



## Industry Regulation fact sheet

# Beverage manufacturing

This fact sheet provides guidance on the Department of Water and Environmental Regulation's (DWER) administration of licences and works approvals for premises manufacturing alcoholic and non-alcoholic beverages.

Any premises where an activity listed in Schedule 1 of the [Environmental Protection Regulations 1987](#) (EP Regulations) is carried out at, or above, the specified production or design capacity are prescribed premises and regulated by DWER under Part V of the [Environmental Protection Act 1986](#) (EP Act).

Prescribed premises require a works approval for construction and either a licence or registration to operate.

Non-alcoholic beverage manufacturing and alcoholic beverage manufacturing are described in Categories 24 and 25 of the EP Regulations:

### Category 24 and 25: Beverage manufacturing

Description of category	Production or design capacity
<b>Category 24</b>	
Non-alcoholic beverage manufacturing: premises on which a non-alcoholic beverage is manufactured and from which liquid waste is, or is to be, discharged onto land or into waters.	200 kL or more per year
<b>Category 25</b>	
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 waters.	350 kL or more per year

#### Application

#### Interpretation

Non-alcoholic beverage manufacturing includes premises manufacturing non- alcoholic beverages, including but not limited to fruit and vegetable juices, cordials, and carbonated drinks.

It does not include processing milk which is regulated under Category 17: Milk processing.



Alcoholic beverage manufacturing includes wineries, breweries and distilleries that manufacture alcoholic beverages, including but not limited to wine, beer, cider and spirits.

Some beverage manufacturers may produce both alcoholic and non-alcoholic beverages and may require licensing in both Category 24 and Category 25.

Re-packaging beverages is not considered to be beverage manufacture under Category 24 or 25.

To be considered a prescribed premises under Category 24 or 25, the premises must meet the specified production or design capacity and have a discharge of liquid waste onto land or into waters.

DWER does not consider the following to be a discharge of liquid waste onto land or into waters for the purposes of being considered a Category 24 or Category 25 prescribed premises:

- discharge to a private sewer (including Water Corporation sewers); or
- discharge to containment infrastructure for passive evaporation or storage prior to offsite transport or disposal.

Operators that have their liquid waste removed offsite must ensure that removal is carried out by a licensed controlled waste carrier.

#### Production/design capacity

The production or design capacity for Category 24: Non-alcoholic beverage manufacturing takes into consideration the capacity of the processing vessels used in the manufacturing process. It is the maximum capacity that the processing vessels can produce over a 12-month period.

The production or design capacity for Category 25: Alcoholic beverage manufacturing takes into consideration the capacity of the fermentation vessels used in the manufacturing process and the duration of each fermentation cycle. It is the maximum capacity that the fermentation vessels can produce over a 12-month period.

Production or design capacity for either category is not determined by the quantities of raw materials available or actually used (for example, tonnes of fruit pressed or volume of fruit juice or other ingredients).

#### Environmental risk

Beverage manufacturing involves a risk of causing pollution or environmental harm unless prescribed premises are appropriately regulated and managed. The EP Act sets out a range of offences that specifically relate to occupiers of prescribed premises, in addition to general offences relating to pollution and environmental harm. For further information on these offences, refer to DWER's *Industry Regulation Guide to Licensing* and the EP Act.

Emissions and discharges from manufacturing alcoholic and non-alcoholic beverages can include:

- solid and liquid wastes (for example marc, lees, washdown water);
- potentially contaminated stormwater;
- odour; and
- noise.



## Assessment

DWER applies a risk-based approach to its regulatory functions under the EP Act. DWER's publications, [Guidance statement: Decision-making](#) and [Guidance statement: Risk assessments](#), detail the approach taken by DWER in assessing applications for works approvals and licences under Part V of the EP Act.

In assessing applications for works approvals and licences, DWER will assess emissions and discharges from the primary manufacturing activity, including any directly related activities and infrastructure that give rise to emissions and discharges, such as:

- manufacturing buildings and yards;
- waste treatment and storage areas (for example composting, wastewater treatment systems and ponds); and
- wastewater irrigation and solid waste application areas.

DWER will not assess emissions and discharges from activities such as grape growing and associated agricultural activities, including the use and storage of herbicides and pesticides.

DWER will consult with Local Government Authorities and the Department of Health about approvals for the treatment and disposal/irrigation of liquid waste.

Where a prescribed premises has been assessed by the Environmental Protection Authority as a 'significant proposal' and is subject to a Ministerial Statement granted under Part IV of the EP Act, the conditions of a works approval or licence granted under Part V must not be contrary to the conditions of the Ministerial Statement.



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## More Information

For further information, please contact DWER Regulatory Services (Environment) on 6364 7000.

This document is available in alternative formats and languages on request.

Additional publications about Industry Regulation are available online at [www.der.wa.gov.au/our-work/licences-and-works-approvals/publications](http://www.der.wa.gov.au/our-work/licences-and-works-approvals/publications) or can be requested by phone on the above number.

## Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the State Law Publisher (SLP) for copies of the relevant legislation, available electronically from the SLP website at [www.slp.wa.gov.au](http://www.slp.wa.gov.au).

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