



Annual Audit Compliance Report Form

Environmental Protection Act 1986, Part V Division 3

Once completed, please submit this form either via email to info@dwer.wa.gov.au, or to the below postal address:

Department of Water and Environmental Regulation
Locked Bag 10
Joondalup DC WA 6919

Section A – Licence details	
Licence number:	L4474/1976/14
Licence holder name:	Fremantle Port Authority
Trading as:	Fremantle Ports
ABN:	78 178 229 472
Registered business address:	1 Cliff Street Fremantle
Reporting period:	01/07/2022 to 30/06/2023

Section B – Statement of compliance with licence conditions
Did you comply with all of your licence conditions during the reporting period? (please tick the appropriate box)
<input type="checkbox"/> Yes – please complete: <ul style="list-style-type: none">• section C;• section D (if required); and• sign the declaration in Section F.
<input checked="" type="checkbox"/> No – please complete: <ul style="list-style-type: none">• section C;• section D (if required);• section E; and• sign the declaration in Section F.

Section C – Statement of actual production	
Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.	
Prescribed premises category	Actual production quantity
Category 58 & 58A	1,650,915 tonnes

Section D – Statement of actual Part 2 waste discharge quantity	
Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached.	
Prescribed premises category	Actual Part 2 waste discharge quantity
N/A	N/A

Section E – Details of non-compliance with licence condition

Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.

Condition no:	6	Date(s) of non-compliance:	02/07/2022
Details of non-compliance:			
<p>On 2 July 2022, common user berth operator Qube was unloading urea on berth four at Kwinana Bulk Jetty (KBJ) using the ship's grabs into mobile hoppers. An electrical fault was identified with a hopper's vibrators causing the generator to trip, and the hopper gates to automatically close and stop the flow of cargo. When the generator was reset the hopper's PLC (memory) returned the gates to the last command, which was the open position. During the fault-finding process a truck was positioned under the hopper to receive cargo. Qube personnel observed the release of cargo into the truck for 14 seconds and then observed the truck overflowing for a further 10 seconds before activating the emergency stop button.</p>			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>Fremantle Ports has considered the amount of urea observed on the edge of the berth and estimated that approximately 50-100kg of urea entered the marine environment. Fremantle Ports does not believe that this incident resulted in environmental harm or pollution.</p>			
Cause (or suspected cause) of non-compliance:			
<ul style="list-style-type: none"> • The hopper's cabin was unattended at the time of the incident which resulted in a delayed response to the uncontrolled discharge of cargo. • The operations commenced before proper berth preparations and prestart were completed and prior to the Qube Shift Manager's authorisation. 			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<ul style="list-style-type: none"> • The hopper's vibrator function was repaired. • The hopper's PLC was programmed to ensure the gate is reset to a closed position. • Qube are required to undertake two hourly environmental inspections of their operations. • Qube toolbox meeting template was amended to include awareness of the KBJ environmental licence and discussion of environmental incidents. • Qube senior management committed to provide environmental leadership and drive improvement in their environmental performance whilst operating at KBJ. • Fremantle Ports have increased environmental presence at KBJ to ensure the KBJ Environmental Standard is embedded in operations and evident in environmental inspections. • Shift Managers are required to attend Fremantle Ports annual environmental awareness training. 			
Was this non-compliance previously reported to DWER?			
<input checked="" type="checkbox"/> Yes, and			
<input checked="" type="checkbox"/> Reported to DWER verbally		Date: 04/07/2022	
<input checked="" type="checkbox"/> Reported to DWER in writing		Date: 22/07/2022	

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	6	Date(s) of non-compliance:	16/01/2023
Details of non-compliance:			
<p>On 16 January 2023, common user berth operator Qube was unloading phosphate on berth three at Kwinana Bulk Jetty (KBJ) using ship's grabs into mobile hoppers. Following a change in personnel, the new hopper operator began unloading product from the hopper into a truck via chute 1 of the hopper. As the product approached the 'high-level' mark in the truck's trailer the operator attempted to close the chute, but it remained open. Attempts made by the operator to close chute 1 and then open chute 2 (with aim to force chute 1 to close) failed. In addition, the operator failed to activate the emergency stop to close the chute. The inability to close the chute resulted in the product overflowing the truck and spilling onto the berth, under the hopper's deflector plate, and ultimately into the marine environment.</p>			
What was the actual (or suspected) environmental impact of the non-compliance?			
<p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
Fremantle Ports has considered the amount of phosphate observed on the edge of the berth and estimated that approximately 100kg of phosphate entered the marine environment. Fremantle Ports does not believe that this incident resulted in environmental harm or pollution.			
Cause (or suspected cause) of non-compliance:			
<ul style="list-style-type: none"> • The uncontrolled release of cargo from the hopper was caused by operator error due to lack of change management of Qube's hopper operating configuration and subsequent training and communication. • The hopper operating configuration changed from: a) pressing the button once to open the chute and pressing the button once to close the chute, to b) holding the button in to open the chute and releasing the button to close the chute. • The change to the hopper operating configuration occurred in July 2022 and was not communicated to all Qube personnel. Consolidated training for Qube personnel was not conducted, and the associated operating procedures were not updated. • The hopper operator had previously operated hoppers for Qube at KBJ however had not worked at KBJ or operated hoppers for ten months. As a result, the hopper operator had not operated Qube's hoppers following the change to the hopper operating configuration. 			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p><u>Engineering controls</u></p> <ul style="list-style-type: none"> • Qube changed the hopper chute control system from buttons to levers and installed a dead-man switch to standardise the operating configuration of all hoppers utilised by Qube at KBJ. • Qube installed guards at the bottom of their hoppers to prevent spillage to the marine environment. <p><u>Change management</u></p> <ul style="list-style-type: none"> • Qube amended their hopper operating procedures to include the change to the hopper chute control system and installed operating instructions in their hoppers. • Qube labelled the emergency stop button in their hopper cabins and installed signage to direct the operator to activate the emergency stop if an uncontrolled release of cargo occurs. <p><u>Training</u></p> <ul style="list-style-type: none"> • Qube implement Verification of Competency (VOC) training for all equipment operated at KBJ to ensure Qube personnel (and any labour hire) can safely operate the equipment. • Qube implement new <i>Environmental Systems Awareness Training for Managers</i> and 			

Section E – Details of non-compliance with licence condition

Environmental Systems Awareness Training for the workforce.

Environmental leadership

- Qube implement a consolidated Bulk Operations Checklist that clearly defines Qube Shift Manager's roles, responsibilities, and inspections to increase their on-ground leadership presence.
- Qube implement monthly leadership tours for Qube Managers and quarterly environmental performance reviews to increase governance and assurance of KBJ environmental performance.

Was this non-compliance previously reported to DWER?

☒ Yes, and

☒ Reported to DWER verbally

Date: 16/01/2023

☒ Reported to DWER in writing

Date: 06/02/2023

Section F – Declaration

I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular¹.

I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.

Signature ² :		Signature:	
Name: (printed)		Name: (printed)	
Position:		Position:	
Date:		25 August 2023	Date:
Seal (if signing under seal):			

¹ It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular.

² AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.