



Licence Number	L7359/1995/10
Licence Holder	Oakover Vineyards Pty Ltd
ACN	009 359 835
File Number:	DEC35/1
Premises	<p>Oakover Vineyards Pty Ltd 148 Dale Road MIDDLE SWAN WA 6056</p> <p>Legal description –</p> <p>Lot 103 on Plan 77141</p>
Date of Report	10/01/2020

1. Definitions and interpretation

Definitions

In this Amendment Report, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
ASIC	Australian Securities and Investments Commission
Amended Licence	the amended Licence issued under Part V, Division 3 of the EP Act, with changes that correspond to the assessment outlined in this Amendment Report.
Amendment Report	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer.
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
Existing Licence	the Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Amendment
Licence Holder	Oakover Vineyards Pty Ltd
Minister	the Minister responsible for the EP Act and associated regulations
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Amendment Report applies, as specified at the front of this Amendment Report.

2. Amendment description

This amendment is limited to a transfer of Licence L7359/1995/10 from Accolade Wines Australia Ltd (Accolade) to Oakover Vineyards Pty Ltd (Oakover). This transfer has been made at the request of Oakover following its acquisition of the Premises on 30 October 2019.

The following guidance statements have informed the assessment and decision outlined in this Amendment Report.

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*

2.1. Purpose and scope of assessment

The assessment of the transfer application is limited to a review of ownership details to determine if a Licence transfer may occur. There are no proposed changes to the current approved Premises categories or design capacity.

Table 2 lists the documents submitted during the assessment process.

Table 2: Documents and information submitted during the assessment process

Document/information description	Date received
Licence transfer application form (DWERDT224358)	15 November 2019
ASIC current company extract – Oakover Vineyards Pty Ltd (DWERDT235676)	13 December 2019
Proof of ownership of Premises (DWERDT235676)	

2.2. CEO initiated amendment

As part of this Licence transfer package, the CEO has initiated an amendment to the type and style of the Licence. The obligations of the Licence Holder have not changed in the amendment of the Licence. DWER has not undertaken any additional risk assessment of the Premises related to the Amended Licence.

In amending the Licence, the CEO has:

- updated the format and appearance of the cover page of the Licence;
- revised the Licence summary;
- added the definition for AACR and revised the definition of CEO within the Licence and;
- removed AACR template from Schedule 2 (reporting and notification forms) as a current AACR template is now available on the DWER website.

3. Licensing History

Table 3 provides the licensing history for L7359/1995/10.

Table 3: Licence amendments

Instrument	Issued	Amendment
L7359/1995/9	13/09/2010	Licence re-issued
L7359/1995/9	24/04/2013	Transfer of Licence from Constellation Wines Australia Ltd to Accolade Wines Australia Pty Ltd
L7359/1995/9	18/12/2014	Licence amendment to REFIRE format
L7359/1995/10	11/09/2015	Licence re-issued
L7359/1995/10	10/01/2020	Transfer of Licence from Accolade Wines Australia Ltd to Oakover Vineyards Pty Ltd CEO initiated amendment to the type and style of the Licence

4. Risk assessment

The Delegated Officer has determined that the transfer of the Licence is an administrative amendment which does not alter the risk profile of the Premises. Therefore, following the review of proof of ownership and ASIC business registration details, the Delegated Officer has determined to transfer the Licence from Accolade to Oakover. The Premises shall continue to operate in accordance with the original Licence conditions and regulatory requirements, and there is to be no change in the potential emissions associated with the operation of the facility.

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that the Licence transfer will be granted.

5.1. Summary of amendments

Table 4 provides a summary of the amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Amended Licence as part of the amendment process.

Table 4: Licence amendments

Condition No.	Proposed amendments
Introduction	Revised Licence summary to include the change of ownership and operations from Accolade Wines Ltd to Oakover Vineyards Pty Ltd
1.1.2	Added definition of AACR Revised definition of CEO Revised definition of CEO for the purpose of communication
n/a	Removed Schedule 2: Reporting and notification forms

Amine Callegari
A/MANAGER PROCESS INDUSTRIES
INDUSTRY REGULATION
An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Key documents

	Document title	Availability
1	Licence L7359/1995/10	accessed at www.dwer.wa.gov.au
2	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	
3	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	
4	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	