



## Annual Audit Compliance Report Form

*Environmental Protection Act 1986, Part V*

Section A – Licence Details			
Licence number:	L9132/2018/1	Licence file number:	DER/2018/000586
Licence holder:	The Beer Farm Pty Ltd		
Trading as:	The Beer Farm		
ACN:	606 046 306		
Registered address:	177 Gale Road METRICUP WA 6280		
Reporting period:	04/08/2022 to 31/12/2022 for DWER licence dated 04 August 2022		

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"><li>• section C;</li><li>• section D if required; and</li><li>• sign the declaration in Section F.</li></ul>
<input checked="" type="checkbox"/> No – please complete: <ul style="list-style-type: none"><li>• section C;</li><li>• section D if required;</li><li>• section E; and</li><li>• sign the declaration at Section F.</li></ul>

Section C – Statement of Actual Production	
Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.	
<b>Prescribed Premises Category</b>	<b>Actual Production Quantity</b>
25: Alcoholic Beverage manufacturing	1040 kL

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.	
<b>Prescribed Premises Category</b>	<b>Actual Part 2 Waste Discharge Quantity</b>
N/A	N/A

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	Date(s) of non-compliance:	October 2022
Details of non-compliance:			
<p>A technical non-compliance occurred with Condition 2, Table 1, row 11. Groundwater bores were not constructed in accordance with the requirements of this condition. If the bores were constructed in accordance with this condition they would not be fit-for-purpose.</p> <p>Condition 5 requires that the groundwater bores are: “<i>capable of intercepting surficial groundwater (if present)</i>”</p> <p>Prior to the installation of the groundwater monitoring bores, DWER’s Groundwater Science Central section was consulted in October 2022 and advised that:</p> <ul style="list-style-type: none"> <li>➤ Western Australian DWER licenced drillers are not trained on the referenced standard: ASTM D5092/D5092M-16 and are unlikely to be familiar with the requirements of this standard;</li> <li>➤ If DWER is to reference a design standard it should be the “<i>Minimum Construction Requirements for Water Bores in Australia</i>”;</li> <li>➤ A DWER licensed driller is not required to install a groundwater monitoring bore into the unconfined aquifer, but it is generally recommended; and</li> <li>➤ There is no design standard for the construction of a shallow groundwater bore into an unconfined aquifer in Western Australia.</li> </ul> <p>A DWER licenced driller was used to install the groundwater monitoring bores and the driller advised that:</p> <ul style="list-style-type: none"> <li>➤ If the “<i>Minimum Construction Requirements for Water Bores in Australia</i>” were applied, a 5 m cement grout seal is required to be installed from the ground surface. Based on the conditions encountered at the time of drilling, this seal would isolate the surficial groundwater from the bore, which would therefore not be capable of meeting the requirements of Condition 5 (i.e. to intercept surficial groundwater). This standard therefore could not be applied;</li> <li>➤ the bores installed are designed to meet the requirements of Condition 5; and</li> <li>➤ Drilling 2 metres below the water table, as required by Condition 2, will result in the artificial development of a water table where one does not currently exist. Groundwater samples collected from these bores (if installed) will then not be representative of the surficial groundwater because it will have interacted with the deeper strata (clay) that would otherwise not be in contact with the surficial groundwater.</li> </ul>			

<p>ASTM D5092/D5092M-16 has a similar grout requirement to <i>“Minimum Construction Requirements for Water Bores in Australia”</i> and accordingly cannot be applied because it will result in the surficial groundwater being isolated from the groundwater bore.</p> <p>ASTM D5092/D5092M-16 is also not designed to be applied to shallow surficial groundwater. It is designed to be applied to monitoring of deeper groundwater.</p> <p>Condition 2, row 11 is therefore not fit-for-purpose.</p>	
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p><b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>	
<p>No actual or suspected environmental harm.</p> <p>Environmental harm may have occurred if the condition was adhered to because the groundwater bores would have been constructed in a manner that would not be capable of intercepting surficial groundwater, as required by Condition 5.</p>	
<p>Cause (or suspected cause) of non-compliance:</p>	
<p>Poorly worded DWER condition that:</p> <ul style="list-style-type: none"> <li>a. Was not fit-for-purpose; and</li> <li>b. did not consider the site conditions.</li> </ul>	
<p>Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:</p>	
<p>A licence amendment will be submitted to remove this condition from the licence.</p>	
<p>Was this non-compliance previously reported to DWER? Reported in 2022 AER.</p>	
<p><input type="checkbox"/> Yes, and</p>	
<p><input type="checkbox"/> Reported to DWER verbally</p>	<p>Date: / /</p>
<p><input type="checkbox"/> Reported to DWER in writing</p>	<p>Date: / /</p>



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:	6, 7(a), 7(c), 7(e), 11, 12	Date(s) of non-compliance:	August 2022 until 31 December 2022
Details of non-compliance:			
<p>The following infrastructure was not installed and was not required to be installed during the AER period:</p> <ul style="list-style-type: none"> <li>• Fixed sprinklers;</li> <li>• Rainfall gauge and related irrigation control systems;</li> <li>• Sampling port on irrigation supply line;</li> <li>• Lime dosing station and related control systems; and</li> <li>• Flow-meter capable of measuring flow to each LAA.</li> </ul> <p>Because the above infrastructure was not installed, Conditions 6, 7(a), 7(c), 7(e), 11 and 12 were not fully complied with.</p> <p>Conditions 6 and 7 limit irrigation to the approved LAAs. Irrigation continued under the LAA approved under the licence dated 01 November 2018.</p> <p>The irrigation control system required by Condition 7(c) to prevent irrigation after a storm event was not installed.</p> <p>A certified environmental scientist was not used for wastewater sampling, as required by Condition 11, because the required wastewater sampling port had not been installed.</p> <p>Due to an administrative error, 1 wastewater sample (October) required by Condition 12 was not collected.</p>			
What was the actual (or suspected) environmental impact of the non-compliance?			
<p><b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p> <p>No actual or suspected environmental harm.</p>			
Cause (or suspected cause) of non-compliance:			
<p>Infrastructure was not installed due to:</p> <ul style="list-style-type: none"> <li>• Delays obtaining appropriate contractors, this issue is affecting all businesses Western Australia wide;</li> <li>• Difficulties obtaining amicable agreements with contractors and service providers;</li> <li>• Delays obtaining equipment and control systems due to COVID-19 related supply shortages; and</li> <li>• Delays obtaining Development Approvals and Department of Health approvals for the wastewater treatment and irrigation system.</li> </ul>			

Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:	
<p>A Development Application (DA22/0091) was lodged with the City of Busselton in 2022 that included combined brewery wastewater aspects and items relating to the venue.</p> <p>The brewery wastewater aspects of the original Development Application were separated out from the original Development Application and re-lodged as a new Development Application on 18/11/2022.</p> <p>Development approval and Department of Health approval are still pending for the wastewater treatment and irrigation infrastructure.</p> <p>The majority of items have been ordered and are onsite awaiting installation. They will be installed as soon as practical when government agencies provide approvals.</p> <p>A licence amendment application will be submitted to DWER seeking an extension of time for all items that cannot be installed by the licence deadline.</p>	
Was this non-compliance previously reported to DWER? Reported in 2022 AER	
<input type="checkbox"/> Yes, and	
<input type="checkbox"/> Reported to DWER verbally	Date: / /
<input type="checkbox"/> Reported to DWER in writing	Date: / /

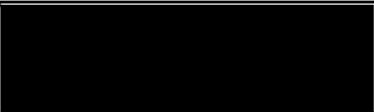
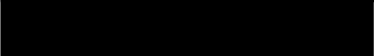
Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	24 – row relating to condition 8.	Date(s) of non-compliance:	August 2022 until 31 December 2022
Details of non-compliance:			
<p>Condition 24 requires that “<i>Tabulated monthly volumes in kg of harvested dry mass for each LAA</i>” are reported as part of the Annual Environmental Report (AER). This information was not collected and therefore cannot be reported.</p> <p>Pasture is harvested as wet mass, not dry mass. To measure the dry mass of pasture harvested the Beerfarm will need to:</p> <ol style="list-style-type: none"> <li>Collect the harvested grass (i.e. wet mass) and dry it out using a commercial oven or similar to permit the measurement of dry mass; and</li> <li>Weigh the total mass (i.e. tonnes per each harvest) in a dedicated weighbridge.</li> </ol> <p>The Beerfarm does not have access to:</p> <ol style="list-style-type: none"> <li>A commercial oven of the size required to dry out the harvested material; or</li> <li>A weighbridge.</li> </ol> <p>Furthermore, once the wet-mass has been converted to dry-mass by drying it out, it will no longer have the same nutritional value for use as cattle feed.</p> <p>There will also be an excessive carbon footprint associated with the process as substantial</p>			

<p>amounts of heat will be required to run the oven.</p> <p>Accordingly, it is not reasonable or practical to report the harvested pasture dry mass, as required by Condition 24.</p> <p>It is also not clear what environmental risk is being managed by requiring the mass of pasture harvested to be measured, noting that:</p> <ol style="list-style-type: none"> <li>a. The yield potential of the area has already been determined by research by DPIRD (1978), additional research to determine the yield potential at the Beerfarm site is not warranted;</li> <li>b. There are adequate soil and wastewater monitoring requirements in place to determine the agronomic constraints to pasture production; and</li> <li>c. There are adequate soil, groundwater and surface water monitoring conditions in place to detect impacts if pasture growth is not sufficiently adequate to remove nutrients.</li> </ol>	
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p><b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>	
<p>No actual or suspected environmental harm.</p>	
<p>Cause (or suspected cause) of non-compliance:</p>	
<p>A DWER licence condition that is not reasonable and practical.</p>	
<p>Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:</p>	
<p>A licence amendment application will be submitted to DWER seeking removal of the condition.</p>	
<p>Was this non-compliance previously reported to DWER? No, reported in 2022 AER</p>	
<p><input type="checkbox"/> Yes, and</p>	
<p><input type="checkbox"/> Reported to DWER verbally</p>	<p>Date: / /</p>
<p><input type="checkbox"/> Reported to DWER in writing</p>	<p>Date: / /</p>



**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 particular<sup>1</sup>. I/We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation’s (DWER) website.

Signature <sup>2</sup> :		Signature:	
Name: (printed)		Name: (printed)	
Position:	DIRECTOR	Position:	
Date:	30-1-23	Date:	
Seal (if signing under seal):			

<sup>1</sup> 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.

<sup>2</sup> 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.