



Application for Works Approval Amendment

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

Works Approval Number	W6228/2019/1
Works Approval Holder	Project Sea Dragon Pty Ltd
ACN	604 936 192
File Number	DER2019/000201-1
Premises	Project Sea Dragon Durack Drive KUNUNURRA WA 6743 Part of Lot 203 on Deposited Plan 27929 Part of Lot 343 on Deposited Plan 44329 Part of Lot 521 on Deposited Plan 210702 Part of Lot 897 on Deposited Plan 28476 Crown Reserve 22609 As defined by the coordinates in Schedule 1 of the Revised Works Approval
Date of Report	19/05/2022
Decision	Revised works approval granted

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1. Decision summary

The Delegated Officer has determined to make amendments to works approval W6228/2019/1. 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://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary

Works approval W6228/2019/1 is held by Project Sea Dragon Pty Ltd (works approval holder) for Project Sea Dragon (the Premises), located at on Durack Drive, Kununurra.

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 works approval W6228/2019/1.

On 25 January 2022, the works approval holder submitted an application to the Department to amend works approval W6228/2019/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). Due to construction delays caused by COVID-19, the applicant is requesting an extension to the works approval expiry date to align with planning approval DA/19/01601 which is due to expire on 11 June 2023. The applicant has not proposed any changes to approved activities.

2.3 Administrative changes

The obligations of the works approval holder have not changed in making administrative changes to the works approval. The Department has not undertaken any additional risk assessment of the premises related to these changes.

In updating the works approval, the Department has:

- updated the format and appearance of the works approval;
- revised some works approval condition and table numbers;
- realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full list of updates to the works approval are detailed in Section 4.1 of this Amendment Report.

3. Consultation

The works approval holder was provided with the draft Amendment Report on 11 May 2022. On 19 May 2022 the works approval holder waived the comment period.

4. 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.

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 works approval as part of the amendment process.

Table 1: Summary of works approval amendments

Condition no.	Proposed amendments
Cover page	Restructured to clearly indicate what prescribed activities have been risk assessed.
Expiry date	Extended to 11/06/2023 to align with planning approval DA19/01601.
Explanatory notes	Deleted. This guidance is available in the department's Guideline: Industry Regulation Guide to Licensing (June 2019).
Definitions Table	Relocated to the back of the works approval.
	Minor updates to terms and definitions.
Works approval history	Added to works approval.
Interpretation	Updated based on departmental legal advice.
Record-keeping and reporting	Conditions updated into new format and realigned for numerical consistency.
Premises maps	Re-uploaded to improve graphic clarity.
Schedule 2: Works	Removed as considered redundant
Schedule 3: Primary Activities	Removed as considered redundant

References

1. DER July 2015. *Guidance Statement: Regulatory principles*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
2. DER, October 2015. *Guidance Statement: Setting conditions*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
3. DER, August 2016. *Guidance Statement: Licence duration*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
4. DER, November 2016. *Guidance Statement: Environmental Siting*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
5. DER, February 2017. *Guidance Statement: Risk Assessments*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
6. DWER, April 2018. Licence L9118/2018/1. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au
7. DWER, June 2019. *Guideline: Decision Making*. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au
8. DWER, June 2019. *Guideline: Industry Regulation Guide to Licensing*. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au