



Department initiated Amendment

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

Works Approval Number	W6609/2021/1
Works Approval Holder	Coogee Chlor Alkali Pty Ltd
ACN	009 276 635
Application Number	APP-0029707
Premises	<p>Coogee Chlor Alkali Kemerton Plant Marriott Road KEMERTON, WA 6233</p> <p>Legal description –</p> <p>Being part of Lot 1 on Diagram 73196 and part of Lot 254 on Plan 416516</p> <p>As defined by the map in Schedule 1 of the Revised Works Approval</p>
Date of Report	8 July 2025
Decision	Revised licence granted

1. Decision summary

The Delegated Officer has determined to make amendments to works approval W6609/2021/1. The amendments are administrative in nature therefore they do not alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

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 works approval 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 works approval, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://www.wa.gov.au/service/building-utilities-and-essential-services/integrated-essential-services/dwer-regulatory-documents>.

2.2 Amendment summary

Works Approval W6609/2021/1 is held by Coogee Chlor Alkali Pty Ltd (works approval holder) for works to expand and increase the production capacity of chlorine at the Coogee Chlor Alkali Kemerton Plant (the premises), located at Marriott Road, Kemerton.

The premises relates to the category and the assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing works approval W6609/2021/1. The works approval authorises construction, environmental commissioning and time limited operation of the expansion infrastructure.

On 6 April 2025 following the completion of construction and environmental commissioning of the expansion works, and submission of the required Environmental Compliance and Environmental Commissioning Reports, the works approval holder submitted a licence amendment application to the department for their existing licence L6036/1988/13. The application is seeking authorization for operation of the new infrastructure constructed under the works approval and increased production capacity. The department is currently assessing the licence amendment application.

To ensure the continued lawful operation of the works approval infrastructure while the assessment of the amendment application is finalised, the works approval is being amended under Section 59 of the EP Act, at the initiative of the Chief Executive Officer. This amendment will extend the duration of time-limited operations until the pending licence amendment application is granted or the works approval expires.

The works approval holder time-limited operation period for the expansion works commenced on 15 January 2025 and is due to end on 13 July 2025.

3. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 4 July 2025.

On 07 July 2025 the Works Approval Holder responded and waived the comment period.

4. Decision

The delegated officer has determined that extending the time-limited operations period until the licence amendment application is assessed and granted is appropriate, as it will ensure the continued lawful operation of the works approval infrastructure while providing sufficient time for the department to finalise the assessment and incorporate the infrastructure into premises licence L6036/1988/13.

In determining to amend the works approval time limited operations condition, the following matters were considered by the delegated officer:

- The works approval holder has submitted an Environmental Compliance Report and Environmental Commissioning Report demonstrating infrastructure has been constructed and commissioned in accordance with the works approval;
- The works approval holder submitted a licence amendment application on 6 April 2025 to include the infrastructure constructed under the works approval in the premises operational licence L6036/1988/13. The application is currently being assessed by the department but has not yet been finalised.
- An extension to the duration of time limited operations will not change the risk profile of the premises, or change the risks posed by emissions from the premises.
- The premises will continue to operate under the existing works approval conditions specified for time limited operations.
- In the event that risk issues arise in relation to the premises, the CEO may amend the works approval conditions at any point and in the event of an alleged offence, may exercise enforcement powers under the provisions of the EP Act.

The Delegated Officer has therefore amended works approval W6609/2021/1 in accordance with section 59(1) of the EP Act by extending the period of time limited operations until the pending licence amendment application for licence L6036/1988/13 is granted or until the works approval expires.

5. Conclusion

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

5.1 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 works approval as part of the amendment process.

Table 1: Summary of works approval amendments

Condition no.	Proposed amendments
Condition 14(b)	Removal of “ <i>if one is granted before the end of the period specified in condition 14(a)</i> ” to allow for time limited operation to continue until a licence amendment is granted for the infrastructure..