



LICENCE FOR PRESCRIBED PREMISES

Environmental Protection Act 1986

LICENCE NUMBER L8081/2006/3

FILE NUMBER 2014/000016

LICENSEE AND OCCUPIER OF PREMISES

Summer Honey Pty Ltd
433 Riverton Drive East
SHELLEY WA 6148
ACN 141 184 947

NAME AND LOCATION OF PREMISES

Willoughby Estate
Lot 42 on Diagram 93593, South Coast Highway
HAY WA 6333

PRESCRIBED PREMISES CATEGORY

Schedule 1 of the *Environmental Protection Regulations 1987*

CATEGORY	DESCRIPTION	CAPACITY
25	Alcoholic beverage manufacturing:	1050 kL per year

CONDITIONS OF LICENCE

Subject to the conditions of licence set out in the attached pages.

Date signed: 17 March 2016

Jonathan Bailes
Manager Licensing (Process Industries)
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

ISSUE DATE Thursday, 17 March 2016

COMMENCEMENT DATE: Tuesday, 22 March 2016

EXPIRY DATE: Thursday, 21 March 2019

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER L8081/2006/3

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DEFINITIONS

“AS/NZS 5667 or Australian Standard 5667” means the most recent version and the relevant parts of the Australian and New Zealand series of guidance standards on Water Quality Sampling;

“CEO” means Chief Executive Officer of the Department of Environment Regulation;

“CEO” for the purpose of correspondence means:

Chief Executive Officer
Department Administering the *Environment Protection Act 1986*
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au;

“Irrigation area” means the irrigation area of 1.43ha outlined in Attachment 2;

“Loading Rate” means the quantity of a particular parameter applied over a specified area for specified period of time, determined according to the following formula:\

$$\frac{\text{concentration (mg/L)} \times \text{volume per annum (kL/yr)} \div 1000}{\text{area (ha)}} = (?) \text{ kg/ha/yr};$$

“premises” refers to Willoughby Estate, Lot 42 on Diagram 93593 South Coast Hwy, Hay, WA 6333 as depicted in Attachment 2;

“Treated Wastewater” means water that has passed through the WWTS;

“WWTS” means wastewater treatment system comprised of solids screening apparatus and ponds constructed for the purposes of treating and stabilising Wastewater; and

“Wastewater” means water that has been contaminated by winemaking processes.

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DISCHARGE TO LAND

1. The licensee shall ensure that no wastewater is discharged to the environment other than treated wastewater applied to the irrigation area.
2. The licensee shall manage the application of treated wastewater to the irrigation area such that:
 - (i) ponding or surface run-off of treated wastewater does not occur; and
 - (ii) the loading rates described in Column 2 of Table 1 for each parameter listed in Column 1 of Table 1 are not exceeded.

Table 1: loading rates

Column 1	Column 2
Parameter	Loading rates
Total Nitrogen	480 kilograms/hectare/year
Total Phosphorus	120 kilograms/hectare/year
Biochemical Oxygen Demand	30 kilograms/hectare/day

3. The licensee shall determine annual loading rates for each parameter described in Column 1 of Table 1 and present this data in the next Annual Environmental Report.

MONITORING CONDITIONS

4. The licensee shall maintain a metering device that has a dynamic range equal to the maximum possible flow plus at least 10%, with an error margin of not greater than 5% of the flow rate and that the meter be operated and maintained in accordance with the manufacturer's instruction, to measure the cumulative volume (in cubic metres per day) of wastewater discharged from the wastewater treatment system to the irrigation area. Monthly records of these discharges shall be recorded and reported in a tabular form in the Annual Environmental Report.
- 5(a) The licensee shall, at the sampling frequencies stated in Column 3 of Table 2, collect and analyse for the listed parameters described in Column 2 of Table 2, representative water samples from the sampling locations listed in Column 1 of Table 2.

Table 2: Sampling locations, Parameters and Sampling frequencies

Column 1	Column 2	Column 3
Sampling location	Parameters to be analysed	Sampling frequency
Outlet from outflow pipe to the irrigation area.	(i) Total Nitrogen; (ii) Total Phosphorus; (iii) pH; (iv) 5-day Biochemical Oxygen Demand (BOD); (v) Total Dissolved Solids.	Monthly when discharging to irrigation area.

With the exception of pH, all measurements are to be reported in mg/L. The results shall be presented in the Annual Environmental Report.

- 5(b) The licensee shall collect and preserve all water samples in accordance with the relevant sections of Australian Standard 5667.

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- 5(c) The licensee shall submit all water samples to a NATA certified laboratory, accredited for the analyses specified.

REPORTING CONDITIONS

6. Annual Environmental Report
The licensee shall provide the CEO, by **1 March each year**, a copy of an Annual Environmental Report containing data collected during the period **1 January the previous year and ending on 31 December in that year**. The report shall contain, but not necessarily be limited to:
- (i) monitoring data or other collected data required by any condition of this licence;
 - (ii) a discussion of the operation of the project, compliance with conditions and its environmental performance to date ;
 - (iii) an assessment of the data collected against any limits set in this licence;
7. Annual Audit Compliance Report
The licensee shall by **1 March in each year**, provide to the CEO an Annual Audit Compliance Report in the form in Attachment 1 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the premises, during the period beginning **1 January the previous year and ending on 31 December in that year**.
8. The Licensee shall notify the CEO six months in advance of recommencing wine-making operations at the premises.

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L8081/2006/2

FILE NUMBER DEC 8774

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 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L8081/2006/2

FILE NUMBER DEC 8774

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 DEC?	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DEC verbally Date _____
<input type="checkbox"/> Reported to DEC in writing Date _____	<input type="checkbox"/> No
d) Has DEC taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of 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 initialed by the person(s) who signs Section C of this annual audit compliance report
INITIAL: _____

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L8081/2006/2

FILE NUMBER DEC 8774

SECTION C - SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report may only be signed by a person(s) with legal authority to sign it. The ways in which the Annual Audit Compliance Report 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 Annual Audit Compliance Report 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 and Conservation 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 and Conservation.
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 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 and Conservation.
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 and Conservation.
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)

ATTACHMENT 2 - PLAN OF PREMISES

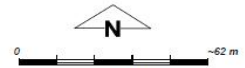
LICENCE NUMBER L8081/2006/2

FILE NUMBER DEC 8774



LEGEND

-  Road Centrelines
-  Cadastre
-  Denmark 1,4m Orthomosaic - Landgate 2001



Scale 1:2250
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

Prepared by: chrisr
Prepared for:
Date: 9/03/2010 3:32:57 PM

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



Department of
Environment and Conservation
Our environment, our future
WA Crown Copyright 2002



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Summer Honey Pty Ltd

Licence: L8081/2006/3

Registered office: 433 Riverton Drive East
SHELLEY WA 6148

ACN: 141 184 947

Premises address: Willoughby Estate
Lot 42 South Coast Highway
HAY WA 6333
Being Lot 42 on Plan 93593

Issue date: Thursday, 17 March 2016

Commencement date: Tuesday, 22 March 2016

Expiry date: Thursday, 21 March 2019

Decision

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

Decision Document prepared by: Carmen Standing
Licensing Officer

Decision Document authorised by: Jonathan Bailes
Delegated Officer



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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	Category number(s) 25	Assessed design capacity 1,050kL per year
Application verified	Date: 22/01/2016	
Application fee paid	Date: 29/01/2016	
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	N/A	
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: N/A 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: N/A 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"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



3 Executive summary of proposal and assessment

Willoughby Estate is a winery and micro-brewery located in the Shire of Denmark in the Great Southern Region. Willoughby Estate is owned and operated by Summer Honey Pty Ltd. The winery has an estimated annual production design capacity of approximately 1,500 tonnes of grapes to produce around 1,050kL of wine. The winery was constructed in 1997 to provide a winemaking contract service for producers in the local area. Currently, no wine production is occurring on the premises. A micro-brewery was installed in 2011 and is currently producing around 30kL of beer per year.

The premises is located approximately 3.5km east of Denmark, in a predominately agricultural area. The closest residential area is around 0.6km to the west. The premises is situated within the Wilson Inlet Catchment, which is a sensitive estuarine system subject to eutrophication. The closest surface water feature is Wilson Inlet, approximately 1.6km south of the premises.

The main emissions during operation of the premises are liquid waste and solid (marc) waste. The processing of alcoholic beverages (wine and beer) occurs within a shed on a concrete hardstand area. Up to 2,500kL of wastewater per year is produced from the winery when operating at full production capacity. Around 60kL of wastewater per year is currently produced from the micro-brewing operation. Solid wastes (marc) is produced during winery operations which was historically stored in the plastic bins until removed offsite by a local contractor for composting. Solids wastes from the brewery operations include spent grain and husk material. Around 7t per year of solid waste is currently produced from brewing operations which is stored in bins until collected by farmers to be used as livestock feed.

Wastewater produced during operations is primarily from washout procedures. Wastewater enters open drains within the alcoholic beverage processing area and is gravity fed to two treatment ponds. Liquid waste is screened for solid material prior to entering a collection sump and then enters the first treatment pond via a 150mm PVC underground pipe. The first treatment pond allows settling of fine solids and utilises an aerobic treatment process to digest biological wastes in the wastewater. The pond is pH adjusted and has an aerator installed to enhance oxygen levels. Wastewater then flows to the second treatment pond which allows further biological treatment.

Currently, no irrigation to land of treated wastewater is occurring. The ponds are receiving small volumes of wastewater annually (~60kL) from the micro-brewery operations. DER conducted a premises inspection in October 2014 and identified some issues with the wastewater treatment system. The Licensee is currently investigating options for determining the permeability of the ponds and upgrading them.

Given the current non-operational status of the winery and the low risk posed by the micro-brewery, the licence has been reissued with an additional condition included requiring the Licensee to provide DER with six months' notice prior to recommencing wine making operations. A full premises review will occur prior to winemaking operations recommencing, or prior to the licence expiry.



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
Reporting conditions	Licence condition 8	A condition has been added to the licence requiring the Licensee to notify the CEO of DER six months in advance of recommencing wine-making operations. This will allow a review of the premises prior to any increase in alcoholic beverage production at the premises.	N/A
Licence Duration	N/A	The licence will be issued until 2019.	DER Guidance Statement: Licence Duration



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
08/02/2016	Application advertised in West Australian (or other relevant newspaper)	No comments received	No comments received

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