



## 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](mailto: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:	L9275/2020/1	Licence file number:	DER2020/000613
Licence holder name:	Eagle Bay Brewing Co Pty Ltd		
Trading as:	Eagle Bay Brewing Co		
ACN:	124209794		
Registered business address:	21/22 Railway Road Subiaco WA 6008		
Reporting period:	01/04/2022 to 31/03/2023		

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"><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 in 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.	
Prescribed premises category	Actual production quantity
25	575.5kL

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	2,625.6kL

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 & 16	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
<p>The irrigation infrastructure has been installed in accordance with Condition 2 with the exception of the rain gauge.</p> <p>EBBC ordered a rain gauge in September 2021, it took about 12 weeks to be delivered due to availability issues, in that time the team were using the Cape Naturaliste Lighthouse weather station data and found that to be convenient and efficient. After the rain gauge arrived and was installed it was discovered that it was incompatible with our WiFi frequency and data could not be downloaded from the gauge as we had expected. The team continues to use the Cape Naturaliste weather station data which is located in close proximity (6km from the site), it is freely available and accurate data from a certified weather station.</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>			
None.			
Cause (or suspected cause) of non-compliance:			
Practicality and efficiency.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We will try to establish an internet connection to the rain gauge on site and review the accuracy of the data it is gathering by comparing it to the data from the Cape Naturaliste lighthouse weather station.			
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:	9	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
A) Irrigation of wastewater did occur during the months of June and July 2022. B) No biomass was mechanically harvested from the irrigation area.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
A) EBBC had not installed additional storage tanks to hold the wastewater in May 2022. It is our belief that storing treated wastewater for June and July and rainfall events would have no net environmental benefit over irrigating the treated wastewater during these times. Together with Enpoint consultants, we met with DWER representatives on 12 May 2022 to discuss irrigation during June and July and rainfall events. It was our understanding from that meeting that if we were able to provide additional information to support our belief that irrigation during rainfall events and the months of June and July would not have any adverse environmental impacts, then it may be possible to amend the licence to remove the conditions requiring additional storage. B) The hay crop that was planted did not grow to a sufficient height to enable mechanical harvesting at the time the other hay paddocks were harvested in late spring.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
A) EBBC appointed Enpoint to assess the potential for excessive loading to the irrigation area during periods of rainfall. Enpoint determined that storing wastewater during June and July and rainfall events was unlikely to provide a net environmental benefit providing that the irrigation application rates remain comparable to this assessment, and adequate wastewater treatment is maintained. The letter report from Enpoint has been provided. We intend to apply to amend the licence in the next few months to reflect the site operations. We are also working on optimising the WWTP performance to reduce the nutrient load of the treated wastewater to further mitigate any potential issues. B) Sheep were used to graze the irrigation area to remove some of the biomass in late spring for about 2 weeks.			
Was this non-compliance previously reported to DWER?			
<input checked="" type="checkbox"/> Yes, and (A only)			
<input checked="" type="checkbox"/> Reported to DWER verbally (A)		Date: 12 / 5 / 22	
<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:	12	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Wastewater samples were not analysed for pH, TSS, Sodium ion, calcium ion, magnesium ion and sodium adsorption ratio. Monthly wastewater samples were not supplied for March 2023, November 2022 and April 2022.			
What was the actual (or suspected) environmental impact of the non-compliance? <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
Samples were analysed for TDS, nitrogen, phosphorus and BOD. The paperwork was copied for each sample from the last and the team did not refer back to the licence to check what parameters should have been analysed. This was not done intentionally, but was due to oversight. Samples were not taken on exactly a monthly basis as the process of taking samples was still being learnt by the brewery team and was done when it could be accommodated, this was not intentional, the team has been trying to take regular samples, however, a few were missed, or were taken late during the reporting period.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We have improved our systems and processes to be aligned with the licence. This oversight has been rectified, all samples analysed from June 2023 will be analysed for pH, TSS, Sodium ion, calcium ion, magnesium ion and sodium adsorption ratio as well as TDS, nitrogen, phosphorus and BOD.			
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:	13	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
Groundwater quality parameters were not analysed for pH, EC and arsenic. Groundwater sampling was undertaken in August 2022, December 2022 and February 2023, and so only three of the four quarterly sampling events were taken for MB1-MB4. MB5 was sampled once in August 2022, it was dry in December 2022 and February 2023.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
Groundwater samples were analysed for TDS, nitrogen and phosphorus. The paperwork was copied for each sample from the last and the team did not refer back to the licence to check what parameters should have been analysed. This was not done intentionally, but was due to oversight. Samples were not taken exactly quarterly as we are still developing our systems for sampling, and it was done when it could be accommodated, this was not intentional, the team has been trying to take regular samples, however, one was missed early in the reporting period, this was an oversight. MB5 was installed to the clay layer, it was dry in December and February.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We have improved our systems and processes to be aligned with the licence. This oversight has been rectified, all samples analysed from June 2023 will be analysed for pH, EC and arsenic as well as TDS, nitrogen and phosphorus. We will continue to monitor MB5.			
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:	14	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
0-10cm soil composite sample was not analysed for saturated hydraulic conductivity in mm/hr.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
We engaged Enpoint to undertake this work, and we believe the omission of the saturated hydraulic conductivity for the 1-10cm sample was an oversight.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We will advise Enpoint of the oversight and ask that the saturated hydraulic conductivity for the 1-10cm sample be included in the next round of sampling.			
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:	20 & 23	Date(s) of non-compliance:	Reporting period
Details of non-compliance:			
We apologise that this AACR and the AER are late.			
What was the actual (or suspected) environmental impact of the non-compliance? <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
None.			
Cause (or suspected cause) of non-compliance:			
EBBC did not allow sufficient time to prepare the reports before the due date. The team is very busy and unfortunately the preparation of these reports was not attended to in a timely manner.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
We are continuing to work on improving our reporting systems and processes.			
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 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:	24/07/23	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.