



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Cretta Pty Ltd

**Licence:** L7413/1998/9

**Registered office:** 2 Birksgate Road  
North Fremantle WA 6159

**ACN:** 008 870 166

**Premises address:** Howard Park Winery  
137 Fifty One Road  
COWARAMUP WA 6284  
(Being Lots 22 & 23 on Diagram 98345 as depicted in Schedule 1)

**Issue date:** Thursday, 20 February 2014

**Commencement date:** Monday, 24 February 2014

**Expiry date:** Saturday, 23 February 2019

**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
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.	350 kilolitres or more per year	3200 kilolitres per annual period

**Conditions**

This Licence is subject to the conditions set out in the attached pages.

Date signed: 28 January 2016

.....  
Jonathan Bailes  
Manager Licensing (Process Industries)  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*



## Contents

Introduction	2
Licence conditions	4
1 General	4
2 Emissions	7
3 Monitoring	7
4 Information	8
Schedule 1: Maps	10
Schedule 2: Reporting & notification forms	11

## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link: <http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.



**Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

**Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

**Premises description and Licence summary**

Howard Park Winery has been operating an alcoholic beverage operation (winery) since 2000 with a maximum crush capacity of 3400 tonnes/year of grapes. The winery is zoned for rural land use. The nearest sensitive receptor is a residence located approximately 200m from the premises. The surrounding land for at least 2km is primarily cleared for grazing. The groundwater at the premises is located at a depth of approximately 10m below ground level.

The main discharge from the Premises is treated wastewater discharged to land. Approximately 15 kL per day of wastewater is treated onsite at the wastewater treatment plant, which consists of a wastewater buffer tank and aeration tanks. From the wastewater treatment plant, wastewater is then directed through irrigation onto an area of 1.15ha of land. Wastewater can also be directed to the compost windrows.

Sludge from the wastewater treatment process is pumped to sludge holding tanks. This sludge is then pumped into a clarifier by a pump operated by a float switch. The clarifier dewateres the sludge by periodically gravity feeding settled sludge via an actuator valve in the base of the clarifier. The supernatant overflows to a sump where it is pumped back to the plant for treatment. Sludge solid is added to marc for composting prior to being removed off-site. Composting takes place on a bunded hardstand which is drained such that any leachate is captured and returned through the wastewater treatment plant.

The wastewater treatment plant is designed to reduce nutrient levels to less than 30kg/ha per day Biological Oxygen Demand (BOD), 30 kg/ha per year phosphorous, and 250 kg/ha per year total nitrogen. Subsequently odour emissions from operations are not expected to be significant.

The Licence has been amended to correct administrative errors and update it to the current template.

The licences and works approvals issued for the Premises since 30/11/2005 are:

<b>Instrument log</b>		
<b>Instrument</b>	<b>Issued</b>	<b>Description</b>
L7413/1998/9	20/02/2014	Licence re-issue
L7413/1998/9	18/12/2014	Licence re-issued and converted to new template
L7413/1998/9	DRAFT	Amend administrative errors and update to current template

**Severance**

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

**END OF INTRODUCTION**



## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

**'Act'** means the *Environmental Protection Act 1986*;

**'annual period'** means the inclusive period from 1 July until 30 June in the following year;

**'AS/NZS 4482.1-2005'** means the Australian Standard AS 4482.1-2005 *Guide to the investigation and sampling of sites with potentially contaminated soil – Non-volatile and semi-volatile compounds*;

**'AS/NZS 4482.2-1999'** means the Australian Standard AS 4482.2-1999 *Guide to the sampling and investigation of potentially contaminated soil – Volatile substances*;

**'AS/NZS 5667.1'** means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

**'AS/NZS 5667.10'** means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

**'averaging period'** means the time over which a limit is measured or a monitoring result is obtained;

**'BOD 5-day'** means the biochemical oxygen demand over a testing period of 5 days;

**'CEO'** means Chief Executive Officer of the Department of Environment Regulation;

**'CEO'** for the purpose of correspondence means:

Chief Executive Officer  
Department Administering the Environmental Protection Act 1986  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Email: [info@der.wa.gov.au](mailto:info@der.wa.gov.au)

**'hardstand'** means a surface with a permeability of  $10^{-9}$  metres/second or less;

**'leachate'** means liquid released by or water that has percolated through waste and which contains some of its constituents;

**'lees'** means the material which accumulates in the bottom of grape juice or wine fermentation tanks;

**'Licence'** means this Licence numbered L7413/1998/9 and issued under the Act;

**'Licensee'** means the person or organisation named as Licensee on page 1 of the Licence;

**'mS/cm'** means millisiemens per centimetre;

**'marc'** means grape material (mainly skin, pulp and seeds) which is left over after grape crushing and pressing;



**'NIMP'** means Howard Park Wines – Margaret River Winery Nutrient Irrigation Management Plan, January 2011;

**'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'** means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

**'Schedule 1'** means Schedule 1 of this Licence unless otherwise stated;

**'Schedule 2'** means Schedule 2 of this Licence unless otherwise stated;

**'spot sample'** means a discrete sample representative at the time and place at which the sample is taken;

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia; and

**'wastewater treatment system'** means any vessel or tank containment infrastructure associated with the treatment of wastewater.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

## **1.2 General Conditions**

1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.3 The Licensee shall implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises

## **1.3 Premises operation**

1.3.1 The Licensee shall 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.

1.3.2 The Licensee shall ensure that waste material is only stored and/or treated within areas or compounds provided with the infrastructure detailed in Table 1.3.1.



<b>Table 1.3.1: Containment infrastructure</b>		
<b>Storage vessel or compound</b>	<b>Material</b>	<b>Infrastructure requirements</b>
Storage sumps	Wastewater	Concrete lined
Storage tanks	Wastewater	2 x fibreglass lined tanks 3 x metal/polyethylene lined tank
	Wastewater treatment sludge	2 x fibreglass lined tanks (unthickened sludge) 1 x stainless steel sludge clarifier tank 1 x fibreglass lined tanks (thickened sludge)
	Treated wastewater	1 x fibreglass lined tank
Aerator	Wastewater	Concrete lined aeration vessel
Solid waste storage area	Marc, lees, compost and other organic solid wastes	A hardstand area which is bunded and drained such that any leachate is directed back to the waste water treatment system

1.3.3 The Licensee shall 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 1.3.2.

<b>Table 1.3.2: Management of Waste</b>		
<b>Waste type</b>	<b>Disposal strategy</b>	<b>Operational requirements</b>
Treated wastewater	Irrigation	In accordance with the approved Nutrient Irrigation Management Plan (NIMP).
Marc, lees, wastewater treatment sludge and other organic solid wastes	Composting	Compost prior to spreading on land for use as a soil conditioner.
Composted waste	On-site application to land	Composted waste shall be disposed of evenly on the vineyards and shall not be applied to land within 50m from any defined watercourse, wetland or external property boundary.

1.3.4 The Licensee shall manage the wastewater treatment system such that:

- (a) overtopping of the wastewater treatment system does not occur;
- (b) stormwater runoff is prevented from entering the wastewater treatment system; and
- (c) vegetation and floating debris (emergent or otherwise) is prevented from growing or accumulating in the wastewater treatment system.



## 2 Emissions

### 2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit specified in any part of section 2 of this Licence.

### 2.2 Emissions to land

2.2.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.2.1 and identified on the Premises map in Schedule 1 it is done so in accordance with the conditions of this licence.

Emission point reference	Emission point reference on Premises map	Description	Source including abatement
L1	Irrigation area	Discharge from wastewater treatment system to on-site irrigation field	Treated wastewater from wastewater treatment system

2.2.2 The Licensee shall not cause or allow emissions to land greater than the limits listed in Table 2.2.2.

Emission point reference	Parameter	Limit (including units)	Averaging period
L1	Load of total nitrogen	250 kg/ha/yr	Annual
	Load of total phosphorus	30 kg/ha/yr	Annual
	Load of BOD (5-day)	30 kg/ha/day	Monthly
	pH	5.5 to 8.5	Spot sample

## 3 Monitoring

### 3.1 General monitoring

3.1.1 The licensee shall 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 soil sampling is conducted in accordance with AS 4482.1 and AS 4482.2 as relevant; and
- (d) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.

3.1.2 The Licensee shall ensure that monthly monitoring is undertaken at least 15 days apart.

3.1.3 The Licensee shall record production or throughput data and any other process parameters relevant to any monitoring undertaken

3.1.4 The Licensee shall 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 and the requirements of the Licence.

3.1.5 The Licensee shall, 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.





### 3.2 Monitoring of emissions to land

3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of emissions to land					
Emission point reference	Monitoring point location and reference on Premise map	Parameter	Units	Averaging Period	Frequency
LI	M1 - Outlet from wastewater treatment system to irrigation	pH <sup>1</sup>	-	Spot sample	Monthly while irrigating
		Electrical conductivity <sup>1</sup>	mS/m		
		BOD 5-day	mg/L		
		Total dissolved solids	mg/L		
		Total suspended solids	mg/L		
		Total nitrogen	mg/L		
		Total phosphorus	mg/L		
		Volumetric flow rate	m <sup>3</sup> /day	Monthly	Continuous

Note 1: In-field non-NATA accredited analysis permitted.

### 3.3 Ambient environmental quality monitoring

3.3.1 The Licensee shall undertake the monitoring in Table 3.8.1 according to the specifications in that table.

Table 3.3.1: Monitoring of ambient soil quality				
Monitoring point reference and location on Premises Map	Parameter	Units	Averaging period	Frequency
S1 & S2	pH <sup>1</sup>	-	Spot sample <sup>2</sup>	Once every two years during summer
	Electrical conductivity <sup>1</sup>	µS/cm		
	Sodium	mg/kg		
	Magnesium			
	Calcium			
	Sodium adsorption ratio			

Note 1: In-field non-NATA accredited analysis permitted.

Note 2: One sample to be taken at two descending levels (i.e. surface (0-100mm) and subsurface (100-200mm)).

## 4 Information

### 4.1 Records

4.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
  - (i) off-site environmental effects; or
  - (ii) matters which affect the condition of the land or waters.





- 4.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
  - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 4.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 4.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

## 4.2 Reporting

- 4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report by 1 September after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 1.3.2	Quantity of composted marc applied to the premises, including the application rate in m <sup>3</sup> /ha	
Table 3.2.1	Monitoring of emissions to land	
	Cumulative volume of wastewater discharged to land	
	Contaminant loading to land of parameters (annual loading kg/ha/yr for nitrogen and phosphorus, average daily loading kg/ha/day for BOD)	
Table 3.3.1	Monitoring of ambient soil	
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

## 4.3 Notification

- 4.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day.	N1
		Part B: As soon as practicable	
3.1.5	Calibration report	As soon as practicable.	None specified

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2



# Schedule 1: Maps

## Premises map

The Premises is shown in the map below. The orange line depicts the Premises boundary.





## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period:  _____ to _____	

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes  Please proceed to Section C

No  Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



## SECTION B

### DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

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. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)



Licence: L7413/1998/9  
Form: N1

Licensee: Cretta Pty Ltd  
Date of breach:

**Notification of detection of the breach of a limit.**

These pages outline the information that the operator must provide. Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

**Part A**

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

**Notification requirements for the breach of a limit**

Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

**Part B**

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Cretta Pty Ltd	
Date	





# Decision Document

## *Environmental Protection Act 1986, Part V*

---

**Licensee:** Cretta Pty Ltd

**Licence:** L7413/1998/9

---

**Registered office:** 2 Birksgate Road  
North Fremantle WA 6159

**ACN:** 008 870 166

**Premises address:** Howard Park Winery  
137 Fifty One Road  
COWARAMUP WA 6284  
Being Lot 22 & 23 on Diagram 98345

**Issue date:** Thursday, 20 February 2014

**Commencement date:** Monday, 24 February 2014

**Expiry date:** Saturday, 23 February 2019

### **Decision**

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue an amended licence. DER considers that in reaching this decision it has taken into account all relevant considerations and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Carmen Standing  
Licensing Officer

Decision Document authorised by: Jonathan Bailes  
Manager Licensing





## Contents

1	Purpose of this Document	2
2	Administrative summary	2
3	Executive summary of proposal and assessment	3
4	Decision table	4
5	Advertisement and consultation table	5
6	Risk Assessment	5

## 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	25	3200 kilolitres per year
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome	N/A	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>	



#### Administrative details

Is the Premises within an Environmental Protection Policy (EPP) Area Yes  No

If Yes include details of which EPP(s) here.

Is the Premises subject to any EPP requirements? Yes  No

If Yes, include details here, e.g. Site is subject to SO<sub>2</sub> requirements of Kwinana EPP.

### 3 Executive summary of proposal and assessment

Howard Park Winery has been operating an alcoholic beverage operation (winery) since 2000 with a maximum crush capacity of 3,400 tonnes/year of grapes. The winery is zoned for rural land use. The nearest sensitive receptor is a residence located approximately 200m from the premises. The surrounding land for at least 2km is primarily cleared for grazing. The groundwater at the premises is located at a depth of approximately 10m below ground level.

The main discharge from the Premises is treated wastewater discharged to land. Approximately 15kL/day of wastewater is treated onsite at the wastewater treatment works, which consists of a wastewater buffer tank and aeration tanks. From the wastewater treatment plant, wastewater is then directed through irrigation onto an area of 1.15 ha of land. Wastewater can also be directed to the compost windrows.

Sludge from the wastewater treatment process is pumped to sludge holding tanks. This sludge is then directed into a clarifier by a pump operated by a float switch. The clarifier dewateres the sludge to 1.4% solids content by periodically gravity feeding settled sludge via an actuator valve in the base of the clarifier.

The supernatant overflows to a sump where it is pumped back to the plant for treatment. Sludge solid is added to marc for composting prior to being removed off-site. Composting takes place on a bunded hardstand which is drained such that any leachate is captured and returned to the wastewater treatment plant.

The wastewater treatment plant is designed to reduce Biological Oxygen Demand (BOD) levels to less than 30 kg/ha per day, phosphorus 30 kg/ha per year and total nitrogen 250 kg/ha per year. Subsequently, odour emissions from operations are not expected to be significant.

The licence has been amended to correct administrative errors and update it to the current licence template.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>General conditions</b>	Previous L1.2.3	Previous condition 1.2.3 has been removed from the licence. The storage of waste material is specified in condition 1.3.2. The storage of other hazardous materials is subject to the requirements of other legislation and codes of practice that apply outside of this licence.	N/A
<b>Premises operation</b>	L1.3.1	Table 1.3.1 has been updated to reflect the number and type of containment infrastructure present on site.	Email from Licensee to DER 14 January 2015 (A859022)
<b>Information</b>	L4.2.1	Reporting condition 4.2.1 has been updated to amend the report due date to 1 September in each year. The annual period has been amended to 1 July to 30 June in the following year. This is the period that was defined prior to the licence amendment in 2014 when it was changed in error by DER. The Licensee has continued to report on this timeframe as agreed with DER.	
<b>Licence Duration</b>	N/A	The Licence duration has not been extended as a result of this amendment.	N/A



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
24/12/2015	Proponent sent a copy of draft instrument	No comments received	N/A

## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High