



# Licence

<b>Licence number</b>	L7725/2001/8
<b>Licence holder</b>	Rural Developments Pty Ltd
<b>ACN</b>	008 689 110
<b>Registered business address</b>	18 High Street FREMANTLE WA 6160
<b>DWER file number</b>	DER2015/002879-1
<b>Duration</b>	05/06/2023 to 04/06/2043
<b>Date of issue</b>	02/06/2023
<b>Premises details</b>	Leeuwin Estate Stevens Road WITCHCLIFFE WA 6286  Legal description - Lot 661 on Plan 131668; Lot 688 on Plan 131667; and Lot 1016 on Plan 231030 As defined in Schedule 1

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i> )	Assessed production / design capacity
Category 25 – 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 water.	850 kilolitres per year (wine produced)

This licence is granted to the licence holder, subject to the attached conditions, on 2 June 2023, by:

Neville Welsh  
SENIOR INDUSTRY REGULATION OFFICER  
INDUSTRY REGULATION

An officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

## Licence history

Date	Reference number	Summary of changes
22/05/2014	L7725/2001/7	Licence reissue and conversion to new format
01/09/2015	L7725/2001/7	Licence amendment to move emission point reference and irrigation area location, and update to current template.
02/06/2023	L7725/2001/8	Licence renewed for twenty years.

## Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this licence:
  - (i) if dated, refers to that particular version; and
  - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

**NOTE:** This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

## Licence conditions

The licence holder must ensure that the following conditions are complied with:

### Premises operation

1. The licence holder must ensure that all wastewaters from alcoholic beverage manufacturing operations including wash down water, by-products wastewater and contaminated run-off are directed to a wastewater treatment system.
2. The licence holder must ensure that the site infrastructure and equipment listed in Table 1 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in Table 1.

**Table 1: Containment infrastructure**

Site infrastructure and equipment	Operational requirement	Infrastructure location
Wastewater treatment plant includes (WWTP) <ul style="list-style-type: none"> <li>• 4 x 3 kL concrete lined settling tanks;</li> <li>• 1 x 3 kL outflow tank;</li> <li>• Sloped concrete floor with grated sumps and drainage channels; and</li> <li>• Flow meter installed on discharge tank.</li> </ul>	<ul style="list-style-type: none"> <li>• Direct all wastewaters generated from alcoholic beverage manufacturing operations, including wash down water and by-products wastewater to the WWTP;</li> <li>• All wastewater from the outflow tank is to be discharged to the storage pond</li> <li>• Maintain integrity of hardstand and drainage infrastructure (sumps and all drainage channels) to prevent leakage of product or wastewater to underlying soils;</li> <li>• Maintain sumps, pipelines and drainage channels to prevent wastewater leaks to underlying soils; and</li> <li>• Flow meter to be maintained to enable accurate recording of WWTP outflow meter readings</li> </ul>	As shown in Figure 1 – Schedule 1.
Storage pond	Maintain integrity of the liner to achieve permeability of $<1 \times 10^{-9}$ m/s or better.	As shown in Figure 1 – Schedule 1.
Composting area – includes the following materials; <ul style="list-style-type: none"> <li>• Marc;</li> <li>• Lees;</li> <li>• screening solids;</li> <li>• wastewater treatment sludge; and</li> <li>• waste compost material; and</li> <li>• other organic solid wastes.</li> </ul>	Maintain the bunded hardstand area with drainage system that discharges to the wastewater treatment system; or in sealed bins.	As shown in Figure 1 – Schedule 1.

3. The licence holder must ensure that where wastes produced on the Premises are not taken off-site for lawful use or disposal, they are managed in accordance with the requirements in Table 2.

**Table 2: Management of waste**

Waste type	Disposal strategy	Operational requirements
Treated wastewater	Irrigation	<p>The Licensee must ensure that irrigation meets the following requirements:</p> <ul style="list-style-type: none"> <li>• irrigation does not occur in areas where the water table rises to within 1m of the surface during the irrigation period;</li> <li>• irrigation does not occur within 100m of a surface water body excluding dams within premises boundary;</li> <li>• no irrigation generated run-off, spray drift or discharge occurs beyond the boundary of the Premises;</li> <li>• treated wastewater is evenly distributed over the irrigation area;</li> <li>• no soil erosion occurs;</li> <li>• vegetation cover is maintained over the wastewater irrigation areas; and</li> <li>• irrigation does not occur on land that is water logged.</li> </ul>
Marc Lees Screening solids	Composting	Compost prior to spreading on land for use as a soil conditioner and/or export the material offsite for reuse or disposal.
Wastewater treatment sludge Waste compost material Other organic solid wastes	On-site application to land	Composted waste must be disposed of evenly on the vineyards and shall not be applied to land within 50 m from of any defined watercourse, wetland or external property boundary

4. The licence holder must manage the wastewater treatment system such that:
- overtopping of the wastewater treatment system does not occur;
  - stormwater runoff is prevented from entering the wastewater treatment system; and
  - vegetation and floating debris (emergent or otherwise) is prevented from growing or accumulating in the wastewater treatment system.

5. The licence holder must manage the storage pond such that:
- (a) overtopping of the pond does not occur;
  - (b) a freeboard at or greater than 300mm is maintained;
  - (c) the integrity of the containment infrastructure is maintained; and
  - (d) vegetation and floating debris (emergent or otherwise) is prevented from encroaching onto the pond surface or inner pond embankments.

## Emissions and discharges

6. The licence holder must ensure that all emissions specified in Table 3, is discharged only from the corresponding discharge point and only at the corresponding discharge point location.

**Table 3: Authorised discharge point**

Emission	Discharge point	Discharge point location
Treated wastewater	L1 - Irrigation pipe feeding 1.8ha irrigation area	As shown in Schedule 1 – Figure 1

7. The licence holder must ensure that emissions from the discharge point listed in Table 4 for the corresponding parameter do not exceed the corresponding limit when monitored in accordance with condition 12.

**Table 4: Emission and discharge limits**

Discharge point	Parameter	Limit	Averaging period
L1	pH	5.5 – 8.5	Spot sample
	Total nitrogen	250 kg/ha/day	Monthly
	Total phosphorous	50 kg/ha/day	
	Biological oxygen demand (BOD)	30 kg/ha/day	

## Monitoring

### General monitoring

8. The licence holder must ensure that:
- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
  - (b) all wastewater sampling is conducted in accordance with AS/NZS 5667.10;
  - (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured; and
  - (d) monthly monitoring is undertaken at least 15 days apart.
9. The licence holder must record production or throughput data and any other process parameters relevant to any monitoring undertaken.

10. The licence holder must ensure that all monitoring equipment used on the Premises to comply with the conditions of this licence is calibrated in accordance with the manufacturer's specifications.
11. The licence must, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

### Monitoring of emissions to land

12. The licence holder must monitor emissions in accordance with the requirements specified in Table 5 and record the results of all such monitoring.

**Table 5: Emission and discharge monitoring**

Discharge point	Monitoring location	Parameter	Frequency	Averaging period	Unit
L1	M1 – valve installed after sand filters	Volumetric flow rate (cumulative)	Continuous	Monthly	m <sup>3</sup>
		pH	Monthly	Spot sample	-
		Biological oxygen demand (BOD)			mg/L
		Total dissolved solids (TDS)			
		Total suspended solids (TSS)			
		Total nitrogen			
		Total phosphorous			

### Records and reporting

13. The licence holder must record the following information in relation to complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
  - (a) the name and contact details of the complainant, (if provided);
  - (b) the time and date of the complaint;
  - (c) the complete details of the complaint and any other concerns or other issues raised; and
  - (d) the complete details and dates of any action taken by the licence holder to investigate or respond to any complaint.

- 14.** The licence holder must:
- (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
  - (b) prepare and submit to the CEO by 1 August 2023 and annually thereafter an Annual Audit Compliance Report (AACR) in the approved form for that annual period.
- 15.** The licence holder must maintain accurate and auditable books including the following records, information, reports, and data required by this licence:
- (a) the calculation of fees payable in respect of this licence;
  - (b) any maintenance of infrastructure that is performed in the course of complying with condition 1 of this licence;
  - (c) monitoring programmes undertaken in accordance with condition 12 of this licence; and
  - (d) complaints received under condition 13 of this licence.
- 16.** The books specified under condition 15 must:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
  - (c) be retained by the licence holder for the duration of the licence; and
  - (d) be available to be produced to an inspector or the CEO as required.
- 17.** The licence holder must submit to the CEO by 1 August 2023 and biennially thereafter, an Annual Environmental Report for that annual period for the conditions listed in Table 6, and which provides information in accordance with the corresponding requirement set out in Table 6.

**Table 6: Annual Environmental Report**

Condition	Requirement
-	Tonnes of grapes crushed and kL of wine produced during the annual period.
3	Quantity of composted marc applied to the premises, including the application rate (in m <sup>3</sup> /ha)
12	Monthly and annual average contaminant loading to land of parameters
	Volume of wastewater discharged to land
	Monitoring of emissions to land
13	Complaints summary

- 18.** The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under condition 9; and
  - (b) an assessment of the information contained within the report against previous monitoring results and licence limits.

- 19.** The licence holder must, within 7 days of becoming aware of any non-compliance with condition 7 of this licence, notify the CEO in writing of that non-compliance and include in that notification the following information:
- (a) which condition was not complied with;
  - (b) the time and date when the non-compliance occurred;
  - (c) if any environmental impact occurred as a result of the non-compliance and if so what that impact is and where the impact occurred;
  - (d) the details and result of any investigation undertaken into the cause of the non-compliance;
  - (e) what action has been taken and the date on which it was taken to prevent the non-compliance occurring again; and
  - (f) what action will be taken and the date by which it will be taken to prevent the non-compliance occurring again



## Definitions

In this licence, the terms in Table 7 have the meanings defined.

**Table 7: Definitions**

Term	Definition
ACN	Australian Company Number
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).
annual period	a 12 month period commencing from 1 July until 30 June of the immediately following year.
AS/NZS 5667.1	means the Australian Standard <i>AS/NZS 5667.11 Water quality - sampling - guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples</i>
AS/NZS 5667.10	means the Australian Standard <i>AS/NZS 5667.11 Water quality - sampling - guidance on sampling of waste waters</i>
averaging period	means the time over which a limit is measured or a monitoring result is obtained
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer of the Department. "submit to / notify the CEO" (or similar), means either: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 or: <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Compost	means an organic product that has undergone aerobic and thermophilic biological transformation through the composting process to achieve pasteurisation and reduce phytotoxic compounds and has achieved a level of maturity.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
discharge	has the same meaning given to that term under the EP Act.
emission	has the same meaning given to that term under the EP Act.

Term	Definition
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
lees	means the material which accumulates in the bottom of grape juice or wine fermentation tanks;
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
marc	means grape material (mainly skin, pulp and seeds) which is left over after grape crushing and pressing
NATA	means the National Association of Testing Authorities, Australia
NATA accredited	means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis
premises	refers to the premises to which this licence applies, as specified at the front of this licence and as shown on Figure 1 in Schedule 1 to this licence
prescribed premises	has the same meaning given to that term under the EP Act.
spot sample	means a discrete sample representative at the time and place at which the sample is taken
waste	has the same meaning given to that term under the EP Act.

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## END OF CONDITIONS

## Schedule 1: Maps

### Premises map

The boundary of the prescribed premises is shown in the map below (Figure 1).



Figure 1: Map of the boundary of the prescribed premises and discharge point L1