



## Annual Audit Compliance Report Form

*Environmental Protection Act 1986, Part V Division 3*

Once completed, please submit this form either via email to [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au), or to the below postal address:

Department of Water and Environmental Regulation  
Locked Bag 10  
Joondalup DC WA 6919

### Section A – Licence details

Licence number:	L9275/2020/1	Licence file number:	DER2020/000613
Licence holder name:	Eagle Bay Brewing Co Pty Ltd		
Trading as:	Eagle Bay Brewing Co		
ACN:	124209794		
Registered business address:	21/22 Railway Road Subiaco WA 6008		
Reporting period:	01/04/2023 to 31/03/2024		

### Section B – Statement of compliance with licence conditions

Did you comply with all of your licence conditions during the reporting period?  
(please tick the appropriate box)

☐ Yes – please complete:

- section C;
- section D (if required); and
- sign the declaration in Section F.

☒ No – please complete:

- section C;
- section D (if required);
- section E; and
- sign the declaration in Section F.

### Section C – Statement of actual production

Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.

Prescribed premises category	Actual production quantity
25	523kL

### Section D – Statement of actual Part 2 waste discharge quantity

Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached.

Prescribed premises category	Actual Part 2 waste discharge quantity
25	1,223kL

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	2	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
The irrigation infrastructure has been installed in accordance with Condition 2 with the exception of the dripper line. The sprinkler system is working well and the dripper line has not been considered necessary to date.			
What was the actual (or suspected) environmental impact of the non-compliance? <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
The dripper line has not been considered necessary, the sprinklers are considered to be adequately dispersing the treated wastewater in the irrigation area.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
EBBC has proposed updating the conditions of L9275/2020/1, including removing the condition relating to the installation of a dripper line.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	9	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Irrigation of wastewater did occur during the months of June 2023 and July 2023.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
EBBC has not installed additional storage tanks to hold the wastewater for June and July.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
EBBC is working on optimising the WWTP performance to reduce the nutrient load of the treated wastewater. Given the recent good results from the WWTP, EBBC does not believe irrigating wastewater during June and July would have a different environmental outcome compared to not irrigating during June and July. EBBC has proposed an amendment to L9275/2020/1 to reflect the site operations.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and (A only)			
<input type="checkbox"/> Reported to DWER verbally (A)		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	9	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
No biomass was mechanically harvested from the irrigation area.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
The hay crop that was planted did not grow to a sufficient height to enable mechanical harvesting at the time the other hay paddocks were harvested in late spring.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
Sheep were allowed to graze the irrigation area to remove some of the biomass in late spring.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	9	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Healthy vegetation cover was not maintained over the irrigation area (L2) during the summer months. Some areas of grasses died off due to the heat and insufficient water.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
The volume of wastewater is insufficient to keep the grasses over the whole 1.3ha irrigation area alive during the summer. The sandy soils would be a contributing factor as they dry out quicker than other soil types.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
No action is proposed. The grasses across the farm die off over summer. The amount of wastewater is insufficient to keep the grass across the irrigation area alive.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and (A only)			
<input type="checkbox"/> Reported to DWER verbally (A)		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	



Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	10	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
<p>The limits listed in Table 5 for L2 (irrigation area) were exceeded. Based on an average of all the treated water samples taken during the reporting period, multiplied by the amount of treated wastewater that was irrigated, the loadings are estimated to have been as follows during the reporting period:</p> <p>TN 218 kg/ha/annual period            TP 75 kg/ha/annual period            BOD 201 kg/ha/annual period</p>			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p><b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>The nutrient load put on the irrigation area during the reporting period was higher than the limits set in the Licence. Some of this load would have been taken up by plants, and some of the nutrient load could have migrated to the perched aquifer beneath the site. There are no nearby creeks or streams, it is unlikely that the nutrients will have migrated away from the site.</p>			
Cause (or suspected cause) of non-compliance:			
<p>The higher nutrient loads were caused by the WWTP not working properly. The water treatment results were highly variable, with some good results and some poor results. EBBC experienced difficulties working with the supplier of the WWTP, it was not handed over to the satisfaction of EBBC. The EBBC team relied too much on the supplier to fix the wastewater problems as they were not given adequate training on how to operate the WWTP optimally. Issues were not picked up quickly enough and were left for too long without being addressed while the EBBC team waited for the supplier to come to site to fix the issues.</p>			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>EBBC has parted ways with the company that supplied the WWTP, and started working with a new company to optimise the performance of the WWTP. The EBBC team is now taking more ownership of the system and no longer waiting for assistance from an external provider.</p> <p>The wastewater treatment sample results have been good for 3 consecutive months since March 2024 have. If these numbers cannot be achieved in the next reporting period, EBBC can expand the irrigation area by adding more length to the hoses and an additional sprinkler to each line to spread the wastewater over a greater area. The wastewater quality will continued to be monitored monthly.</p>			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	10	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Discharge limits of 5350L/day of wastewater irrigated to the irrigation area may have been exceeded on six occasions according to the flow data.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
The team have been manually reading the flow meter when they check the system, rather than daily. The team has not been focused on the amount irrigated per day, rather allowing the system to irrigate automatically when the relevant water levels in the tank are reached.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We are investigating the irrigation settings of the system, to reduce the level of the switch that allows the system to irrigate so it will irrigate smaller amounts more often.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	12	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
The change on the volumetric flow rate meter was not read daily during the reporting period. The manual readings of the meter were sporadic.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
The team has not been trained to read the meter daily. The responsibility for reading the meter was the responsibility of the team, rather than one individual having the responsibility.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We are investigating whether data can be downloaded from the existing flow meter which will give more timeframe specific data.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	



Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	12	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Monthly wastewater samples were not analysed for April 2023, September 2023, November 2023 and December 2023.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
Samples were not taken on exactly a monthly basis as the process due to the team getting busy with other tasks and the samples were missed.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We have created a calendar of sampling events to ensure they are not missed in the future.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	13	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
The groundwater samples were not analysed for Arsenic.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
There are no sources of Arsenic in the brewing process and the testing for Arsenic was omitted.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We have submitted an amendment to remove Arsenic from the list of parameters that are required to be tested.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	14	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Soil samples were not taken and analysed during the reporting period.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
During 2023 a new team member took over the responsibility for all monitoring. The requirement for soil monitoring was missed in this handover, and was not realised until work commenced on the AER in April 2024. This was a mistake by the team.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We have created a sampling calendar to ensure no sampling events are missed in the future.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	16	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Rainfall has not been monitored consistently by a rain gauge located within the premises boundary.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
A rain gauge has been installed at the site, however the data from the rain gauge was found to be inconsistent and the rain gauge can become blocked with organic matter. It was found that the data from the nearby certified weather station was freely available and more consistent.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We have submitted a licence amendment to change the requirement to enable the use of the Cape Naturaliste weather station.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	20 & 23	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
We apologise that this AACR and the AER are late.			
What was the actual (or suspected) environmental impact of the non-compliance? <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
EBBC did not allow sufficient time to prepare the reports before the due date. The team is very busy and unfortunately the preparation of these reports was not attended to in a timely manner.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We have created a calendar of sampling events which includes the reporting requirements to ensure the reporting is started earlier in future.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:    /    /	



Section F – Declaration			
I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular <sup>1</sup> .			
I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.			
Signature <sup>2</sup> :		Signature:	
Name: (printed)		Name: (printed)	
Position:		Position:	
Date:	6/06/24	Date:	
Seal (if signing under seal):			

<sup>1</sup> 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.

<sup>2</sup> AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.