



Application for a licence amendment

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L9116/2018/1
Licence holder	The Margaret River Dairy Company Pty Ltd
ACN	054 628 723
File number	FA276588
Premises	The Margaret River Dairy Company 8063 Bussell Highway METRICUP WA 6280 Legal description - Lot 108 on Deposited Plan 40314 Certificate of Title Volume 2549 Folio 790
Date of report	19/09/2024
Decision	Amendment granted

1. Amendment description

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 hereby given under section 59B(9) of the EP Act.

This amendment relates to a variation of the irrigation requirements at the Margaret River Dairy Company, which is subject to licence L9116/2018/1.

In completing the assessment documented in this report, the department 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>.

1.1 Purpose and scope of assessment

Margaret River Dairy Company Pty Ltd (licence holder) is seeking to change the requirements for wastewater discharge at its milk processing facility in Margaret River.

An application was received by the Department of Water and Environmental Regulation (DWER/ department) on 27 March 2024. The application requests approval to irrigate treated wastewater in additional months depending on rainfall, groundwater levels and runoff monitoring in response to a changing climate, rather than being constrained specifically to November, December, January, February and March (under current licence L9116/2018/1 conditions).

1.2 Background

The premises processes milk to manufacture cheese and yoghurt and discharges wastewater to land via irrigation. It is on Lot 108 (3.83 ha) which contains the milk processing facility, wastewater treatment system (WWTS), and 0.73 ha irrigation area (L1) owned and operated by the Margaret River Dairy Company.

Wastewater is processed in lined tanks, undergoing biological aeration, clarification and disinfection prior to disposal onto land via irrigation. Existing licence conditions authorise irrigation of the treated wastewater at a rate of not more than 30kL per day and only during the months of November, December, January, February and March. During the remaining months, or when there is excess, treated wastewater is disposed of offsite.

2. Proposed amendment

In response to varying volumes of rainfall recorded at the premises for the last four years, the licence holder proposes that irrigation may occur in the months of April, May, September and/or October, in addition to the currently permitted months, without causing surface runoff or groundwater contamination.

Existing licence conditions require groundwater levels to be monitored monthly. Figure 1, as provided by the licence holder, shows groundwater levels from recent years plotted against rainfall and irrigation volumes. Based on this data, the licence holder has concluded that rainfall volume has a significant impact on raising the groundwater level and therefore, irrigation could occur outside of the stipulated months of November to March, providing the monitoring results show the groundwater level is not at full capacity and runoff is monitored during irrigation.

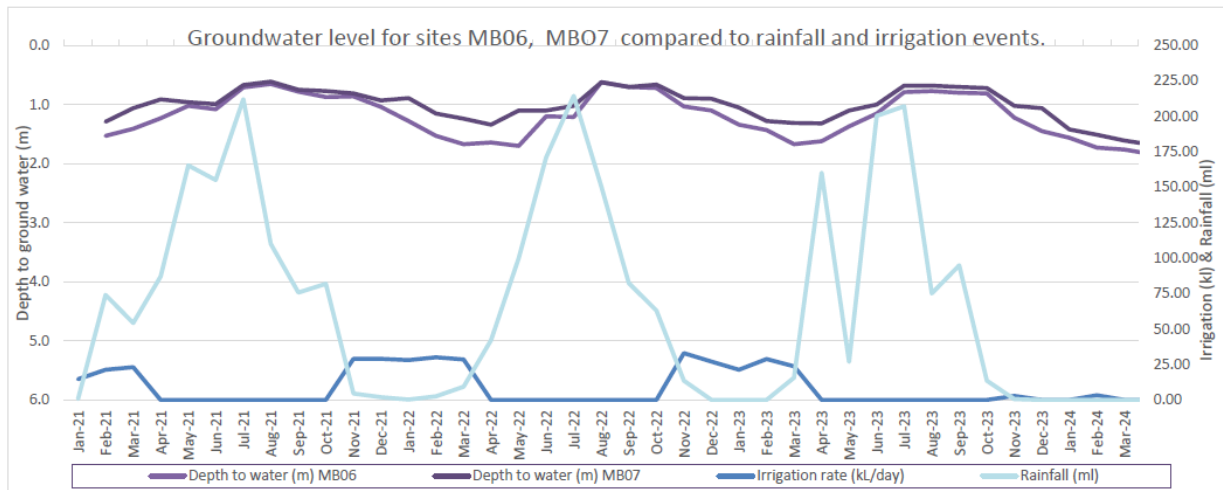


Figure 1: Groundwater levels compared with rainfall and irrigation volumes

3. Decision

The delegated officer considers the proposal to allow irrigation in the months of April, May, September and October, depending on rainfall and groundwater volume, to be partially acceptable. Based on historical monitoring data (Figure 1) it is apparent that groundwater levels fully recharge in June/July and remain high for a number of months after periods of peak rainfall, while the ability for the penetration and absorption of water into the ground recovers. The delegated officer considers this lag in response of groundwater levels to lower rainfall means that irrigating in August, September and October poses unacceptable risk of groundwater contamination and/or surface runoff. Therefore, these months are deemed unacceptable for irrigation and the proposal to include them in the licence has been rejected.

Although groundwater levels in May are not fully recharged (according to Figure 1), rainfall volumes are generally starting to rise, being the end of Autumn. Thus, the delegated officer considers that irrigating in May, in conjunction with the rising volumes of rainfall, poses an unacceptable risk of groundwater contamination and/or overland runoff. Therefore, May has been deemed unsuitable for irrigation and will not be included in the licence amendment.

The groundwater levels in April are often relatively low from the summer (lower rainfall) months. Rainfall in April can vary significantly year-to-year. The delegated officer considers that April may be suitable for irrigation, particularly in years with low rainfall, providing monitoring of groundwater levels, rainfall and surface runoff demonstrates that doing so will not pose unnecessary risk to the environment.

The delegated officer has determined that a licence amendment will be granted to include April, exclusively, as a month in which irrigation may occur. This determination is based on the following:

- the proposal does not involve an increase in production throughput or wastewater produced;
- data shows that April can have low rainfall and low groundwater levels - conditions suitable for irrigation;
- existing licence conditions will apply, including:
 - daily irrigation rate of no more than 30kL during permitted months;
 - monitoring of daily rainfall;
 - conditions under which irrigation can and cannot occur in permitted months;
 - nutrient and biological oxygen demand limits in irrigated wastewater; and

- wastewater, groundwater and soil monitoring.

3.1 Licence holder comments on draft decision

The licence holder was provided with the draft licence amendment and report on 15 August 2024. On 19 September 2024, the licence holder responded advising they would like the amendment issued with no further comments made.

4. Conclusion

Based on this assessment, it has been determined to amend the existing licence, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

4.1 Summary of amendments

The below table provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the revised works approval as part of the amendment process.

Condition no.	Proposed amendments
Cover page	Updated to current format.
Conditions 2 - 5	Conditions relating to works have been deleted as they are now redundant.
All conditions	Condition numbers and table numbers and references have been updated throughout following the removal of redundant conditions.
Condition 6 (now condition 2)	Size of treated effluent storage tank at the WWTS amended.
Condition 7 (now condition 3)	Added April to the months in which irrigation may occur and included the size of the permitted irrigation area (L1).
Condition 10 (now condition 6)	Wording of the TN and TP loading limits amended to 'annual period' from 'year'
Condition 16 (now condition 12)	Part (b) removed as it is now redundant.
Conditions 18 and 19 (now conditions 14 and 15)	Wording amended to include the actual due date of reports.
Schedule 2; Table 13 (now Table 12)	Irrigation area added.

Caron Goodbourn
MANAGER, PROCESS INDUSTRIES
INDUSTRY REGULATION

An officer delegated by the CEO under section 20 of the EP Act