



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 file number:	
Licence holder name:	Fremantle Port Authority		
Trading as:	Fremantle Ports		
ACN:	78 178 229 472		
Registered business address:	1 Cliff Street Fremantle		
Reporting period:	01/07/2024 to 30/06/2025		

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	1,999,868 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:	4	Date(s) of non-compliance:	29 August 2025
Details of non-compliance:			
<p>As part of the 2025 Cockburn Sound marine monitoring, bottom water quality samples were not analysed for Total Suspended Solids (TSS) and Dissolved Organic Carbon (DOC) in the prescribed period from 1 January to 31 March 2025. Whilst DOC and TSS were collected and analysed in surface water samples in the prescribed period, the collection and analysis of DOC and TSS from bottom water samples were accidentally excluded by Fremantle Ports' marine consultant, O2 Marine.</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>Dissolved organic carbon (DOC) and total suspended solids (TSS) were not analysed at the KBJ1, KBJ2 and KBJ3 bottom water sampling locations as required by Condition 4.</p> <p>There was no actual environmental impact as a result of the samples not being taken.</p>			
Cause (or suspected cause) of non-compliance:			
<p>In 2025, O2 Marine did not collect bottom water quality samples for DOC or TSS analysis as the parameters were not recorded in their field sampling sheet nor were bottom water sample containers for DOC and TSS provided to their field technicians to collect and provide to the laboratory for analysis. On 23 February 2024, DWER issued Fremantle Ports with a letter outlining a partial non-compliance of Condition 4 of L4474/1976/14 relating to the Cockburn Sound Monitoring Report submitted by Fremantle Ports on 24 August 2023. During the 2024 Cockburn Sound marine monitoring, all samples were collected and analysed in accordance with the specified condition requirements and were included in the 2024 Cockburn Sound Monitoring Report. In consideration of this partial non-compliance Fremantle Ports ensured all parameters were included in the 2025 Cockburn Sound marine monitoring project documentation. Even though samples were collected and analysed in the 2024 Cockburn Sound marine monitoring by O2 Marine and the parameters were included in the 2025 project documentation, the electronic templates for the field sampling sheet and chain of custody (COC) were not updated by O2 Marine.</p>			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>O2 Marine advised Fremantle Ports of the omission on 15 May 2025 and in response collected bottom water samples from KB1, KB2 and KB3 on 6 June 2025 for TSS and DOC analysis. The monitoring results have been included in the 2025 Cockburn Sound Monitoring Report that will be submitted to Department of Water and Environmental Regulation (DWER) by 30 September 2025.</p> <p>In response to this incident, O2 marine have updated their field sampling sheet and COC templates to include TSS and DOC parameters for bottom water quality samples and have updated their internal processes to cross-check field sampling sheets and COCs with project documentation. Fremantle Ports have requested O2 marine include field sampling sheets and COC forms in future year's project documentation to ensure Fremantle Ports can review and verify that all Cockburn Sound marine monitoring parameters are included and collected in the field.</p>			

Section E – Details of non-compliance with licence condition	
Was this non-compliance previously reported to DWER?	
<input checked="" type="checkbox"/> Yes, and	
<input type="checkbox"/> Reported to DWER verbally	
<input checked="" type="checkbox"/> Reported to DWER in writing	Date: 29 August 2025

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:	23 December 2024
Details of non-compliance:			
<p>On 23 December 2024, common user berth operator Three Ocean Maritime was unloading phosphate from vessel <i>Coretalent OI</i> on Kwinana Bulk Berth three (KBB3) using ship's grabs into mobile hoppers. The ship's crane operator was unloading product from the ship's hatch into a hopper. As the grab containing a maximum of 12m³ of phosphate was being transported from the ship's hatch to the mobile hopper on the berth, the ship's crane wire parted resulting in the grab being dropped from height. The grab landed between the ship and the berth and entered the marine environment. During the fall the grab interacted with the edge of the vessel, two deflector plates that were covering the gap between the vessel and the berth, and the edge of the berth. During the fall the grab's diesel engine (containing approximately 2L of engine oil) was damaged, however the diesel fuel tank (containing approximately 140L of diesel) was not damaged. During the fall the grab remained closed however phosphate was spilt from the grab via the hungry boards (holes located at the top of the grab) and approximately 0.5m³ of phosphate was spilt and contained on the berth. The grab and approximately 6m³ was retrieved from the marine environment on Tuesday 24 December 2024. The seabed was surveyed on Monday 30 December 2024 with no phosphate observed.</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>			
<p>Fremantle Ports has considered the maximum amount of phosphate contained by the grab (12m³), the amount of phosphate observed on the edge of the berth (0.5m³) and the amount of phosphate retrieved (6m³) and estimated that a maximum of 5.5m³ of phosphate entered the marine environment. This could not be retrieved as the product is soluble in water.</p>			
<p>A surface water sample was taken adjacent to the berth on 23 December 2024 with low levels of nitrogen and phosphorus identified. The surface water sample was analysed for hydrocarbons, but none were detected. Due to the low levels of nitrogen and phosphorus identified in the surface water sample, Fremantle Ports believes there is a low risk to the integrity of the ecosystem from approximately 5.5m³ phosphate released to marine waters.</p>			

Section E – Details of non-compliance with licence condition	
Cause (or suspected cause) of non-compliance:	
<p>Fremantle Ports incident investigation revealed that the uncontrolled release of the grab was caused by ships crane wire failure due to lack of preventative maintenance, and the Three Ocean Maritime ship's crane operator's operation of the ships crane and grab did not contribute to the incident.</p> <p>Australian Maritime Safety Authority inspected the vessel post incident, and their inspection report noted that Deck Cargo Cranes 1-4 maintenance was not carried out as per manufacturer instruction, and the Deck Cranes Programmed Maintenance Schedule maintenance plan was not in accordance with the manufacturer's instruction.</p>	
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:	
<p>All ship's crane wires were replaced, inspected and assessed to be in good working order prior to Three Ocean Maritime unloading operations recommencing on 4 January 2025.</p> <p>The vessel and its equipment, including evidence of scheduled maintenance, is now subject to vetting by Fremantle Ports Harbour Master prior to it arriving in Fremantle.</p>	
Was this non-compliance previously reported to DWER?	
<input checked="" type="checkbox"/> Yes, and	
<input type="checkbox"/> Reported to DWER verbally	
<input checked="" type="checkbox"/> Reported to DWER in writing	Date: 23/12/2024 & 10/01/2025

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:	23 May 2025
Details of non-compliance:			
<p>On 23 May 2025, common user berth operator LINX was unloading urea fertiliser from the vessel <i>Capri Island</i> on Kwinana Bulk Berth three (KBB3) using ship's grabs into mobile hoppers. The ship's crane operator was unloading product from the ship's forward hatch into a hopper. As the grab containing approximately 4m³ of urea fertiliser was being transported from the ship's hatch to the mobile hopper on the berth, the grab remote controller fell from its location in the crane striking the boot of the crane operator and activating the grab release switch. The grab opened as it was passing directly above the gap between the ship and the deflector plates, resulting in the contents of the grab entering the marine environment.</p>			

Section E – Details of non-compliance with licence condition	
<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 estimated that a maximum of 4m³ of urea entered the marine environment. This could not be retrieved as the product is soluble in water.</p> <p>Surface water samples were taken at the location of the spill (berth 3) and a reference sample at the southern end of the premises (berth 4). The certificate of analysis for the samples was received on the 4 June 2025. Laboratory analysis results showed that the level of dissolved metals in both samples were below the limits of reporting. The concentrations of total Kjeldahl nitrogen in surface waters were 0.50mg/L at berth 3 and 0.70mg/L at berth 4. The concentration of total phosphorous in surface water at berth 3 was 0.03mg/L and berth 4 level was 0.02mg/L.</p> <p>Due to the low levels of nitrogen and phosphorus identified in the surface water sample, Fremantle Ports believes there is a low risk to the integrity of the ecosystem from approximately 4m³ of urea being released to marine waters.</p>	
Cause (or suspected cause) of non-compliance:	
An investigation by Fremantle Ports and LINX identified causative factors including the design of the grab remote controller not protecting the grab release button, and procedural / administrative controls not implemented by the Berth Operator LINX.	
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:	
Implementation of additional engineering controls for the vessel crane equipment (grab remote) with the grab supplier are in progress. Environmental and licence awareness training has been delivered by Fremantle Ports to LINX operations staff, including incident response protocol requirements. Relevant operational procedures have also been reviewed and updated.	
Was this non-compliance previously reported to DWER?	
<input checked="" type="checkbox"/> Yes, and	
<input type="checkbox"/> Reported to DWER verbally	
<input checked="" type="checkbox"/> Reported to DWER in writing	Date: 23/05/2025 & 13/06/2025

Section F – Declaration			
<p>I declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular¹.</p> <p>I consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.</p>			
Signature ² :		Signature:	
		Name: (printed)	

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.