Amendment Report

Licence Number	L4474/1976/14
Licence Holder	Fremantle Port Authority
ABN	78 187 229 472
File Number:	DEC1712/5
Premises	Kiwanana Bulk Jetty Port Road, KWINANA BEACH, WA, 6167 CITY OF KWINANA Legal description - Lot 4552 on Plan 220690, and Portion of Lot 497 on Plan 35196 As defined Schedule 1
Date of Report	31/10/2019

1. Definitions and interpretation

Definitions

In this Amendment Report, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
ABN	Australian Business Number
Amendment Report	refers to this document
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the *Environmental Protection Act 1986* Locked Bag 10 JOONDALUP DC WA 6027 info@dwer.wa.gov.au
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	*Environmental Protection Act 1986* (WA)
Licence Holder	Fremantle Port Authority
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Amendment Report applies, as specified at the front of this Amendment Report.

2. Amendment Description

The following guidance statements have informed the assessment and decision outlined in this Amendment Report:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*

2.1. Purpose and scope of assessment

This is a DWER initiated amendment to correct an administrative error identified following the previous amendment to the Licence on 16 September 2019. A printing error occurred, and the incorrect sizing of the page holding the Premises Boundary map caused the map to be cut off.

This administrative amendment is to correct the page size to ensure the full Premises Boundary map is shown.

No other amendments to the Licence will be made at this time. No risk assessment is required.

3. Amendment history

Table 2 provides the amendment history for L4474/1976/14.

Table 2: Licence amendments

Instrument	Issued	Amendment
L4474/1976/14	26 July 2016	Licence review
L4474/1976/14	8 June 2018	Amendment Notice 1: An amendment was applied for to include the export of 624,000 tpa of silica sands as well as the increase in tonnages of cement clinker imports, phosphate imports, potash imports and urea imports. It also included the installation and operation of two bulk material hoppers on KBB3 Berth.
L4474/1976/14	16 January 2019	Amendment Notice 2: The licence was amended via a DWER initiated amendment to include Trial conditions to the Existing Licence
L4474/1976/14	16 September 2019	Licence amendment: The Licence was amended to increase the imports of potash and soya bean meal. Amendment Notices 1 and 2 have also been amalgamated into the Licence during this amendment.
L4474/1976/14	DATE	DWER initiated amendment to correct administrative error of page sizing in Schedule 1

4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a licence amendment will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

4.1. Summary of amendments

Table 3 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised

Licence as part of the amendment process.

Table 3: Licence amendments

Condition No.	Proposed amendments
Schedule 1	Size of page adjusted to ensure Premises Boundary map fits correctly.

Tim Gentle
Manager – Resource Industries
REGULATORY SERVICES

INDUSTRY REGULATION

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

Appendix 1: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Report on 11 October 2019 for review and comment. The Licence Holder responded on 29 October 2019. The following comments were received on the draft Amendment Report.

Condition	Summary of Licence Holder comment	DWER response
Definitions - Pollution	Fremantle Ports recommends that the definition of 'Pollution' be formatted to a separate line in the Definitions list.	The formatting error has been corrected.
Definitions – Trial	Fremantle Ports recommends that reference to 'Conditions 18 to 23' in the 'Trial' definition be changed to 'Conditions 12 to 17', to align with the relevant Schedule.	The referencing error has been corrected.
Condition 5	Fremantle Ports recommends that reference to 'Schedule 3' in Condition 5 be changed to 'Schedule 4' to align with the relevant Schedule.	The referencing error has been corrected.
Condition 16(b)	Fremantle Ports notes that 15-minute averaged meteorological (wind speed and direction) monitoring data is not collected (or available) at Kwinana Bulk Jetty and requests that Condition 16(b) be amended to require 30-minute averaged meteorological (wind speed and direction) monitoring data that can be assessed from nearby Bureau of Meteorology weather station 'Garden Island HSF (Station ID: 009256).	Accepted. The condition will be changed to require 30-minute averaged meteorological data. Note the requirements under 16(a) remain at 15-minute averages.
Schedule 1: Maps	Fremantle Ports notes the format change of Schedule 1 Maps to include the full Premises boundary.	Noted.
Schedule 2: General Description	For clarification of the 'total volume handled' at the premises and the additional tonnages handled under a 'trial' (Condition 14(b)), Fremantle Ports recommends that 'Total volume handled' in Table 5 be changed to 'Total volume handled (aggregate of all bulk materials including Trial products).	Accepted. Edit made for clarification purposes.