



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Vasse Felix Pty Ltd

Licence: L7333/1997/10

Registered office: Suite 1, 464 Murray Street
PERTH WA 6000

ACN: 009 181 444

Premises address: Vasse Felix Winery
71 Tom Cullity Drive
COWARAMUP WA 6284
Being Lot 101 on Diagram 82806

Issue date: Thursday, 22 May 2014

Commencement date: Friday, 30 May 2014

Expiry date: Tuesday, 29 May 2035

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 legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Terrel MacGregor
Licensing Officer

Decision Document authorised by: Jonathan Bailes
Delegated Officer



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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	Category number(s)	Assessed design capacity
	25	2,100 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		
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



3 Executive summary of proposal and assessment

The vineyard at Vasse Felix was established in 1967 and is credited with being the Margaret River Region's first vineyard and winery. The winery on the Vasse Felix property has the capacity to process up to 3000 tonnes of grapes annually.

Vasse Felix is located at 71 Tom Cullity Drive (Lot 101 on Diagram 82806), Cowaramup. The location is a coastal plain, being 3.7km east of the Indian Ocean. The region is dominated by viticulture surrounded by competing wineries and vineyards; other land uses include pasture grazed by sheep, horses and some cattle and olive plantations. The closest neighbour not located on Vasse Felix land is approximately 500 metres (m) and is also a winery.

The closest water course to the premises is the Wilyabrup Brook that originates west of the Dunsborough fault and flows eastward to the coast close to the eastern boundary of the premises. The main dam at Vasse Felix overflows in winter to the Wilyabrup Brook. The dam water is utilised for vineyard irrigation and winery wash down water

Vasse Felix is situated on the Leeuwin Block, a geological structure comprising mainly granitic rocks extending from Cape Naturaliste in the north to Cape Leeuwin in the south. Ground water occurs at shallow depth forming an integrated system with surface waters in the area.

Grapes are grown on the property and on other properties. The grapes that are grown on other properties are transported by road to the winery. The grapes are sorted, processed and pressed to remove the juice from the berries. The juice is fermented into wine, which is matured in stainless steel and oak barrels before being bottled for sale.

During the wine making process, water is used to clean equipment, barrels and floors. The wastewater from the cleaning process contains traces of grape juice, wine and other organic substances. Total water use per annum is between 3 – 5 megalitres. The wastewater produced is treated by:

- Screening solids from the wastewater (screenings are composted);
- Flocculation of solids (solids are composted);
- pH adjustment to between 7 and 8;
- Aeration and biological treatment; and
- Attenuation in a multi-stand plantation leach field.

Grape skins, seeds and other organic solids and sludge's are composted on site on a designated concrete pad. This organic compost forms the basis of the vineyards nutritional programme. Compost beyond the requirements of the Vasse Felix vineyard is transported by road to other vineyards for use as a soil conditioner and agricultural fertiliser. Leachate from the concrete marc pad is discharged to a designated leachate area or to the wastewater treatment system, depending on the quality.

This Licence is the result of an amendment sought by DER to correct administrative errors that occurred during the 2014 licence reissue.



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.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Definitions and Interpretation	L1.1.3 – 1.1.5	Definitions relating to previous condition 1.2.3 (dangerous goods, environmentally hazardous materials) have been deleted. See general conditions for further details. The definition of 'six monthly' has been added to support current monitoring condition 3.3.1.	N/A
General conditions	Previous L1.2.3	Previous condition 1.2.3 has been removed from the licence. The storage of hazardous materials is subject to the requirements of other legislation and codes of practice outside this licence. Condition 1.1.5 (formerly condition 1.2.1) has been moved into the general interpretation section of the licence in accordance with the current DER template.	N/A
Premises operation	L1.3.2 and 1.3.3	Compounds associated with the wastewater treatment system that store and/or treat wastewater have been added to the infrastructure table (Table 1.3.1). The final disposal point of wastewater to leach drains has been added to the licence in Table 1.3.2.	N/A
Emissions to land including monitoring	L2.2.2. and 3.2.1	Table 2.2.2 has been updated to include both emission points for wastewater to land with the addition of L1 (leach drains). The licence limit for electrical conductivity (EC) in Table 2.2.2 has been removed. This limit was added in error and not in the previous version of the licence. The Licensee has an automatic process set up to ensure that when wastewater derived from the marc pad has an EC reading of 2.0mS/cm or more; then it is directed to the wastewater	N/A



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		treatment system instead of the irrigation area (L2). The frequency of monitoring the outflow from the marc pad to the irrigation (L2) in Table 3.2.1 has been updated to 'quarterly whilst irrigating' as irrigation to L2 is sporadic and not carried out on a regular basis.	
Monitoring general	3.1.2	To ensure that six monthly monitoring of groundwater is carried out in a manner that is representative, the requirement that samples are taken at least five months apart has been added to the general monitoring section 3.1.2.	N/A
Notification	L4.3.1	Notification requirements for failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution have been removed as it duplicates the requirements of section 72 of the EP Act.	N/A
Licence Duration	N/A	The licence expiry date has been amended to expire on 29 May 2035 in accordance with DER Guidance Statement: Licence Duration.	Guidance Statement: Licence duration



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
28/04/2016	Proponent sent a copy of draft instrument	Signed consultation waiver form received 10/05/2016.	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