



Application for Licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L7819/2002/9
Applicant	TYWC Pty Ltd
ACN	614 566 684
File number	DER2013/000256-1~6
Premises	Margaret River Winemakers 5 Harmans Mill Road METRICUP WA 6280 Legal description Lot 112 on Plan 40318 Certificate of Title Volume 25189 Folio 794 As defined by the premises map attached to the issued licence
Date of report	26 September 2023
Decision	Licence granted

1. Decision summary

The Delegated Officer has determined to transfer Licence L7819/2002/9 from the existing licence holder Margaret River Winemakers Pty Ltd to TYWC Pty Ltd. This transfer is administrative in nature and therefore does not alter the risk profile of the Premises, providing those activities, emissions, and receptors, as stated in the existing approvals, remain unchanged.

2. Scope of assessment

2.1 Regulatory framework

In granting the transfer, the Department of Water and Environmental Regulation (the department; DWER) has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Transfer summary

Licence L7819/2002/9 is held by Margaret River Winemakers Pty Ltd for the Margaret River Winemakers (the premises), located in Metricup at 5 Harmans Mill Road. The premises has operated since 2002 as a winery and alcoholic beverage manufacturer.

The premises relates to Category 25 under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L7819/2002/9.

On 16 August 2023 TYWC Pty Ltd 9 (the applicant) submitted an application to the Department to transfer Licence L7819/2002/9 under section 61 of the EP Act.

3. Assessment

The assessment of the transfer application is limited to a review of the legal occupancy details to determine if a transfer may occur.

Legal occupancy

TYWC Pty Ltd (Assignee) has a deed of assignment of lease with Balvernie Holdings Pty Ltd (landowner/landlord) and Margaret River Winemakers Pty Ltd (Assignor) for Lot 112 on deposited Plan 40318, Harmans Mill Road, Metricup (the Premises), no expiry date occurs on the lease agreement that commenced on the 2 April 2023.

Legal entity status

TYWC Pty Ltd is a registered company with a valid and current entry on the Australian & Investments Commission register (ACN 614 566 684) and is therefore a legal entity.

Based on the assessment in this decision report, the delegated officer has determined that the application to transfer licence L7819/2002/9 will be granted.

References

1. Department of Water and Environmental Regulation (DWER) 2023, *Amended Licence L7819/2002/9 and Decision Report for Margaret River Winemakers Pty Ltd*, revised 3 August, Perth, Western Australia.
2. TYWC Pty Ltd, *Application to transfer licence L7819/2002/9*, submitted 16 August 2023, Perth, Western Australia.