



Annual Audit Compliance Report Form

Environmental Protection Act 1986, Part V Division 3

Once completed, please submit this form either via email to info@dwer.wa.gov.au, or to the below postal address:

Department of Water and Environmental Regulation
Locked Bag 10
Joondalup DC WA 6919

| Section A – Licence details | | | |
|------------------------------|----------------------------------|----------------------|--|
| Licence number: | L7643/1998/8 | Licence file number: | |
| Licence holder name: | Flying Fish Cove Pty Ltd | | |
| Trading as: | Flying Fish Cove Winery | | |
| ACN: | 009163544 | | |
| Registered business address: | Level 11 St Georges Tce WA 6000 | | |
| Reporting period: | 1 / 07 / 20 22 to 30 / 06 / 2023 | | |

| Section B – Statement of compliance with licence conditions |
|---|
| Did you comply with all of your licence conditions during the reporting period? (please tick the appropriate box) |
| <input type="checkbox"/> Yes – please complete: <ul style="list-style-type: none">• section C;• section D (if required); and• sign the declaration in Section F. |
| <input checked="" type="checkbox"/> No – please complete: <ul style="list-style-type: none">• section C;• section D (if required);• section E; and• sign the declaration in Section F. |

| Section C – Statement of actual production | |
|---|----------------------------|
| Provide the actual production quantity for this reporting period. Supporting documentation is to be attached. | |
| Prescribed premises category | Actual production quantity |
| 25.ALCOHOLIC BEVERAGE | 2250 TONNES |

| Section D – Statement of actual Part 2 waste discharge quantity | |
|---|--|
| Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached. | |
| Prescribed premises category | Actual Part 2 waste discharge quantity |
| 25.ALCOHOLIC BEVERAGE | 4215 kL |

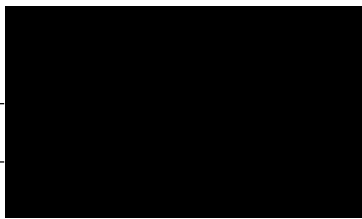
| Section E – Details of non-compliance with licence condition | | | |
|--|---------------------|----------------------------|----------|
| Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period. | | | |
| Condition no: | Approved Production | Date(s) of non-compliance: | May 2023 |
| Details of non-compliance: | | | |
| The Licence is approved for category 25 for production capacity of 2000 tonnes, actual tonnes for vintage 2023 totaled 2250 tonnes. | | | |
| What was the actual (or suspected) environmental impact of the non-compliance? | | | |
| NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place. | | | |
| The environmental impact from the noncompliance may have been a contribution to the breach of condition 2.5.2. as referred to in this form below. In general, the premise’s treatment facilities coped with the waste produced from the tonnes crushed and 188 tonnes of wine equivalent was only partially processed and was despatched before the completion of vintage which reduced the amount of waste produced from these tonnes. There was no environmental impact from the non-compliance. | | | |
| Cause (or suspected cause) of non-compliance: | | | |
| Vintage variation in actual yield exceeded those from budget projections. The variations were seasonal resulting from favourable grape growing conditions that promoted higher than average yields above those budgeted by customers. | | | |
| Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance: | | | |
| Prevention of recurrence will be managed by reduction in the number of customers and a reduction in contracted tonnes in 2024. The Winery has been advised that several customers will not be processing in 2024 and 20% less tonnes are budgeted to ensure that there is no recurrence. | | | |
| Was this non-compliance previously reported to DWER? | | | |
| <input type="checkbox"/> Yes, and | | | |
| <input type="checkbox"/> Reported to DWER verbally | | Date: / / | |
| <input type="checkbox"/> Reported to DWER in writing | | Date: / / | |

| Section E – Details of non-compliance with licence condition | | | |
|---|-------|----------------------------|-----------|
| Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period. | | | |
| Condition no: | 2.5.2 | Date(s) of non-compliance: | June 2023 |
| Details of non-compliance: | | | |
| The annual load of phosphorus exceeded the permitted the annual licence limit of 20 kg/ha/yr | | | |
| What was the actual (or suspected) environmental impact of the non-compliance? | | | |
| NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place. | | | |
| Soils in the irrigation lots are high in clay content and have low water tables as evidenced by recent test pits by SJ Smith and Associates. There is a high probability that the discharged Phosphorus was adsorbed by the clay content in the soils and retained in the irrigation lots. The plants in the irrigation lots do not appear to have been impacted by the level of non-compliance. General growth of trees appears healthy and there is no actual environmental impact to the areas where the wastewater has been discharged. Please see attached map of irrigation areas where discharge occurred. | | | |
| Cause (or suspected cause) of non-compliance: | | | |
| The noncompliance was caused by using an incorrect calculation of the irrigation area. The value used in calculation of the total area was 2.1 hectares however a recent measurement using a surveyor calculated the total area as 1.9 hectares. | | | |
| Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance: | | | |
| The accurate area will be used for future calculations to ensure that the condition is not breached when discharging wastewater to the irrigation lots. The Winery is preparing a licence amendment application detailing improvements to the wastewater system to ensure a reduction in the levels of phosphorous, nitrogen, BOD and TDS in the wastewater after treatment. The application includes a nutrient and irrigation management plan to optimize the discharge of wastewater to the irrigation lots and ensure that there is no environmental impact on the land. | | | |
| Was this non-compliance previously reported to DWER? | | | |
| <input type="checkbox"/> Yes, and | | | |
| <input type="checkbox"/> Reported to DWER verbally | | Date: / / | |
| <input type="checkbox"/> Reported to DWER in writing | | Date: / / | |

Section F – Declaration

I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular¹.

I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation’s (DWER) website.

| | | | |
|-------------------------------|---|-----------------|-------|
| Signature ² : |  | Signature: | |
| Name: (printed) | | Name: (printed) | |
| Position: | | Position: | |
| Date: | | 15/11/2023 | Date: |
| Seal (if signing under seal): | | | |

¹ 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.

² AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.