



# Amendment Notice 1

**Licence Number** L7714/2001/7

**Licence Holder** Cape Mentelle Vineyards Pty Ltd

**ACN** 008 815 334

**File Number:** DER2015/002218

**Premises**

Cape Mentelle Winery  
331 Wallcliffe Road  
MARAGRET RIVER WA 6285

Legal description –  
Lots 945 and 946 on Plan 301733 and Lot 2 on  
Diagram 66956

**Date of Amendment** 16 October 2017

**Amendment**

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986*, as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 16 October 2017

**Caron Goodbourn**

**A/Manager Licensing (Process Industries)**

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

# Definitions and interpretation

## Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

| Term                | Definition                                                                                                                                                                                                                                                                                            |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ACN                 | Australian Company Number                                                                                                                                                                                                                                                                             |
| Amendment Notice    | refers to this document                                                                                                                                                                                                                                                                               |
| CEO                 | means Chief Executive Officer.<br>CEO for the purposes of notification means:<br>Director General<br>Department Administering the <i>Environmental Protection Act 1986</i><br>Locked Bag 33 Cloisters Square<br>PERTH WA 6850<br><a href="mailto:info-der@dwer.wa.gov.au">info-der@dwer.wa.gov.au</a> |
| Delegated Officer   | an officer under section 20 of the EP Act                                                                                                                                                                                                                                                             |
| DWER                | Department of Water and Environmental Regulation                                                                                                                                                                                                                                                      |
| EP Act              | <i>Environmental Protection Act 1986 (WA)</i>                                                                                                                                                                                                                                                         |
| EP Regulations      | <i>Environmental Protection Regulations 1987 (WA)</i>                                                                                                                                                                                                                                                 |
| Licence             | The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this amendment                                                                                                                                                                         |
| Licence Holder      | Cape Mentelle Vineyards Pty Ltd                                                                                                                                                                                                                                                                       |
| premises            | refers to the premises to which this Amendment Notice applies, as specified in the front of this Amendment Notice                                                                                                                                                                                     |
| Prescribed Premises | has the same meaning given to that term under the EP Act                                                                                                                                                                                                                                              |

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Existing Licence issued under the EP Act for a Prescribed Premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

The following DWER guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Decision Making* (February 2017)

## Amendment description

Under a previous licence, L7714/2001/5, issued on 8 May 2008, Cape Mentelle Vineyards Pty Ltd (the Licence Holder) was accepting up to 8 kL of grease trap waste per year at the premises. This was to assist in the maintenance of the crust on the anaerobic ponds to reduce odour. The licence contained a condition to measure the monthly cumulative volumes of grease trap waste and to monitor the amount of oil and grease in the outflow from the wastewater treatment system.

On 26 March 2010 DWER (then Department of Environment Conservation) received a letter from the Licence Holder stating that they were going to cease accepting grease trap waste and that they would create a vegetative layer on the anaerobic pond for odour control.

The licence, L7714/2001/6, was reissued on 28 April 2011; however; it still included the requirement for the Licence Holder to monitor the amount of grease trap waste accepted at the premises and to monitor the amount of oil and grease in the outflow from the wastewater treatment system.

The licence, L7714/2001/7, was again reissued on 1 May 2014 with the condition requiring the Licence Holder to monitor the amount of grease trap waste accepted at the premises removed. However, oil and grease monitoring unintentionally remained on the licence.

The Licence Holder has confirmed that no grease trap waste is accepted at the site and therefore this amendment is a DWER initiated amendment to remove the requirement to monitor for oil and grease in the treated wastewater.

## Amendment history

Table 2 provides the amendment history for L7714/2001/7.

**Table 2: Licence amendments**

| Instrument   | Issued     | Amendment                                                                                |
|--------------|------------|------------------------------------------------------------------------------------------|
| L7714/2001/7 | 29/04/2016 | Amendment by Notice to extend expiry date of licence                                     |
| L7714/2001/7 | 16/10/2017 | Amendment Notice 1<br>Remove requirement to monitor oil and grease in treated wastewater |

## Decision

The Delegated Officer has determined that it was an administrative error to continue to require the Licence Holder to monitor for oil and grease in the treated wastewater when licence L7714/2001/7 was reissued. As grease trap waste is not accepted at the premises, the requirement to monitor for oil and grease in the treated wastewater is not required and has been removed from the licence.

## Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 19 September 2017. No comments were received.

## Amendment

- Condition 3.5.1 of the licence is amended by the deletion of the text shown in strikethrough below:

*3.5.1 The Licensee shall undertake the monitoring in Table 3.5.1 according to the specifications in that table.*

| <b>Table 3.5.1: Monitoring of emissions to land</b> |                                                                                |                                   |                            |                                     |                                                                                             |
|-----------------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------|----------------------------|-------------------------------------|---------------------------------------------------------------------------------------------|
| <b>Emission point reference</b>                     | <b>Monitoring point reference</b>                                              | <b>Parameter</b>                  | <b>Units</b>               | <b>Averaging Period<sup>2</sup></b> | <b>Frequency</b>                                                                            |
| L1                                                  | M1 – outflow from wastewater treatment system/aerobic pond to irrigation areas | Volumetric flow rate (cumulative) | L/s<br>m <sup>3</sup> /day | Continuous                          | Monthly                                                                                     |
|                                                     |                                                                                | pH <sup>1</sup>                   | pH unit                    | Spot sample                         | Pre-vintage;<br>Peak vintage;<br>Late vintage;<br>Post vintage;<br>Non-vintage <sup>3</sup> |
|                                                     |                                                                                | Electrical conductivity           | dS/m                       |                                     |                                                                                             |
|                                                     |                                                                                | Total nitrogen                    | mg/L                       |                                     |                                                                                             |
|                                                     |                                                                                | Total phosphorus                  |                            |                                     |                                                                                             |
|                                                     |                                                                                | Total dissolved solids            |                            |                                     |                                                                                             |
|                                                     |                                                                                | Total suspended solids            |                            |                                     |                                                                                             |
|                                                     |                                                                                | <del>Oil and grease</del>         |                            |                                     |                                                                                             |
| <del>BOD</del>                                      |                                                                                |                                   |                            |                                     |                                                                                             |

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

Note 2: Samples shall not be collected during periods of low flow or if excessively diluted by stormwater.

Note 3: Samples shall be taken twice during this period at least 3 months apart.

## Appendix 1: Key documents

|    | Document title                                                                                                   | In text ref  | Availability                                                           |
|----|------------------------------------------------------------------------------------------------------------------|--------------|------------------------------------------------------------------------|
| 1. | Licence L7714/2001/7 – Cape Mentelle Winery                                                                      | L7714/2001/7 | accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a> |
| 2. | Previous Licence L7714/2001/6 – Cape Mentelle Winery                                                             | L7714/2001/6 | DWER records A392371                                                   |
| 3. | Previous Licence L7714/2001/5 – Cape Mentelle Winery                                                             | L7714/2001/5 | DWER records A249612                                                   |
| 4. | Previous Licence L7714/2001/4 – Cape Mentelle Winery                                                             | L7714/2001/4 | DWER records A1525525                                                  |
| 5. | Letter from Cape Mentelle Vineyards Pty Ltd to DWER (then DEC), received 26 March 2010                           |              | DWER records A159368                                                   |
| 6. | E-mail from Cape Mentelle Vineyards Pty Ltd to DWER, dated 9 August 2017                                         |              | DWER records A1503143                                                  |
| 7. | DWER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth. |              | accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a> |
| 8. | DWER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.   |              |                                                                        |