year;

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

'TSS' means total suspended solids;

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

'µS/cm' means microsiemens per centimetre.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

1.1.4 Any reference to a guideline or code of practice in the Licence means the current version of the guideline or code of practice.

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

1.3.1 The licensee shall reduce the organic, shock and hydraulic loading on the wastewater treatment plant, by:
(a) screening solids from wastewater generating activities and imported winery wastewater, using bucket, rotary or steps screen(s) with a maximum aperture size of 5 mm; and
(b) directing wastewater to impervious 'balance' or storage tanks to buffer changes in pH entering the wastewater treatment system.

1.3.2 The licensee shall dispose of wastewater generated at the premises, by:
(a) directing wastewater from the balance tanks to the sequential batch reactor; and
(b) routinely removing sludges from the wastewater treatment system to maintain the treatment plant performance.

1.3.3 The licensee shall take the following measures to manage solid waste at the premises:

(a) marc and other organic solids (including screening solids) are stored either in sealed bins on a hardstand pan which is bunded and drained such that any leachate or run-off is directed to the wastewater treatment system; or

(b) either compost marc and other organic solids prior to spreading on land for use as a soil conditioner and/or export the material offsite for reuse or disposal.

2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit, and/or target in this section.

2.2-2.4 Point source emissions to air, surface water and groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.

2.5 Emissions to land

2.5.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.5.1 [and identified on the map of emission points in Schedule 1] it is done so in accordance with the conditions of this licence.

Table 2.5.1: Emissions to land

Emission point reference [and location on Map of emission points]	Emission point reference on Map of emission points	Description	Source including abatement
L1	L1	Irrigation woodlot and irrigation vineyards	Treated waste water from the waste water treatment system

2.5.2 The Licensee shall not cause or allow emissions to land greater than the limits listed in Table 2.5.2.

Table 2.5.2: Emission limits to land

Emission point reference	Parameter	Limit (including units)	Averaging period
L1	Total Nitrogen	250 kg/ha	Annual
L1	Total Phosphorous	30 kg/ha	
L1	BOD	30 kg/ha	Day

2.5.3 The Licensee shall target emissions to land at or below the levels specified in Table 2.5.3.

Table 2.5.3: Emission targets to land

Emission point reference	Parameter	Target (including units)	Averaging period
L1	BOD	50 mg/L	Spot sample
L1	TSS	80 mg/L	

2.5.4 The Licensee shall ensure that irrigation of treated wastewater occurs such that:

(a) No soil erosion or ponding of irrigated water occurs;

(b) Irrigation practices are managed to avoid sodicity of the soil profile;
(c) Irrigation practices are managed to avoid soil toxicity of the soil profile; and
(d) No waste water spray drift nor wastewater run-off occurs beyond the property boundary.

2.6 Fugitive emissions

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

2.7 Odour

2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

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;
(c) all surface water sampling is conducted in accordance with AS/NZS 5667.4, AS/NZS 5667.6 or AS/NZS 5667.9 as relevant;
(d) all groundwater sampling is conducted in accordance with AS/NZS 5667.11;
(e) all microbiological samples are collected and preserved in accordance with AS/NZS 2031; and
(f) all laboratory samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

3.1.2 The Licensee shall ensure that :
(a) quarterly monitoring is undertaken at least 45 days 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 Director accompanied with a report comprising details of any modifications to the methods.

3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.

3.5 Monitoring of emissions to land

3.5.1 The Licensee shall undertake the monitoring in Table 3.5.1 according to the specifications in that table.

Table 3.5.1: Monitoring of emissions to land			
Emission point reference	**Parameter**	**Units**	**Frequency**
L1	Volumetric flow rate	m^3/day	Daily
L1	BOD, TSS, Total Nitrogen, Total Phosphorous	mg/L	Quarterly

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.

Table 3.6.1: Monitoring of inputs and outputs				
Input/Output	**Parameter**	**Units**	**Averaging period**	**Frequency**
Wastewater received from other premises	Wastewater	m^3/day	Daily	Daily

3.7 Process monitoring

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

3.8 Ambient environmental quality monitoring

3.8.1 The Licensee shall undertake the monitoring in Tables 3.8.1 and 3.8.2 according to the specifications in those tables and record and investigate results that do not meet any target specified.

Table 3.8.1: Monitoring of ambient surface water quality				
Monitoring point reference and location	**Parameter**	**Units**	**Averaging period**	**Frequency**
SW1, SW2	pH		Spot sample	Quarterly
SW1, SW2	Electrical conductivity	µS/cm		
SW1, SW2	BOD, TSS, TN, TP	mg/L		
SW3	pH			Quarterly when flowing
SW3	Electrical conductivity	µS/cm		
SW3	BOD, TSS, TN,TP	mg/L		

Table 3.8.2: Monitoring of ambient groundwater quality				
Monitoring point reference and location	**Parameter**	**Units**	**Averaging period**	**Frequency**
MB 1 to 4	Standing water level	m(AHD)	Spot sample	6 monthly
MB 1 to 4	pH			
MB 1 to 4	Electrical conductivity	µS/cm		
MB 1 to 4	BOD, TSS, TN, TP	mg/L		

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 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 3.5.1	All	LR1
Table 3.8.1 – 3.8.2	All	None specified
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:

(a) any relevant process, production or operational data recorded under Condition 3.1.3;

(b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and

(c) a list of any original monitoring reports submitted to the Licensee from third parties for the annual period and make these reports available on request.

5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the Director 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]
2.5.3	Target exceedance where management action taken	Within 7 working days.	ET1
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution		
3.1.4	Calibration report	As soon as practicable.	None specified

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 (including monitoring locations in Table 3.8.1 and 3.8.2 and emission point L1 from Table 2.5.1)

The Premises is shown in the map below. The red line depicts the Premises boundary and the hatched area the emission point L1.

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.

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:

Government of **Western Australia**
Department of **Environment Regulation**

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?:	
☐ Yes ☐ Reported to DER verbally Date _____ ☐ Reported to DER in writing Date _____	☐ 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:

Government of **Western Australia**
Department of **Environment Regulation**

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	□ □	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	□ □	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	□ □ □ □ □ □	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; 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)	□ □	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	□ □	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of $50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: _____/_____/_____

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: _____/_____/_____

	mg/L	g/L	Spot sample	

P dry

Wine Production Pty Ltd: ..... Date: .....

er Wine Production Pty Ltd: ..... Date: .....

Government of **Western Australia**
Department of **Environment Regulation**

Licence:	L8321/2008/1	Licensee:	Margaret River Wine Production Pty Ltd
Form:	N1	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	
Name of operator	
Location of Premises	
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 Margaret River Wine Production Pty Ltd	
Date	

Decision Document

Environmental Protection Act 1986, Part V

Proponent: Margaret River Wine Production Pty Ltd

Licence: L8321/2008/2

Registered office:	C/o Post Office VASSE WA 6280
ACN:	158 503 470
Premises address:	Margaret River Wine Production Pty Ltd Cnr Payne and Treeton Roads JINDONG WA 6280 Being Lot 3955 on Plan 203041 & Lot 1 on Diagram 87982 as depicted in Schedule 1.
Issue date:	Thursday, 16 January 2014
Commencement date:	Thursday, 23 January 2014
Expiry date:	Tuesday, 22 January 2019

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 and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by:	Bradley Cox Regional Environmental Officer
Decision Document authorised by:	Neville Welsh Regional Leader

Contents

1 Purpose of this Document

This decision document explains how DER has assessed and determined the application for a works approval or licence, 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.

Works approval and licence conditions
DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions are justified in Section 4 of this document.

Non standard conditions (NSC)

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occour within few licences. Where used, justification for the application of these conditions will be included in Section 4.

2 Administrative summary

Administrative details		
Application type	Works Approval ☐ New Licence ☒ Licence amendment ☐ Works Approval amendment ☐	
Activities that cause the premises to become prescribed premises	**Category number(s)**	**Assessed design capacity**
	25	9000 kilolitres per annual period
	61	1000 tonnes per annual period
Application verified Application fee paid	Date: 11/10/2013 Date: 24/10/2013	
Works Approval has been complied with Compliance Certificate received	Yes☐ No☐ N/A☒ Yes☐ No☐ N/A☒	
Commercial-in-confidence claim	Yes☐ No☒	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes☐ No☒	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the *Environmental Protection Act 1986*?	Yes☐ No☒	Referral decision No: Managed under Part V ☐ Assessed under Part IV ☐
Is the proposal subject to Ministerial Conditions?	Yes☐ No☒	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 *Environmental Protection Act 1986*)?	Yes☐ No☒ Department of Water consulted Yes ☐ No ☒	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes☐ No☒ If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes☐ No☒ If Yes, include details here, eg Site is subject to SO_2 requirements of Kwinana EPP.		

3 Executive summary of proposal

Wastewater from the winery and packaging plant is first directed through a screen with a 5 mm aperture for removal of large solids.

The wastewater treatment system involves a series of 'balance' tanks where chemicals may be added to modify wastewater pH, prior to the sequential batch reactor, which is an aerobic system for the treatment of the wastewater prior to being irrigated to land.

The treated wastewater is irrigated over a large area including the vineyards and woodlots. Some treated wastewater is also directed to a soak dam prior to being used for irrigation or for re-treatment in the system.

A belt press is used to dewater the bio-solids and the bio-solids are then placed in skip bins for removal offsite. There is currently no composting of solid waste on site.

A diversion system is used within the winery to ensure that all contaminated water is directed to the wastewater treatment system.

		Emission Significance - 2 *Socio-political context* - Low *Risk Assessment* - D – licence conditions Conditions have been included to ensure appropriate operation of the wastewater treatment system and management of solid waste. After removal of solids, all wastewater is directed through the balance tanks then the sequential batch reactor system. Solid waste can be either composted on site or removed from the premises.	
	OSC	Descriptive limits will be set through condition 2.5.2 and 2.5.3 of the licence and therefore OSC regarding recording and investigation of exceedances of limits or targets has been incuded.	N/A
	N/A	**Operation** *Emission Significance* - 1 *Socio-political context* - Low *Risk Assessment* – E – other management mechanisms No significant point source air emissions are expected from the operation of the winery or the wastewater treatment system.	Environmental Protection (Unauthorised Discharges) Regulations, 2004.

		wastewater treatment system and then to the irrigation system (see discharges to land) or soak dam.	
	N/A	**Operation** *Emission Significance* – 1 *Socio-political context* –No concern or interest *Risk Assessment* – E –no regulation, other management mechanisms There will be no point source emissions to water during operation of the winery. All contaminated wastewater is directed to the wastewater treatment system for treatment and then subsequently to the vineyard irrigation system (see discharges to land) via the soak dam.	Environmental Protection (Unauthorised Discharges) Regulations, 2004

		limits and emission targets. The emission limits relate to the loading of the soil averaged annually for TN and TP and daily for BOD. The emission targets specify the water quality of the wastewater being irrigated. NSC have been included about management of irrigation practices to ensure there is no impact on soil or across the premises boundary.	
	N/A	**Operation** *Emission Significance* – 1 *Socio-political context* –No concern or interest *Risk Assessment* – E –no regulation, other management mechanisms The practices at the winery generate minimal dust so no conditions have been considered necessary in this section.	
	OSC	**Operation** *Emission Significance* - 2 *Socio-political context* - Low *Risk Assessment* - D – licence conditions The wastewater treatment system generates minor amounts of odour so an OSC has been included about odour not impacting on person's not on the property.	

		have been considered necessary in this section.	
	OSC	OSC have been included relating to sampling techniques and calibration of equipment as monitoring is required by condition 3.2.1 and 3.5.1.	
	N/A	**Operation** *Emission Significance* – 3 *Socio-political context* –No concern or interest *Risk Assessment* – E –no regulation, other management mechanisms This winery accepts wastewater for treatment from the bottling company Portavin (on the adjacent premises). Wastewater from other premises may be accepted for treatment in the future so OSC on monitoring of inputs has been included in the licence.	
	N/A	**Operation** *Emission Significance* – 1 *Socio-political context* –No concern or interest *Risk Assessment* – E –no regulation, other management mechanisms No conditions have been deemed necessary in this section.	

		impacting on surface or groundwater and that discharge of uncontaminated stormwater is not contaminated.	
	N/A	**Operation** *Emission Significance* – 1 *Socio-political context* –No concern or interest *Risk Assessment* – E –no regulation, other management mechanisms No conditions have been deemed necessary in this section.	
	N/A	No improvements are required at this facility.	
	OSC	Standard reporting and notification requirements as well as OSC related to monitoring of emissions to land and ambient monitoring of surface and groundwater; as well as associated information and analysis of the data; notification of target exceedences; and a calibration report.	

6. Emissions and discharges risk assessment framework

Note: These matrix are taken from the DEC Officer's Guide to Emissions and Discharges Risk Assessment *(2006).*

Table 3: Measures of Significance of Emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95th Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal Operating Conditions (50th Percentile)	>100%	5	N/A	N/A	N/A
	50 – 100%	4	3	N/A	N/A
	20 – 50%	4	3	2	N/A
	<20%*	3	3	2	1

*For reliable technology, this figure could increase to 30%

Table 4: Socio-Political Context of Each Regulated Emission

		Relative proximity of the interested party with regards to the emission				
		Immediately Adjacent	Adjacent	Nearby	Distant	Isolated
Level of Community Interest or Concern*	5	High	High	Medium High	Medium	Low
	4	High	High	Medium High	Medium	Low
	3	Medium High	Medium High	Medium	Low	No
	2	Low	Low	Low	Low	No
	1	No	No	No	No	No

Note: These examples are not exclusive and professional judgement is needed to evaluate each specific case

*This is determined by DER using the *Officer's Guide to Emissions and Discharges Risk Assessment* (2006).

Table 5: Emissions Risk Reduction Matrix

		Significance of Emissions				
		5	4	3	2	1
Socio-Political Context	High	A	A	B	C	D
	Medium High	A	A	B	C	D
	Medium	A	B	B	D	E
	Low	A	B	C	D	E
	No	B	C	D	E	E

PRIORITY MATRIX ACTION DESCRIPTORS

A = Do not allow (fix)

B = licence condition (setting limits + EMPs - short timeframes)(setting targets optional)

C = licence condition (setting targets + EMPs - longer timeframes)

D= EIPs, other management mechanisms/licence conditions (monitoring/reporting)/other regulatory tools

E = No regulation, other management mechanisms