



## Application for Licence Amendment

### Part V Division 3 of the *Environmental Protection Act 1986*

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|--------------------------|---|
| Licence Number           | L9215/2019/1  |
| Licence Holder           | Rocky Ridge Brewing Co Pty Ltd  |
| <b>ACN</b>               | 605381520   |
| <b>File Number</b>       | DER2019/000251~2  |
| <b>Premises</b>          | Rocky Ridge Brewing Co<br>665 Boallia Road, JINDONG, WA, 6280<br><br>Legal description –<br>Lot 2370 on Deposited Plan 203036 |
| <b>Date of Report</b>    | 24 May 2021   |
| <b>Proposed Decision</b> | Revised licence granted   |

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## 1. Decision summary

The Delegated Officer has determined to make amendments to Licence L9215/2019/1. The amendments are administrative in nature therefore they do not alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing licence will remain on the department's website for future reference and will act as a record of the department's decision making.

## 2. Scope of assessment

### 2.1 Regulatory framework

In amending the licence, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary

Licence L9215/2019/1 is held by Rocky Ridge Brewing Co Pty Ltd (licence holder) for the Rocky Ridge Brewing Co (the premises), located at 665 Boallia Road, Jindong.

The premises relates to the category 25 alcohol beverage manufacturing and the assessed production capacity of not more than 860kL of beer produced per annual period under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Licence L9215/2019/1.

On 6 May 2021, the licence holder submitted an application to the department to amend Licence L9215/2019/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is limited only to allowing winter irrigation of treated wastewater during winter 2021. This is by changing the date in condition 2(a) from the 31 May 2021 to the 31 May 2022.

The licence holder requires a 12-month extension to allow winter irrigation as the licence holder does not have the required storage infrastructure in place to store treated wastewater over winter or an ability to transport the wastewater offsite. The extension will provide time for the licence holder to develop and implement a long-term solution for improving quality of wastewater, waste reduction measures and managing wastewater disposal during the wet winter months.

## 3. Consultation

The licence holder was provided with the draft Amendment Report on 18 May 2021. Comments received from the licence holder on 24 May 2021 have been considered by the Delegated Officer consisting of the following.

- Request to update the infrastructure of the wastewater treatment plant consisting of a 20,000L pH buffer tank, 50,000L aerobic tank, 50,000L anaerobic tank and 97,000L settling/irrigation tank. (This information was supplied to the department within the licence holders Winter Irrigation Management Plan submitted to the department on 1 March 2021).
- Request to remove conditions (4 and 5) regarding the Winter Irrigation Management Plan as the plan has been submitted.

- Request to remove conditions (6, 7, 8, 9) regarding the works, installation, and reporting on installation of the groundwater monitoring bores as the bores have been installed.
- Request to remove groundwater monitoring for filterable reactive phosphorus as no local laboratories have the ability to test for this parameter.

The Delegated Officer has noted the licence holders' requests and will amend the licence for all comments other than removing filterable reactive phosphorus. The Delegated Officer considers that sampling for filterable reactive phosphorus in groundwater a standard nutrient parameter. Concentration levels recorded for filterable reactive phosphorus provides an indication of nutrient availability to plants and understanding of the eutrophication impacts to water resources (both ground and surface waters). Should the licence holder wish to pursue this change to the licence then they will need to provide adequate grounds based on environmental outcomes to justify this change.

## 4. Decision

Based on the assessment in this Decision Report, the Delegated Officer has determined to grant the amendment to licence L9215/2019/1. A risk assessment was not required as the nature of the operations and the production capacity of the premises had not changed when compared to the risk assessment previously undertaken for this premises. The Delegated Officer determined to allow irrigation of wastewater as a once off for the 2021 winter as the activity will have a low impact to receptors in the long term. The short-term impacts of nutrient leaching of one winter irrigation season is unlikely to compound eutrophication levels down gradient. The Delegated Officer determined that the risks to public health and the environment from the activities at the premises, as previously assessed by the Delegated Officer have not materially changed and are deemed acceptable.

Condition 2, Table 2, item (a) (*'As from 31 May 2021, no irrigation during the months of June, July and August may occur,'*), will have the date changed to 31 May 2022, to allow winter irrigation in 2021.

The Delegate Officer has also determined to include the following.

- Update to the licence history.
- Correct typo error in Condition 11, changing the alphabetical list from 'g' to 'k' to 'a' to 'e'.
- Update Condition1, Table 1 infrastructure to include 20,000L pH buffer tank, 50,000L aerobic tank, 50,000L anaerobic tank and 97,000L settling/irrigation tank.
- Update Figure 3 Wastewater Treatment Diagram to include new infrastructure (listed above).
- Remove Conditions 4 and 5 relating to Winter Irrigation Management Plan as the licence holder has submitted a plan to the department on the 1 March 2021 (DWERDT420889)
- Remove Conditions 6, 7, 8 and 9 relating to the works, installation, and reporting on the installation of the groundwater monitoring bores, as the licence holder has submitted this on the 19 April 2021 (DWERDT440495).
- Update licence conditions numbers and tables for numerical consistency.

Obligations of the licence holder have not changed because of the CEO initiated updates and changes made.

### 4.1 Summary of amendments.

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

**Table 1: Summary of licence amendments**

| Condition no.            | Proposed amendments   |
|--------------------------|---|
| Licence history          | Addition of the current licence amendment   |
| Condition 2, Table 2 (a) | Changed date from 31 May 2021 to 31 May 2022, to allow winter irrigation in 2021.   |
| Condition 11             | Changed the typo error in the alphabetical list from 'g' - 'k' to 'a' - 'e'.  |
| Condition 1, Table 1     | Changed the following infrastructure: 5,000L to 20,000L pH buffer tank; 97, 000L aerobic tank to a 50,000L aerobic tank and a 50,000L anaerobic tank; and 10,000L settling tank and 10,000L irrigation to a 97,000L settling/irrigation tank. |
| Schedule 1, Figure 3     | Updated Figure 3 Wastewater Treatment Diagram to include the changed infrastructure from Condition1, Table 1.   |
| Condition 4 and 5        | Removed Conditions 4 and 5 as the Winter Irrigation Management has been submitted to the department on 1 March 2021.  |
| Condition 6, 7, 8 and 9  | Removed Conditions 6,7,8 and 9 as the groundwater bores have been installed and their installation details submitted to the department 19 April 2021.   |
|                          | Licence has been updated for numerical consistency.   |

## 5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

## References

1. Department of Water and Environmental Regulation June 2019, *Guideline: Industry Regulation Guide to Licensing*. Department of Water and Environmental Regulation, Perth, Western Australia
2. Department of Environmental Regulation, October 2015. *Guidance Statement: Setting conditions*. Department of Environment Regulation, Perth, Western Australia.
3. Rocky Ridge Brewing Co 2021, *Licence Amendment to Permit Winter Irrigation 2020 REVA: 5 May 2021*, Jindong, Western Australia.
4. Rocky Ridge Brewing Co 2021, *Licence Application*, Jindong, Western Australia.

5. Rocky Ridge Brewing Co 2021, *Winter Irrigation Management Plan – RevA: February 2021*, Jindong, Western Australia.