



Department initiated Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L4474/1976/14
Licence Holder	Fremantle Port Authority
File Number	DEC1712/5 and DEC1712/1
Premises	Kwinana 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 by the Premises maps attached to the Revised Licence
Date of Report	18 March 2024
Decision	Revised licence granted

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an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Table of Contents

1. Decision summary	3
2. Scope of assessment	3
2.1 Regulatory framework	3
2.2 Amendment summary	3
3. Consultation	3
4. Conclusion	4
4.1 Summary of amendments	4
References	4

1. Decision summary

The Delegated Officer has determined to make amendments to licence L4474/1976/14. The amendments are limited to updating the trial notification conditions to reflect recent changes authorising trailing of new handling methods. These changes are considered administrative in nature and do not increase the current risk rating of the Premises.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing licence will remain on the department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In amending the licence, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Amendment summary

Licence L4474/1976/14 is held by Fremantle Port Authority (Licence Holder) for the Kwinana Bulk Jetty (the premises), located at Port Road, Kwinana Beach, Western Australia.

The Premises relates to the categories and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing licence L4474/1976/14.

On 11 March 2024, the department initiated an amendment to licence L4474/1976/14. The amendment is limited to revising conditions related to trial notification, CEO notification to cease a trial, trial restrictions, reporting, and ongoing shipment and handling conditions.

A trial is a defined test period during which a Port Authority receives and stores, loads and / or unloads a new bulk granular material or using a handling method, not specified in the current licence for that premises.

The trial provides for the collection of monitoring data and the optimisation of handling processes, including variables such as loader head type, conveyor speed and loading rate, moisture content, and other factors which allow for the selection of optimum or new and innovative methods to minimise emissions and discharges.

Trial conditions were first added to licence L4474/1976/14 in January 2019 and are intended to provide operational flexibility to the premises and minimise impacts to economic growth where it can be demonstrated that any risk to public health, amenity and the environment is minimised to an acceptable level.

Revised Trial conditions were circulated via the Ports Working Group and received stakeholder comment in July 2021. The Delegated Officer has updated licence conditions of L4474 to these most recent Trial conditions (see Table 1).

3. Consultation

The Licence Holder was provided with the draft Amendment Report on 12 March 2024 and on 18 March 2024 the Licence Holder waived the comment period and requested the licence be issued as soon as possible.

4. Conclusion

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

4.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Definitions	Definition added: 'Construction and demolition waste', 'Hazardous waste', 'Moisture content', and 'Trial commencement date'.
	Definitions removed: 'Clean fill' – condition that contained this reference has been revised as part of this amendment.
Condition 12	Revised condition related to the nature of the trial.
Condition 14	Added condition related to maximum storage length of time of trial product.
Condition 15	Revised condition related to trial restriction.
Condition 16	Revised 'waste and waste derived byproduct' condition to match updated wording.
Condition 18	Added condition for recording when trial product has been received on the premises.
Condition 19	Revised wording to match updated trial conditions template.

References

1. Department of Environment Regulation (DER) 2015, Guidance Statement: Setting Conditions, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, Guideline: Environmental Siting, Perth, Western Australia.
3. DWER 2020, Guideline: Risk Assessments, Perth, Western Australia.