



Department initiated Amendment

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

Works Approval Number	W6402/2020/1
Works Approval Holder	Hazer Group Limited
ACN	144 044 600
File Number	DER2020/000194~3
Premises	Hydrogen Commercial Demonstration Plant 837 Cockburn Road MUNSTER WA 6166 Legal description – Part of Lot 9 on Deposited Plan 31097 As defined by the coordinates in Schedule 2 of the Revised Works Approval
Date of Report	29 July 2024
Decision	Revised works approval granted

1. Amendment summary

This amendment is made pursuant to section 59 of the Environmental Protection Act 1986 (EP Act) to amend the existing works approval issued in respect the prescribed premises as set out below. This notice of amendment is hereby given under section 59B(9) of the EP Act.

This amendment is limited to extending the duration of the works approval. No other changes have been made to existing conditions or works approval holder obligations.

In completing the assessment documented in this report, the Department of Water and Environmental Regulation (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/department-of-water-and-environmental-regulation).

2. Background

On 3 August 2020, Hazer Group Limited (the works approval holder) was granted works approval W6402/2010/1 for the construction and time-limited operations of a Hydrogen Commercial Demonstration Plant at 837 Cockburn Road, Munster. This works approval was subsequently amended on 27 October 2022 to extend the works approval expiry date and allow for staged environmental compliance reporting timeframes as well as staged time-limited operations and reporting requirements. The works approval holder notified the department that all stages of the project have been completed and subsequently began stage 2 time-limited operations on 17 May 2024.

On 24 May 2024, the works approval holder submitted an application for a licence for the ongoing operation of the Hydrogen Commercial Demonstration Plant constructed under W6402/2010/1. W6402/2010/1 is due to expire on the 2 August 2024. There is insufficient time for the department to complete its assessment of the licence application prior to the expiry of the works approval. Therefore to facilitate ongoing operation of the Hydrogen Commercial Demonstration Plant while assessment of the licence amendment application is completed, the works approval is being amended under section 59 of the EP Act on the initiative of the Chief Executive Officer to extend the instrument duration.

3. Consultation

The Works Approval Holder was provided with the draft Amendment Report and amended works approval on 26 July 2024 for comment. On 26 July 2024 the Works Approval Holder responded and waived the comment period.

4. Decision

Section 63 of the EP Act prescribes that a works approval shall continue in force for such period as is specified in the works approval. Works approval W6402/2020/1 is due to expire on 2 August 2024. The delegated officer decided to amend works approval W6402/2020/1 in accordance with section 59(1) of the EP Act by extending the expiry date by a further six-months, from 2 August 2024 to 2 February 2025.

It is noted that condition 5 of the works approval allows for time limited operations until a licence is granted. The extension of the works approval provides continued authority to operate the premises infrastructure until such time as a licence is granted and the works approval remains valid. A six-month extension of the works approval allows for the lawful operation of the Hydrogen Commercial Demonstration Plant while the application for a licence is assessed.

In determining to amend the duration of the works approval, the following matters were

considered by the delegated officer:

- the risks posed by emissions and discharges from the Hydrogen Commercial Demonstration Plant were assessed for the grant of W6402/2020/1;
- an extension to the works approval duration will not change the current risk profile of the premises, or change the risks posed by ongoing emissions from the premises;;
- the premises will be subject to compliance inspections and investigations following incidents and complaints, in accordance with the EP Act; and
- in the event that risk issues arise in relation to the premises, the CEO may;
 - a) amend the works approval at any point, and
 - b) in the event of an alleged offence, exercise enforcement powers under the provisions of the EP Act.

The delegated officer also noted there was an error in condition 5 (a) of the works approval in which a reference to condition 4 was not specified. This error has also been corrected in this amendment.