



Application for Licence Amendment

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

Licence Number	L8707/2012/1
Licence Holder	Tesla Kemerton Pty Ltd
ACN	146 754 305
File Number	2012/007372-1 (APP-0026111)
Premises	Tesla Kemerton Peak Lopping Facility Marriott Road, Wellesley Western Australia Legal description – Portion of Lot 254 on Deposited Plan 416516 As defined by the coordinates in Schedule 2 of the Revised Licence
Date of Report	18 March 2025
Decision	Revised licence granted

1. Decision summary

The Delegated Officer has determined to make amendments to Licence L8707/2012/1. 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 59B 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 works approval, the Department of Water and Environmental Regulation (DWER, department) has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/publications/dwer-regulatory-documents).

2.2 Application summary

Licence L8707/2012/1 is held by Tesla Kemerton Pty Ltd (licence holder) for the Tesla Kemerton Peak Lopping Facility (the premises), located at Lot 254 on Deposited Plan 416516.

The premises relates to the category and the assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing licence L8707/2012/1.

On 2 May 2024, the licence holder submitted an application to the department to amend licence L8707/2012/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is limited only to changing the premises boundary coordinates to confine the premises boundary to the operational area of the existing power generation infrastructure. This change is required to allow additional premises, independent of the licence holder, to operate a separate prescribed premises in the currently unused portion within the existing premises boundary.

3. Decision

The Delegated Officer has determined that altering the boundary of the premises is appropriate on the basis that all infrastructure associated with licence L8707/2012/1 will remain within the premises boundary. The risks posed by emissions and discharges from the operation of the premises were assessed for the grant of the licence, and the licence includes conditions commensurate with the assessed risk and determined controls.

The delegated officer has amended licence L8707/2012/1 in accordance with section 59(1) of the EP Act by changing the boundary of the premises to exclude unused portions of Lot 254 on Deposited Plan 416516.

Licence updates

As part of this amendment the delegated officer has updated and consolidated the licence to include relevant amendment notices and align the instrument with the current licence format. In amending the licence, the delegated officer has:

- updated the format and appearance of the licence;
- revised condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- updated reporting requirements consistent with the 2022 *Notice of amendment and schedule of licences with amended reporting conditions*.

The obligations of the licence holder have not changed in updating and consolidating the licence therefore no additional risk assessment relating to previously assessed activities has been undertaken. The full details of the amendments to the licence are included in section 5.1.

4. Consultation

The licence holder was provided with the draft Amendment Report on 8 August 2025. The department contacted the licence holder on 12 March 2025 to confirm they wished to proceed with the amendment. On 17 March 2025, the licence holder responded and confirmed they wished to proceed with the amendment as per the draft sent.

5. 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.

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 licence as part of the amendment process.

Table 1: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
1.1.1, 1.1.3-1.1.4	Interpretation	Interpretation	Revised interpretation to current licence format and removed related redundant conditions.
1.1.1 and 1.1.2	Definitions	Definitions	Updated definitions for CEO, EP Act and Licence Holder. Added definitions for Annual Audit Compliance Report and Department. Amended references throughout from Licensee to Licence Holder and Director to CEO.
General conditions			
1.2.1	General	Removed	Removed as redundant condition.
1.2.2		Condition 1	New numbering
1.2.3		Condition 2	
1.2.4		Condition 3	
1.3.1	Premises operation	Condition 4	
1.3.2		Condition 5	
1.3.3		Condition 6	
1.3.4		Condition 7	
Emissions and discharges			

Existing condition	Condition summary	Revised licence condition	Conversion notes
2.1.1	General	Condition 8	New numbering
2.2.1	Point source emissions to air	Condition 9	New numbering and update to Figure reference.
2.3-2.8	Point source emissions to surface waters and groundwaters, Emissions to land and Fugitive emissions, odour and noise	Removed	Removed due to no specified requirements.
Monitoring			
3.1.1	General	Condition 10	New numbering
3.1.2		Condition 11	
3.1.3		Condition 12	
3.2.1	Monitoring of point source emissions to air	Condition 13	
3.2.2		Condition 14	
3.2.3		Condition 15	
3.3-3.9	Monitoring of: Point source emissions to surface waters and groundwaters, Emissions to land, Inputs and outputs and Fugitive emissions, Process, ambient environmental quality and meteorological monitoring	Removed	Removed due to no specified requirements.
4.1	Improvement program		
Records and reporting			
5.1.1	General	Condition 16	New numbering
5.1.2		Removed	Removed as redundant condition.
5.1.3	Annual Audit Compliance Report	Condition 17	New numbering and update to wording format.
5.1.4	Complaints management	Condition 18	New numbering.
5.2.1	Annual Environmental Report	Condition 19	New numbering and update to wording format. Update to reporting requirements as per the 2022 <i>Notice of amendment</i> .
5.2.2		Condition 20	New numbering
5.2.3	Non-annual reporting requirements	Condition 21	
5.3.1	Notification requirements	Condition 22	
Schedule 1	Premises boundary map	Schedule 1	Updated premises map with revised boundary.
NA	NA	Schedule 2	Table of premises boundary coordinates added due to premises boundary change.
Schedule 2	Reporting and notification forms	Schedule 3	Moved to schedule 3 and AACR template removed.