



Licence

Environmental Protection Act 1986, Part V

Licensee: **Watershed Premium Wines Ltd**

Licence: **L7881/1999/5**

Registered office: Lot 121 Darch Road
MARGARET RIVER WA 6285

ACN: 089 812 591

Premises address: Watershed Premium Wines Winery
121 Darch Road
WITCHCLIFFE WA 6286
Being part of Lot 121 on Diagram 99154, as depicted in Schedule 1.

Issue date: Thursday, 2 October 2014

Commencement date: Wednesday, 8 October 2014


Expiry date: Monday, 7 October 2019

Prescribed premises category
Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
25	Alcoholic beverage manufacturing: premises on which an alcoholic beverage is manufactured and from which liquid waste is or is to be discharged onto land or into water.	350 kilolitres or more per year	1,500 kilolitres per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.


.....
Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.



Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Watershed Premium Wines has been operating an alcoholic beverage operation (winery) since 2000 with a maximum crush of 2,000 tonnes/year of red and white grapes, sourced from on-site vines. The winery is located in a rural landuse zone on the outskirts of Witchcliffe, with 2 residences located within a 1 km radius. The closest is located 300 m north-west of the main winery and the second is approximately 570 m to the south-west.

The main discharge from the Premises is treated wastewater discharged to land. Up to 2,500 kL/yr is treated on-site through a package treatment plant, with the majority irrigated over an 0.4 ha on-site woodlot. During the winter months wastewater is removed off-site by controlled waste contractors. Biomass generated in waste treatment is also removed off-site for composting.

This Licence is the successor to licence L7881/1999/4 and has been converted into REFIRE format.

The licences and works approvals issued for the Premises since its establishment in 2000 are:

Instrument log		
Instrument	Issued	Description
W2922	09/05/2000	Works approval for construction of a new 1,000 tonne crush winery.
L7881/1	24/11/2003	First operational licence issued following 2003 vintage of 400 tonnes crushed.
L7881/2	15/11/2004	Licence reissue. Throughput increased to 1,200 tonne crush.
L7881/3	21/11/2007	Licence reissue. Issued for 5 years.
W4427/2008/1	06/11/2008	Works approval for construction of a winter storage dam, to facilitate an increase in design capacity to 2,000 tonne crush.
L7881/1999/4	19/11/2009	Licence ceased following non-payment of annual fees. New licence version issued.
W5648/2014/1	17/07/2014	Works approval for construction of 3 x 250 kL winter storage tanks.
L7881/1999/5	02/10/2014	Licence reissue. Converted to REFIRE format.

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 July until 30 June in the following year;

'Approved Irrigation Management Plan' means the document titled "Nutrient and Irrigation Management Plan" prepared by Coffey Environments Pty Ltd and dated 2 May 2008;

'AS/NZS 5667.1' means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

'AS/NZS 5667.10' means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

'averaging period' means the time over which a limit or target is measured or a monitoring result is obtained;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Manager Licensing (Greater Swan)
Department of Environment Regulation
PO Box 1693
BUNBURY WA 6231
Telephone: (08) 9725 4300
Facsimile: (08) 9725 4351
Email: grswanbunbury@der.wa.gov.au;

'code of practice for the storage and handling of dangerous goods' means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

'dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fugitive emissions' means all emissions not arising from point sources;

'hardstand' means a surface with a permeability of 10^{-9} metres/second or less;



'leachate' means liquid released by or water that has percolated through waste and which contains some of its constituents.

'lees' means the material which accumulates in the bottom of grape juice or wine fermentation tanks;

'Licence' means this Licence numbered L7881/1999/5 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'NATA' means the National Association of Testing Authorities, Australia;

'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'spot sample' means a discrete sample representative at the time and place at which the sample is taken; and

'vintage' means the period of time during which the first and last grapes of the season are received for crushing.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.2 General conditions

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note 1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.



1.3 Premises operation

- 1.3.1 The Licensee shall ensure that all wastewaters from alcoholic beverage manufacturing operations including wash down water, by-products wastewater and contaminated run-off are directed to a wastewater treatment system.
- 1.3.2 The Licensee shall ensure that waste material is only stored and/or treated within areas or compounds provided with the infrastructure detailed in Table 1.3.1.

Table 1.3.1: Containment infrastructure		
Storage vessel or compound	Material	Infrastructure requirements
Solids separator	Wastewater	Concrete lined
Wastewater treatment tanks	Wastewater	None specified
Sludge storage area	Sludge	Sealed bins or a bunded hardstand area capable of preventing surface run-off of leachate and sludge and which returns sludge leachate to the start of the treatment process
Solid waste storage area	Marc, lees and other organic solid wastes	Synthetic/non-synthetic lined/ hardstand to achieve permeability of $<1 \times 10^{-9}$ m/ and located within the controlled drainage area

- 1.3.3 The Licensee shall ensure that where wastes produced on the Premises are not taken off-site for lawful use or disposal, they are managed in accordance with the requirements in Table 1.3.2.

Table 1.3.2: Management of Waste		
Waste type	Disposal strategy	Operational requirements
Treated wastewater	Irrigation	In accordance with Approved Irrigation Management Plan

2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

2.2-2.4 Point source emissions to air, surface water and groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.

2.5 Emissions to land

- 2.5.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.5.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this licence.

Table 2.5.1: Emissions to land		
Emission point reference	Description	Source including abatement
L1 - treated wastewater discharge point	Discharge from irrigation pump station to on-site irrigation field	Treated wastewater from wastewater treatment vessel



2.5.2 The Licensee shall not cause or allow emissions to land greater than the limits listed in Table 2.5.2.

Table 2.5.2: Emission limits to land			
Emission point reference	Parameter	Limit (including units)	Averaging period
L1	Load of total nitrogen	250 kg/ha	Annual
	Load of total phosphorus	30 kg/ha	
	Load of Biochemical Oxygen Demand (BOD)	30 kg/ha/day	Monthly

2.6 Fugitive emissions

There are no specified conditions relating to fugitive emissions in this section.

2.7 Odour

2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

2.8 Noise

There are no specified conditions relating to noise in this section.

3 Monitoring

3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all wastewater sampling is conducted in accordance with AS/NZS 5667.10; and
- (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured (unless indicated otherwise in the relevant table).

3.1.2 The Licensee shall ensure that monthly monitoring is undertaken at least 15 days apart.

3.1.3 The Licensee shall record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.

3.1.4 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications.

3.1.5 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the Director accompanied with a report comprising details of any modifications to the methods.

3.2.3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.



3.5 Monitoring of emissions to land

3.5.1 The Licensee shall undertake the monitoring in Table 3.5.1 according to the specifications in that table.

Table 3.5.1: Monitoring of emissions to land					
Emission point reference	Monitoring point reference	Parameter	Units	Averaging Period²	Frequency
L1	M1 - outflow from wastewater treatment system to irrigation area	Volumetric flow rate (cumulative)	L/s m ³ /day	Continuous	Monthly
		pH ¹	pH unit	Spot sample	Monthly whilst irrigating
		Total nitrogen	mg/L		
		Total phosphorus			
		Total dissolved solids			
		Total suspended solids			
		Oil and grease			
BOD					

Note 1: In-field non-NATA accredited analysis permitted.

Note 2: Samples shall not be collected during periods of low flow or if excessively diluted by stormwater.

3.6-3.7 Monitoring of inputs and outputs and process monitoring

There are no specified conditions relating to monitoring of inputs and outputs or process monitoring in this section.

3.8-3.9 Ambient environmental quality monitoring and meteorological monitoring

There are no specified conditions relating to ambient environmental quality monitoring or meteorological monitoring in this section.

4 Improvements

There are no specified improvement conditions in this section.

5 Information

5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.



5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

5.2 Reporting

5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report by 1 September in each year. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 3.5.1	Monitoring of emissions to land	LR1
	Contaminant loading to land of parameters (total annual loading kg/ha/yr for nitrogen and phosphorus, average daily loading kg/ha/day for BOD).	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
 (a) any relevant process, production or operational data recorded under Condition 3.1.3; and
 (b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets.

5.2.3 The Licensee shall submit the information in Table 5.2.2 to the CEO according to the specifications in that table.

Table 5.2.2: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEO's request	As received by the Licensee from third parties



5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day.	N1
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part B: As soon as practicable	
3.1.5	Calibration report	As soon as practicable.	None specified

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act.

Note 2: Forms are in Schedule 2.