



Application for Licence

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

Licence Number	L9441/2024/1
Applicant	Australian Agribusiness (Holdings) Pty Ltd
ACN	135 355 958
File number	DER2024/000044
Premises	Accensi Kwinana 16 Thomas Road KWINANA BEACH, WA 6167 Legal description Lot 200 on Deposited Plan 43631 As defined by the premises maps attached to the issued licence.
Date of report	12 February 2026
Decision	Licence issued

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the premises. As a result of this assessment, licence L9441/2024/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 Application summary and background

On 16 January 2024, Australian Agribusiness (Holdings) Pty Ltd (the applicant, trading as Accensi Pty Ltd) submitted an application for a licence to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is for the operation of chemical and pesticide manufacturing facility at 16 Thomas Road, Kwinana Beach (the premises, Accensi Kwinana). The premises is located approximately 2 km northwest of the suburb of Medina. The premises currently operates under a Registration R1751 under the prescribed category 75 chemical blending or mixing not causing a discharge, which was issued on 4 April 2005. The premises was built under the authorisation of Works Approval W4025/2004/1 issued on 8 September 2004.

The premises relates to the categories and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L9441/2024/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in licence L9441/2024/1.

The applicant is seeking a licence to operate the facility under the following categories with the corresponding production throughput volumes:

- Category 31 Chemical manufacturing: premises on which chemical products are manufactured by a chemical process, 29.2 ML/year.
- Category 32 Pesticides manufacturing: premises on which herbicides, insecticides or pesticides are manufactured by a chemical process, 54 ML/year.
- Category 75 Chemical blending or mixing not causing discharge: premises on which chemical or chemical products are mixed, blended or packaged in a manner that does not cause or is not likely to cause a discharge of waste into the environment, 7 ML/year.

Accensi Kwinana manufactures herbicides, pesticides, fungicides, insecticides and mining and industrial chemicals in powders, aqueous solutions, and liquids at the premises. Manufacturing uses suspension concentrates, aqueous solutions, and amination-based reactions.

2.3 Overview of premises

2.3.1 Operational aspects (from application)

The premises consists of a multi bunded hardstand (concrete and bitumen) within a single building in the central area of the premises. The building includes offices/amenities, laboratory, three general production areas (B1, B2 and B3), a workshop, four formulation areas (F1, F2, F3 and F4), hot water baths, loading docks, a wet scrubber with a single stack, dust filtration system, stormwater pump, stormwater tanks, five storage areas (S1, S2, S3, S4 and S5) and a plant room.

The production, formulation areas, and storage areas all include flammable, toxic, corrosive and / or other goods held in above-ground storage tanks/bulk storage containers (drums and IBCs) that are licenced under the *Dangerous Goods Safety Act 2004* (see section 2.4.2 for further details).

Area B1 –Main warehouse and packing area where finished products are stored within, with no flammable liquids held within the area.

Area B2 –Paraquat and diquat formulation area. Small hand pumps transfer chemicals into the mixing tank via a hatch. Chemical liquids, additives (dyes, antifoam, and surfactants) and water are mixed in a three-blade mixing tank. Pumps and hoses transfer liquid from the mixing tank to a storage tank with high-level alarms. The finished product is transferred via gravity through flexible hoses into 20 L drums, 110 L drums, and 1 kL IBCs.

Area B3 – Packaged goods store, a storage area for chemical packaged goods.

Area S1 – Flammable liquids bulk tank store, a roofed, bunded ventilated storage area for monoisopropylamine (MIPA) (Class 3 Packing Group 1) with two storage tanks (isotainers).

Area S2 – Flammable and combustible liquids packaged goods store, a roofed, bunded and ventilated flammable and combustible liquids packaged goods storage area.

Areas S3 and S4 – Corrosive, toxic and Class 9 liquids packaged goods store, roofed, bunded and ventilated corrosive, toxic and Class 9 liquids packaged goods storage areas.

Area S5 - Combustible liquids bulk tanks and mixing vessels area. A roofed, bunded and ventilated storage area containing, three vertical tanks, four vertical mixing tanks, and two finished goods tanks.

Area F1 – Glyphosate formulation area. A roofed, bunded and ventilated manufacturing area. A three-blade mixing tank fitted with a fan driven cooling jacket is used to mix water, blue dye, bags of glyphosate emptied into the tank and MIPA. A mild exothermic reaction occurs during mixing. The mixing tank is fitted with a dust extraction system and wet scrubber. Wetting agents and additives (glycol, antifoam) are added to the tank. The finished product is pumped into a storage tank and from there to the packaging area.

Area F2 –Phenoxy formulation area. A roofed, bunded and ventilated manufacturing area. A three-blade mixing tank is used to mix all chemicals. Chemicals are added to the top of the tanks via mezzanine platform and hoist. The finished products (2,4-D amine salts) are pumped into a storage tank. Finished product is packaged from the storage tank.

Area F3 – Trifluralin and herbicides formulation area. A roofed, bunded and ventilated manufacturing area.

Area F4 – Insecticide formulation area. A roofed, bunded and ventilated manufacturing area. Combustible solvents are transferred via dedicated lines/pumps from storage tanks in S5 to the three-blade stirring mixing tank in F4. Technical products are then added. Some technical products are melted in hot water baths (12 in total) to allow for transfer to the mixing tank. Steel drums are transferred into cages and lifted into the hot water baths, once melted the drums are removed and transferred to the F1 area. Technical product is then pumped into the mixing tank. Surfactants and additives are pumped into the mixing tank using the same method as the technical product. Finished products are transferred to the storage tank via flexible hoses and pump.

Plant room – is an equipment area that provides services to the formulation areas such as cooling water, compressed air and air emission pollution control via the extraction system. The area is bunded and ventilated.

2.3.2 Stormwater management

The stormwater management system that receives stormwater from areas where chemicals are handled (potentially contaminated) comprises the following:

- The concrete driveway between the main building and storage areas and north of the site slopes downwards to drains along the center alignment where stormwater pits collect rainwater. Stormwater is then directed into the north-eastern corner of the site to a pit where it is pumped into one of six above-ground stormwater tanks (first flush tanks).
- Where possible the water from these tanks is preferentially reused as processing water within the site. If the water is not required and there is not enough capacity in the tanks, the water is tested before each discharge. If the water is of a suitable quality (less than 50 ppm for each tested parameter) the water is then directed into the six below-ground tanks present, just north of the above-ground tanks. The below-ground tanks are understood to allow water to infiltrate into the ground. The applicant advised that if the water is determined unsuitable to be pumped into the below-ground tanks for infiltration, the water will be handled as hazardous waste.
- The site captures the first 25mm of stormwater from a rain event in the first flush tanks. Following this, water is directed to the underground infiltration tanks directly.
- Blind sumps are present within storage, production, and factory areas. If the blind sumps fill with stormwater, this is pumped into the first flush tanks and reused onsite as outlined above. If the blind sumps are full due to spillage of chemicals, the contained material is pumped into an IBC and disposed offsite.
- Hot water baths used to heat product before mixing were present in the southeast portion of the site (within the bunded driveway area). The water within the hot water baths has the potential to be contaminated if the heated chemicals escape in trace quantities due to pressurization from heating. It is understood that water from the hot water bath (potentially contaminated) is drained into the stormwater system outlined above (into the first flush tanks) and is either reused onsite or tested before pumping to the infiltration tanks.
- Three below ground tanks are also present in the southeast portion of the site. These tanks receive water from the truck unloading bund adjacent storage area S5.
- Wash water used in the production process is stored temporarily in IBCs and then reused for further production purposes. The western stormwater management system includes a stormwater basin in the western portion of the site. This basin receives stormwater from areas with no chemical storage or production, including the building roof, and from stormwater drains in the western portion of the site including the car park west of the main building.

The applicant provided water quality analysis from first flush tanks 1 to 6 from June 2023. Eighty pesticide-based contaminants, twenty-five soluble heavy metals, and pH, electrical conductivity, total dissolved solids and total recoverable hydrocarbons were screened. It was noted that some pesticide/fungicide compounds were above the level of detection (see Appendix 2 Table 5 for a copy of the June 2023 water quality analysis and list of parameters).

2.3.3 Contaminated Sites Act 2003

The premises occupies Lot 200 on Plan 43631, which was classified as *remediated for restricted use* under the *Contamination Sites Act 2003* (CS Act) on 23 September 2022. The site is contaminated and has been remediated such that it is suitable for the current commercial/industrial land use, subject

to ongoing groundwater monitoring as recommended in the site management plan (Sub-Surface Management Plan - Lot 51 Mason Road, Kwinana Beach (Aurora Environmental Pty Ltd, 10 October 2017) and if groundwater is not abstracted for use.

Site history

The site was reported to the department following a 2004 contamination assessment that was conducted as part of a proposed industrial subdivision. The 2004 assessment identified pesticides (such as DDT, DDE and DDD) present in two soil stockpiles on the eastern and south-eastern boundary of the premises at concentrations exceeding ecological assessment levels for commercial/industrial sites relevant at that time. The concentrations of pesticides identified in 2004 do not exceed current Ecological Investigation Levels or Health Investigation Levels for commercial and industrial land, as published in the 'National Environment Protection (Assessment of Site Contamination) Measure 1999' (the NEPM).

As a part of site development works in 2004, the pesticide-impacted stockpiled soils were removed from the site and disposed of at a landfill. Information documenting the removal and remediation of soils, in the form of landfill disposal receipts and/or post-remedial soil quality assessment data to validate the success of remediation has not been provided to the department. However, it appears that the location of the two stockpiles where minor concentrations of pesticides were detected have been covered in hardstand during site development between 2004 and 2005. The hardstand provides restricted access to potentially remaining pesticide-impacted soil.

Groundwater investigations conducted at Lot 51 Mason Road, Kwinana Beach (Lot 51) located approximately 100 metres south of the premises, identified a phenolic compound-impacted groundwater plume migrating from Lot 51 to beneath the premises. Groundwater investigations undertaken at the site between 2007 and 2017 identified agricultural chemicals (such as atrazines, diuron, metolachlor, simazine, terbutryn, triallate, cypermethrin, and tris (chloroproyl) phosphate) in bores located within the south south-eastern areas of the site at concentrations above the limit of reporting but below assessment levels for non-potable use of groundwater, as published in the guideline 'Assessment and management of contaminated sites' (Department of Water and Environmental Regulation, 2021) (DWER, 2021).

The site has been used for agrochemical production for approximately 19 years since 2005. This is a land use that has the potential to cause contamination, as specified in the guideline 'Assessment and Management of Contaminated Sites' (DWER, 2021).

Key finding: The delegated officer considered that the operations at the premises could impact groundwater quality and that biannual groundwater monitoring of all potential contaminants is required. It was identified that the current groundwater monitoring program does not include all potential contaminants.

2.4 Other relevant approvals

2.4.1 Planning approval

The City of Kwinana indicated that pesticide manufacturing would be classed as a 'hazardous industry' under the City's Planning Scheme. The subject lot is zoned 'General Industry' which can potentially support such a use, subject to the City exercising its discretion.

The City has indicated that there is prior approval for chemical manufacturing at the site which covers the herbicide/pesticide manufacturing activities. However, development approval may be required if there are any new development/works and/or intensification of the hazardous industry or increase in the hazardous nature of activities occurring.

2.4.2 Dangerous Goods Safety Act 2004

The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) regulates the

Dangerous Goods Safety Act 2004 (DGS Act). Licence GDS017327 was issued on 14 July 2021 (expires 27 July 2028) authorising Accensi Pty Ltd to store and handle dangerous goods including:

- Toxic substances of packing group III
- Corrosive substances of packing group II or III
- Toxic substances flammable N.O.S.
- Environmental hazardous substances
- Flammable liquids of packing group II or III
- Corrosive liquid, flammable N.O.S. of packing group II or III
- Combustible liquid
- Isopropyl amine

2.5 Site investigation report recommendations

2.5.1 Baseline Environmental Reviews JBS&G 2023

A baseline environmental review of the premises was undertaken in 2022 by consultant JBS&G that involved a comprehensive audit of the premises and further information received from the applicant. The following key infrastructure issues and operations were noted:

- Cracked concrete slabs and degraded expansion joints in the concrete slabs were observed in areas of storage and handling of chemicals.
- The water from the hot water baths had accumulated in blind sumps and had been historically discharged to the stormwater system (to the first flush tanks).
- Stormwater is directed to the first flush tank in the northeast corner of the site before being discharged to the infiltration tanks adjacent (northeast corner of the site) and in the southeast corner of the site. Although site personnel report the water is tested before discharge to the infiltration wells, the quality of the water is not known.
- Spilled chemicals/product was observed within a blind sump in one of the factories at the time of the inspection.

Relevant recommendations from the report:

- Intrusive investigations should be considered to assess the potentially complete source-pathway-receptor linkages identified in this report.
- A full survey of the cracks in the concrete and concrete slab expansion joints should be undertaken and repaired where required.
- A detailed stormwater management system should be developed detailing procedures for the overall management of water at the site. This includes water in the hot water baths, used in processing, accumulated in blind sumps and in the first flush tanks. Concentration limits should be established for contaminants of potential concern (COPC) in water required to be discharged to the infiltration tanks.

2.5.2 2024 Biannual groundwater and stormwater monitoring report (JBS&G 2025)

Relevant recommendations from the report:

- Confirm if the stormwater infiltration tanks located in the south-east of the site are functional, or if stormwater is only directed to infiltrate through the tanks located in the north-east of the site.

- To refine the extent of analysis for pesticides, herbicides, and fungicides, consider providing JBSG&G with chemical volumes for those chemicals identified in Section 3.3 of this report. The chemical list of pesticides, herbicides, and fungicides should be provided to the analytical laboratories ahead of the 2025 sampling to identify what analytes are unable to be analysed for.
- Continue to implement the other recommendations of the BESA (JBS&G, 2024).

2.6 Site visit June 2025

Officers from the department visited the premises on 18 June 2025. Outcomes from the site visit site with representatives confirmed:

- There should be no discharge from the stormwater system or the first flush tanks to the environment;
- The hardstand area between the storage and formulation areas contains significant cracks and damage;
- Water from hot water baths was discharged to the hardstand area and ultimately to the stormwater system. It has since been advised this is no longer occurring and hot water bath water is not treated as waste and disposed of offsite;
- It was unable to be confirmed if the stormwater drainage system is a sealed system;
- It was unable to be confirmed if the stormwater sumps in the south-east corner of the site are sealed and if they service the storage area S5.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Noise	Operation of the premises	Air/windborne	No controls
Spills and leaks of liquid chemicals and stormwater contaminated with chemical residue and liquid	Unloading, storage and loading of bulk liquid, herbicides, insecticides, fungicides and chemicals	Direct discharge to land	<p><u>Loading and unloading and storage of materials</u></p> <p>Loading, unloading, and storage areas are roofed and bunded with concrete hardstands.</p> <p>Road tanker transfers are undertaken in concrete bunded areas.</p> <p>Flammable and toxic liquids are transferred via dedicated pipelines and pumps.</p> <p>Storage tanks have high-level alarms.</p> <p>All chemicals are stored above ground, with mixing, processing and waste storage occurring within a roofed building in bunded areas.</p> <p><u>Wastewater and potentially contaminated stormwater</u></p> <p>All hardstand areas are graded to direct liquids to stormwater pits.</p> <p>Driveway and main areas are graded to drain to stormwater pits.</p> <p>Spent hot water bath water stored in IBCs and taken off site for disposal.</p> <p>Wastewater from washing chemical process tanks and potentially contaminated water is stored in IBCs on the bunded hardstand area within the building.</p> <p>Sumps in the storage, production and formulation areas that fill with stormwater or chemicals are pumped to IBCs and disposed offsite.</p> <p>Stormwater collected in sumps within the semi enclosed formulation and storage areas is pumped to IBCs and treated as waste.</p> <p>All stormwater from external hardstand areas is directed to stormwater sumps and is pumped to the first flush tanks and reused in process or taken off site as waste.</p> <p>Only stormwater from non-operational areas (roofs, carpark and non-chemical use areas) are directed to the stormwater basin.</p> <p><u>Other controls</u></p> <p>Spill kits are available on the premises and there is a procedure detailing clean up requirements for spills.</p> <p>Biannual groundwater monitoring starting April 2024 of monitoring bores onsite (MB1 – MB7) (no parameters listed).</p>
Gaseous emissions (dust, mist, vapours and fumes from chemical formulation)	Chemical mixing and processing and waste storage	Air/windborne	<p>Areas for storage and production are open on one side to allow for ventilation.</p> <p>Local Dynaflo 900 cabinets (wet scrubbers) used to treat Formulation areas F1 – F4. Vapours extracted to a main scrubber of unknown make and model which discharges to air via a stack approximately 11 magl.</p> <p>Scrubber removes, dusts, mist vapors and fumes.</p> <p>Annual stack testing of wet scrubber. Concentration of glyphosate and trifluralin below limit of detection when stack testing last undertaken in 2007.</p>
Explosion and smoke from fire			<p>Formulation areas are vented to prevent explosion.</p> <p>Incompatible chemicals are segregated.</p> <p>Fire hydrants and fire hoses located throughout the premises.</p> <p>Emergency plans.</p> <p>All chemical containment meets requirements of <i>AS 1940-2004 The storage and handling of flammable and combustible liquids</i> for handling, storage and fire protection.</p> <p>Storage and handling of chemicals in accordance with a DGS Act licence.</p>

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the delegated officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 below provides a summary of potential human and environmental receptors that may be impacted because of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential premises (Medina)	2 km southeast of the premises boundary
Industrial businesses	Adjacent to boundary on south and east sides 120 m north of premises boundary 180 m west from premises boundary
Kwinana Golf Club	2.2 km south southeast of premises boundary
Environmental receptors	Distance from prescribed activity
Endangered Carnabys Cockatoo Habitat (<i>Zanda latirostris</i>)	Adjacent to premises on north, west and south in remnant vegetation
Bushforever, site # 349	750 m east and southeast of the premises boundary
Underlying groundwater (non-potable purposes) <i>Rights to Water and Irrigation Act 1914</i>	Non potable water proclaimed Cockburn Sound Groundwater Area, Perth Swan Superficial Groundwater 6 mbgl
Cockburn Sound (ocean)	1.9 km west of the premises boundary down gradient of groundwater flow

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for each identified emission source and consider potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the delegated officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls. Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Licence L9441/2024/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e. chemical and pesticide manufacturing.

The conditions in the issued licence, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3: Risk assessment of potential emissions and discharges from the premises during operation

Risk events					Risk rating ¹ C = consequence L = likelihood	Justification for regulatory controls	Regulatory conditions of licence
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls			
Unloading, storage and loading of bulk pesticides, herbicides, fungicides and chemicals	Spills and leaks of liquid chemicals and contaminated stormwater	Direct discharge and seepage, contaminating soil and groundwater	Groundwater 6 mbgl in a proclaimed groundwater area, and Cockburn Sound 1.9 km west of the boundary of the premises.	As outlined in section 3.1.1	<p>C = Major, High level onsite impacts, mid level local scale impacts and low levels wider scale impacts.</p> <p>L = Unlikely. The risk event will probably not occur in most circumstances.</p> <p>Medium Risk</p>	<p>The delegated officer considered the applicant's controls as proposed and listed in section 3.1.1 are broadly acceptable for controlling the risk of discharge of chemicals, pesticides, herbicides and fungicides.</p> <p>However it was determined that due to the nature of materials stored and used on the premises the risk posed is medium.</p> <p>Infrastructure</p> <p>The delegated officer has determined to condition the operation of the site infrastructure to be operated as proposed by the applicant and notes that the storage and handling of dangerous goods is regulated by the Department of Local Government, Industry Regulation and Safety (LGIRS) under the premises Dangerous Goods Site licence DGS017327</p> <p>The delegated officer has determined to condition:</p> <ul style="list-style-type: none"> - Semi enclosed bunded hardstand areas to be maintained in good condition and free of visible cracks for the control of spills and potentially contaminated stormwater - The first flush tanks are maintained without cracks or leaks - The wet scrubber is maintained in good working order - Hot water baths are only used on the hardstand area - Groundwater bores maintained to be able to take groundwater samples 	Condition 1 – Infrastructure and operational requirements
						<p>Spills</p> <p>The delegated officer has determined that daily site inspections are warranted based on:</p> <ul style="list-style-type: none"> - The nature of the chemicals produced and stored on the premises - The potential for spills and leaks - Pathways to the environment currently exist (cracks in hardstands, material can be trafficked off site and potential contamination of stormwater that may flow off site over land flow, unknown if stormwater drainage is sealed) - Groundwater has the potential to be impacted. <p>Daily inspections will ensure that spills and leaks are identified and are able to be rectified and spilt material recovered. This will reduce the risk of groundwater being impacted.</p> <p>Due to the risk of spills contaminating stormwater the delegated officer has determined to condition daily site inspections and clean-up of any identified spills within 24hrs.</p>	<p>Condition 2 – Site inspection for spills</p> <p>Condition 3 – maintenance of written log of inspections</p> <p>Condition 4 – spilt material to be cleaned up within 1 working day</p>
						<p>Storage of materials and wastes</p> <p>Due to the risk of materials and wastes impacting soil and groundwater if not stored appropriately the delegated officer has determined to condition that used containers and recovered liquid wastes are stored appropriately</p> <p>To ensure the risk of contamination is suitably controlled the delegated officer has conditioned the applicant's controls and included a requirement for hardstands areas to be maintained so they are free of cracks and damage.</p> <p>To ensure residue from used containers does not pose a risk of impact the delegated officer has conditioned that used containers need to be sealed and that washings from containers needs to be recovered and stored on a bunded hardstand.</p>	<p>Condition 5 – Storage of materials on bunded hardstand areas</p> <p>Condition 6 – recovered spills to be stored in an appropriate container and on a hardstand</p> <p>Condition 7 – Used containers to be sealed</p> <p>Condition 8 – Used containers to be washed out on hardstand areas with all washing recovered and either reused or stored on a bunded hardstand area</p>
						<p>Stormwater containment</p> <p>Stormwater from the external hardstand area has the potential to become contaminated with residue from spills and leaks. The applicant proposed to discharge excess untreated stormwater by first testing the stormwater in the tanks prior to infiltrating the water in underground bottomless tanks.</p> <p>Water sampling from the stormwater tanks undertaken in 2023 showed that stormwater contained herbicides (fluroxypyr and triclopyr), insecticides (imidacloprid) and fungicides (fludioxonil and Ipconazole).</p> <p>It is noted that the stormwater tank testing parameters conducted in 2023 did not include all chemicals that were listed in the inventory of pesticides/fungicides/herbicides/insecticides, with many chemicals that are manufactured and/or stored on site, not tested for, therefore this testing may be inconclusive.</p> <p>During a site visit conducted on 18 June 2025 Accensi site representatives advised stormwater is not discharged to the underground bottomless tanks (stormwater infiltration tanks). It was also advised that a</p>	Condition 1 (Table 1 Item 2) – Stormwater collected in the first flush tanks must only be used in the process or taken off site by a licensed liquid waste contractor.

Risk events					Risk rating ¹ C = consequence L = likelihood	Justification for regulatory controls	Regulatory conditions of licence
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls			
					<p>treatment system for the stormwater was being explored.</p> <p>The stormwater management plan supplied by the applicant states that discharge of stormwater may occur in "extraordinary circumstances".</p> <p>The applicant has not demonstrated how the discharge of stormwater will occur without increasing the risk of groundwater contamination. The delegated officer has therefore determined not to authorise the discharge of potentially contaminated stormwater from the first flush tanks to the stormwater infiltration below ground tanks and the licence holder is expected to manage the volumes of the first flush tanks to be able to capture all stormwater from operational areas without discharge.</p> <p>Groundwater Monitoring</p> <p>The applicant currently conducts biannual groundwater monitoring from seven groundwater monitoring bores located around the premises. The delegated officer notes that the 2024 groundwater monitoring report recommended that the applicant provide a full inventory of chemicals so an appropriate suite of contaminants of potential concern can be developed. However a suite of all COPC has not been supplied.</p> <p>The delegated officer considers biannual groundwater monitoring essential for the detection of potential groundwater contamination and has conditioned the licence to include biannual groundwater monitoring.</p> <p>The delegated officer has imposed a chemical analysis suite that covers all Pesticide, Herbicides, Fungicides and Insecticides that have been identified by stormwater monitoring results (positive results from first flush tanks) and the chemical inventory provided by the applicant. The applicant is also required by the licence to ensure each sampling event includes analysis for all chemicals that have been stored and/or manufactured on the premises in the last 5 years.</p> <p>Metals, total recoverable hydrocarbons (TRH) and monocyclic hydrocarbons (MAH) have also been included as these have historically been part of the groundwater monitoring program.</p> <p>Specified Actions</p> <p><u>Hardstand area</u></p> <p>The delegated officer has conditioned that the cracks and damage to the hardstand area where materials are loaded and unloaded is repaired so it is fit for purpose and is not a potential pathway for contaminants.</p> <p><u>Stormwater system</u></p> <p>The applicant has not adequately demonstrated that the stormwater system does not discharge to the environment. As the chemicals used on the premises are likely to have a detrimental impact on groundwater quality and downstream users and receptors the delegated officer has determined that further controls are required to mitigate the risk of groundwater being impacted. The additional controls including engaging a licensed plumber to inspect the stormwater system to determine if it discharges to the environment and if there is any damage will give certainty that there is no pathway for contamination from the stormwater system.</p>	<p>Condition 10 – Groundwater monitoring</p>	
						<p>Condition 16 – Licence holder to repair hardstand area by 31 May 2026</p> <p>Condition 17 & 18 – Submit a report on the hardstand repairs</p> <p>Condition 19 and 20 – Stormwater drainage investigation and report to be completed by 1 June 2026</p>	
						<p>Condition 1 (Table 1 Item 3) - Maintained in good working order.</p>	
Chemical mixing	Gaseous emissions including scrubber with stack	Air/wind Health impacts	Nearest neighboring business 120m from stack	Wet scrubber operated in area F1 to F4, existing stack 11 magl.	<p>C = Slight. Onsite impact: Minimal</p> <p>L = Rare. The risk event will only occur in exceptional circumstances.</p> <p>Low Risk</p>	<p>The site has storage, production, and formulation areas that are partially open to allow for ventilation. Dust extraction systems and a wet scrubber with a stack service the formulation areas F1 to F4.</p> <p>The delegated officer considered the use of the dust extraction system and wet scrubber is for occupational health and safety purposes and has been tested to show parameters are below detection limits so does not consider the scrubber stack an emission point. It is expected that the licence holder will maintain the system to ensure no discharge of chemicals from the stack.</p>	<p>Condition 1 (Table 1 Item 3) - Maintained in good working order.</p>

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 21 June 2024	None received	N/A
City of Kwinana advised of proposal on 21 June 2024	The City of Kwinana replied on 11 July 2024 confirming that development approval would be required if the operations require additional works.	The delegated officer notes this information.
Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) advised of proposal 21 June 2024	DEMIRS did not provide a response.	N/A
Applicant was provided with draft documents on 5 November 2025	The applicant's comments on the draft application were received on 28 November 2025 The comments received are detailed in Appendix 1	Refer to Appendix 1

5. Decision

Based on the assessment in this report, the delegated officer has determined the proposal to operate an agricultural chemical manufacturing facility at Accensi Kwinana does not pose unacceptable risk of impacts to off-site receptors. This determination is based on the following:

- Wastewater including potentially contaminated stormwater is not discharged from the premises and is collected and stored in stormwater tanks prior to being used in the process or taken off site by a licenced liquid waste contractor;
- Adequate and suitable containment infrastructure and operations; and
- Groundwater monitoring.

Conditions have been imposed on the licence based on the controls described above as they are considered reasonable and appropriate to maintain an acceptable level of risk. Based on the assessment the delegated officer determined to apply pesticide and chemical parameters for groundwater monitoring to manage and verify no increase to groundwater and soil contamination.

6. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

1. Aurora Environmental Pty Ltd, 2017, *Sub-Surface Management Plan - Lot 51 Mason Road, Kwinana Beach*, Perth Western Australia
2. Australian Agribusiness (Holdings) Pty Ltd, 2024, *Application and supporting documents for a licence*, Burpengary, Queensland.
3. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
4. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
5. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
6. DWER 2021, *Guideline: Assessment and Management of Contaminated Sites*, Perth, Western Australia.
7. JBS&G Australia Pty Ltd, 2023, *Baseline Environmental Review-16 Thomas Road Kwinana Beach WA*, Perth, Western Australia.
8. National Environment Protection Council 2006, *National Environment Protection (Assessment of Site Contamination) Measure 1999*, Canberra, Australian Capital Territory

Appendix 1: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
1	Does not include General Formulation areas B1 B2 and B3 In the absence of sewage infrastructure within the Kwinana Beach Industrial Estate to enable trade waste discharge, the business needs to have the capability to discharge cleaned stormwater. This is why the groundwater seepage tanks / sullage pits were installed in 2005. The business proposes that the EPA licence contains the ability to discharge subject to meeting discharge water quality criteria.	B1 B2 and B3 added to Table 1 As outlined in Table 3, the delegated officer notes stormwater from the external hardstand area has the potential to become contaminated with residue from spills and leaks. Previous sampling of stormwater has identified contaminants, and this testing is not considered to be conclusive so there is uncertainty about the likely quality of any potential stormwater discharge. The licence holder has not proposed any methodologies to treat the stormwater to an appropriate quality or provided sufficient evidence to demonstrate scenarios where stormwater may be appropriate to discharge. The licence holder may apply for future licence amendments to propose this activity, supported by sufficient detail for the department to undertake a risk assessment.
2	Daily inspection of areas is rather overwhelming, especially if not all areas are not in use. SUGGESTION: Licence condition to be amended to require the business to be conducting its operations and associated activities in a manner so there are no spills and that appropriate monitoring of the facility ensures this is achieved at all times.	As outlined in Table 3 the delegated officer has determined that daily site inspections are warranted due to risk, and considered reasonable for a premises of this size. The current damaged hardstand provides a direct pathway for spills and leaks, and while this remains unrepaired it is necessary to include additional control measures. Daily inspections will ensure that spills and leaks are identified and are able to be rectified and spilt material recovered, reducing the risk of groundwater being impacted. The delegated officer notes that where portions of the site are not in use for the day they would not pose a risk of leaks and therefore the condition has been amended to only require daily inspection when in use. The licence holder may apply for future licence amendments to reduce the frequency of visual inspections, supported by sufficient detail to demonstrate the risk has been reduced, such as completion of repairs to the hardstand.
5, 6 and 7	Clarify does this include empty containers with residual as these are stored off designated hardstand. Empty IBCs and other containers are stored outside bund areas once they have been sealed and cleaned to ensure no chemical residues on the exterior of the container	The delegated officer has determined that storing containers with residue in them on unsealed ground poses minimal risk. Empty containers with small amounts of residue are "used containers" The delegated officer confirms that only containers with usable volumes of chemicals are required to be stored on a bunded hardstand area.

Condition	Summary of applicant's comment	Department's response
8	<p>Clarify</p> <p>IBCs and other chemical containers are rinsed during transfer to mixing vessels as a part of recovering as much chemical residue as possible which assists the business in meeting its General Environmental Duty in so far as reducing chemical wastes as much as practicably possible. Preference for using washings in manufacture is the business's highest priority as far as reasonably practicable. SUGGESTION: Licence condition be included that activities where containers are washed out for production or waste management be conducted in appropriately bunded areas where no chemical residues or washings would be able to leave the work area.</p>	<p>The purpose of the draft condition is to minimise the likelihood of chemical spills. The delegated officer has determined to amend the wording of the draft condition from:</p> <ul style="list-style-type: none"> The licence holder must ensure that used containers are not washed out on the premises. <p>to</p> <ul style="list-style-type: none"> The licence holder must ensure that, where used containers are washed out on the premises the washing out is undertaken within a bunded hardstand area. <p>And include an additional condition:</p> <ul style="list-style-type: none"> The licence holder must ensure that all washings from the washing out of used contains are either reused in the process or collected and stored in a container on a bunded hardstand area. <p>These new conditions allow the licence holder to undertake required activities while still minimising the likelihood of chemical spills.</p>
10 and Table 3	<p>A comparison of the herbicide, insecticide and fungicide parameters suggested by DWER has been made against the chemicals handled on site. The document 2025.11.28 Kwinana Groundwater Monitoring Herbicides Insecticides Fungicides to include in monitoring summarises this assessment.</p> <p>The list of parameters for monitoring are included in the document 2025.11.28 Kwinana Groundwater Monitoring Herbicides Insecticides Fungicides DWER vs Prodn. SUGGESTION: The licence should not reference specific monitoring parameters as the business is a toll manufacturer and the list of herbicide, insecticide and fungicide actives on site may be required to change on short notice due to customer demand, requiring a licence amendment.</p> <p>SUGGESTION: That the licence condition the monitoring program to be governed by a Sampling and Analysis Quality Plan (SAQP), acceptable to DWER, detailing all analytes for the monitoring program, as amended from time-to-time as part of the Accensi Management-of-Change process</p>	<p>The delegated officer has determined that for the purposes of the prescribed activity groundwater monitoring parameters should reflect the chemicals that are or have been stored and produced on the premises. It should be noted that this does not restrict the ability to manufacture chemicals and only relates to groundwater testing. The list of parameters to be tested for has been revised to include:</p> <ul style="list-style-type: none"> Chemicals provided in the inventory titled "2022.6.08 Actives for Kwinana – ERP Data included" Chemicals that were detected in stormwater sampling conducted in 2023 (triclopyr, imidacloprid and fludioxonil) <p>The delegate officer notes that the groundwater monitoring requirements of the licence require the licence holder to sample for the parameters listed in Schedule 2 and all Pesticide, Herbicides, Fungicides and Insecticides that are manufactured on the premises or have been manufactured on the premises in the five years previous to the monitoring event. This provides flexibility in production without requiring a licence amendment.</p> <p>The delegated officer also notes that outside of the licence requirements the licence holder may be required to monitor for additional parameters other than those listed for the purposes of reporting under the CS Act</p>
16	<p>The concrete slabs around site are to be subject to ongoing maintenance and inspections. The document ACK-EN-PL-0001 Accensi Kwinana Concrete Rectification Plan is a risk-</p>	<p>The timeframes proposed by the applicant for repairing the operational hardstand areas are not considered appropriate given the environmental risk posed by site activities. The</p>

Condition	Summary of applicant's comment	Department's response
	<p>based maintenance and repair plan that addresses maintenance and repairs to in excess of 1 hectare of hardstand which simply can't be done before 31 January 2026 due to funding and contractor availability.</p> <p>SUGGESTION: Licence condition to require the concrete slabs and hardstand to be managed, maintained and repaired to keep environmental risk of contamination to So Far as Reasonably Practicable (SFARP) and incorporated in the site maintenance management system</p>	<p>area required to be repaired by the licence condition is the external area marked as 'hardstand area' within the licence which is estimated to be significantly less than 1 ha.</p> <p>The delegated officer has determined that the concrete hardstand area should be repaired as a priority, considering;</p> <ul style="list-style-type: none"> • There is a risk of spills and leaks occurring on the hardstand area • The current damage and cracks in the hardstand provide a direct pathway to the environment from spilt material • There is potential for the groundwater to be impacted. <p>The delegated officer has determined that the damage and cracks should be repaired to reduce the risk of impacts to groundwater. Due to extended timeframes in finalising the licence, the due date has been extended to 31 May 2026.</p>
19 and 20	<p>All sumps are blind spill recovery that are impervious structural concrete. These sumps will be subject to annual hydrostatic testing which involves filling the sump with water on a Friday afternoon and checking the sump again on Monday morning to assess for water loss. Has been included in the ACK-EN-PL-0001 Accensi Kwinana Concrete Rectification Plan (Final Draft) as sumps are blind spill recovery sumps and not connected to any plumbing whatsoever. Verification of this can be included in the ACK-EN-PL-0001 Accensi Kwinana Concrete Rectification Plan.</p> <p>SUGGESTION: The Concrete Rectification Plan be a condition of the licence and this to include verification that all sumps are blind sumps in addition to hydrostatic testing at least annually. This will all be reported as part of the annual reporting, but with an initial update on blind recovery sump verification due by 28 February 2026</p>	<p>The delegated officer has determined that it has not been adequately demonstrated that the stormwater system does not discharge to the environment.</p> <p>The delegated officer has determined that an inspection of the stormwater system by a licensed plumber is required to ensure the stormwater system does not discharge to the environment.</p>
General	<p>Review with activated carbon solution as the business has good experience at other sites with water treatment using anthracitic grade activated carbon and complimentary technologies to remove various contaminants from stormwater for a range of substances, including herbicides, insecticides and fungicides.</p>	Noted
	<p>Stack testing not yet completed. Stack emission test sampling ports are installed.</p>	Noted

Appendix 2: June 2023 first flush tanks water quality test results

Table 5: First flush tanks water quality sample results, June 2023.

Compound	Result	Units
pH	6.60	-
Conductivity	64.7	µS/cm
Total dissolved solids	< 100	mg/L
Total recoverable hydrocarbons C ₆ -C ₁₀	< 2	mg/L
Total recoverable hydrocarbons C ₁₀ -C ₄₀	< 2	mg/L

Compound	Results / (ppm)	Compound	Results / (ppm)
Aluminium	0.016	Mercury	<0.00002
Antimony	< 0.0002	Molybdenum	0.0006
Arsenic	0.00070	Nickel	0.0058
Barium	0.0072	Selenium	<0.0010
Beryllium	<0.0002	Silver	< 0.0002
Boron	0.44	Strontium	0.024
Cadmium	<0.00004	Thallium	<0.0002
Chromium	0.0040	Tin	0.0010
Cobalt	0.0006	Titanium	0.0010
Copper	0.0028	Vanadium	0.0036
Iron	0.124	Zinc	0.22
Lead	0.00150	Lanthanum	<0.002
Manganese	0.020		

Compound	Results / (ppb)	Compound	Results / (ppb)
2,4-D	<2	Isoxaflutole	<1
Acetamiprid	<1	Linuron	<2
Ametryn	<1	MCPA	<2
Amidosulfuron	<1	Mefenpyr diethyl	<1
Atrazine	<1	Mesosulfuron methyl	<1
Azoxystrobin	<1	Mesotrione	<1
Bensulfuron methyl	<1	Methabenzthiazuron	<1
Boscalid	<2	Metolachlor	<2
Bromacil	<2	Metosulam	<1
Bromoxynil	<2	Metribuzin	<1
Butafenacil	<2	Metsulfuron methyl	<1
Carfentrazone Ethyl	<2	Myclobutanil	<2
Chlorsulfuron	<1	Paclobutrazol	<1
Clopyralid	<3	Picloram	<5
Cyanazine	<1	Prometryn	<1
Dicamba	<3	Propiconazole	<5
Difenoconazole	<1	Propyzamide	<2
Diflufenican	<1	Prosulfocarb	<1
Diuron	<2	Prothioconazole	<5
Epoxiconazole	<2	Pyraflufen ethyl	<2
EPTC	<2	Rimsulfuron	<1
Fipronil	<2	Saflufenacil	<5
Florasulam	<1	Simazine	<1
Fluazinam	<1	Sulfometuron methyl	<1
Fludioxonil	3	Sulfosulfuron	<1
Fumetsulam	<1	Tebuconazole	<5
Fluquinconazole	<1	Tebuthiuron	<2
Fluroxypyr	6	Terbacil	<1
Flutriafol	<1	Terbutylazine	<1
Foramsulfuron	<1	Terbutryn	<1
Halosulfuron Methyl	<1	Triabendazole	<1
Hexaconazole	<1	Triamethoxam	<1
Hexazinone	<1	Tridiazuron	<1
Imazamox	<1	Triobencarb	<2
Imazapic	<1	Thiram	<2
Imazapyr	<5	Triallate	NA
Imazethapyr	<1	Trisulfuron	<1
Imidacloprid	3	Tribenuron methyl	<1
Iodosulfuron methyl	<1	Triclopyr	1
Ipconazole	10	Trifloxysulfuron	<1