



Licence Number L6744/1996/12

Licence Holder Southern Port Authority

Registered business address Level 4
679 Murray Street
West Perth WA 6005

File Number DER2016/001589-1

Duration 30/09/2015 to 29/09/2031

Date of amendment 05/02/2020

Premises details Southern Port Authority
Lot 963 on Plan 220558 and Lot 962 on Plan 219848
Inner Harbour Berth 5 and 8
BUNBURY WA 6230
As defined in Schedule 1

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production / design capacity
Category 58: Premises on which clinker, coal, ore, ore concentrate or any other bulk granular material (other than salt) is loaded onto or unloaded from vessels by an open materials loading system.	Not more than 75,000 tonnes per day
Category 58A: Premises on which salt is loaded onto or unloaded from vessels by an open materials loading system.	

This Licence amendment is granted to the Licence Holder, subject to the following conditions, on 05/02/2020, by:

Lauren Fox

A/MANAGER – RESOURCE INDUSTRIES

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Licence Applicability

This Licence is issued to the Southern Port Authority (SPA) for the operation of the Inner Harbour, Berth 5 and 8, ship loading operations, located on Leschenault Drive, Bunbury and includes, but is not necessarily limited to, the following operations:

- Minerals sand products (ilmenite, synthetic rutile, etc), copper concentrate, alumina hydrate, silica sand and spodumene loading or unloading from ships using multiple chutes and attachments for both dry and wet products;
- Associated conveyancing equipment (conveyors, etc); and
- Dust suppression and collection equipment associated with ship loading / unloading and conveyancing.

Amendment June 2019

The CEO initiated an amendment to the type and style of the licence during January 2020 and issued a revised licence consolidating changes made under Amendment Notices issued between 2016 to 2019 (as detailed in the instrument log below), where relevant.. The obligations of the Licence Holder have not changed in making this amendment. During the consolidation of this amendment; DWER has not undertaken any additional risk assessment of the Premises.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- deleted the redundant AACR form set out in Attachment 1 of the previous licence and advised the Licence Holder to obtain the form from the Department's website;
- revised licence condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The licences and works approvals issued for the Premises since September 2015:

Instrument log table		
Instrument	Issued	Description
L6744/1996/12	25/09/2015	Licence re-issue.
L6744/1996/12	29/04/2016	Department initiated amendment in accordance with section 59(1)(k) of the <i>Environmental Protection Act 1986</i> to amend the duration of the licence date month year.
L6744/1996/12	28/09/2016	Amendment Notice 1: on 25 July 2016 the Licence Holder applied for licence amendment for the following mobile infrastructure at Berth 5 at the Port of Bunbury (the Premises): <ul style="list-style-type: none"> • TS850 Shiploader; • Radial Telescopic Shiploading Conveyor; and • 48" Superior RazerTail Truck Unloader.
L6744/1996/12	15/12/2016	Amendment Notice 2: on 28/09/2016 the Licence Holder allowing for the use of mobile equipment for the loading of mineral sands on a trial basis at Berth 5 of the Port of Bunbury until the end of the 2016 calendar year.
L6744/1996/12	7/07/2017	Amendment Notice 3: on 18 April 2017 the Licence Holder to authorise the bulk loading of approximately 1.2 million tonnes per annum of bauxite ore from Berth 8 at the Premises.

Instrument log table		
Instrument	Issued	Description
L6744/1996/12	18/12/2017	Amendment Notice 4: on 19 May 2017 applied for bulk loading of up to 100,000 tonnes of alumina hydrate in a one-off shipment from Berth 8 at the Port of Bunbury (the Premises). No storage of product will occur at the Premises.
L6744/1996/12	15/05/2018	Amendment Notice 5: on 2 May 2018 the Licence Holder applied for licence amendment for further shipments of alumina hydrate following a rapid increase in the demand for the product.
L6744/1996/12	19/02/2019	Amendment Notice 6: on 27 November 2018 an application was received for the construction of a 50,000 tonne capacity shed for the storage of spodumene concentrate at Berth 8 at the Premises. This amendment also included trail conditions which allows Southern Ports Authority to handle new bulk granular materials not currently handled at the Premises, in a test scenario. Port Authorities are increasingly diversifying the type of materials handled at their premises.
L6744/1996/12	05/02/2020	DWER initiated licence amendment to amalgamate/ consolidate separately issued amendment notices for the licence.

DEFINITIONS

In these Licence conditions, unless inconsistent with the text or subject matter:

'AACR' means Annual Audit Compliance Report, a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO from time to time and published on the Department's website and a copy of the AACR form is accessible from the DWER website.

'Annual Period' means the inclusive period from July 1 until June 30 in the following year;

'AS 4156.6-2000' means the *Australian Standard AS 4156. Coal preparation, Part 6: Determination of Dust/moisture Relationship to coal.*

'Assigned Level' means a noise level determined under regulation 8, of the Environmental Protection (Noise) Regulations 1997 (WA);

'ANZECC' guidelines' means Australian New Zealand Guidelines for Fresh and Marine Water Quality;

'CEO' means Chief Executive Officer of the Department of Water and Environmental Regulation;

'CEO' for the purpose of correspondence means:

Chief Executive Officer
Department Administering the *Environmental Protection Act 1986*
Locked Bag 10
JOONDALUP DC WA 6027
Telephone: (08) 6367 7000
Facsimile: (08) 6367 7001
Email: info@dwer.wa.gov.au

'Clean Fill' means as defined by the *Landfill Waste Classification and Waste Definitions 1996* (as amended April 2018)

'DEM' means the dust extinction moisture which is the Moisture Content expressed as a percentage of the product at which the dust number is 10 derived from the Australian Standard AS4156.6-2000.

'DWER' means Department of Water and Environmental Regulation.

'EIP' means Environmental Improvement Plan submitted to CEO and titled "Bunbury Port Authority, Environmental Improvement Plan Berth 8 Prescribed Premises reviewed on 5 May 2011; "Inform" means to inform the CEO in writing, by letter, facsimile or e-mail;

'Licence Holder' means the person or organisation named as Licence Holder on page 1 of the Licence; "Premises" means the area defined in the Premises map in Schedule 1 and listed as the premises address on page 1 of the Licence;

'mAHD' means Australian Height Datum;

'Moisture Content' means the ratio of the mass of water in a sample to the mass of solids in the sample, expressed as a percentage. In equation form:

$$w = \frac{m_1 - m_2}{m_1} \times 100$$

Where:

w = moisture content of sample;

m₁ = initial mass, in grams, of the test portion; and

m₂ = mass, in grams, of the test portion after drying.

'mtpa' means million tonnes per annum;

'Noise Regulations' refers to *Environmental Protection (Noise) Regulations 1997* (WA);

'PA' means *Port Authority Act 1999*;

'PM' means Particulate matter;

'PM₁₀' used to describe particulate matter that is smaller than 10 microns (µm) in diameter; and

'µg/L' means micrograms per litre.

GENERAL CONDITIONS

- 1 The Licence Holder shall maintain interconnections on all belt to belt transfer points, belt scrapers and mobile shiploading infrastructure at Berth 5 to prevent spillage of materials.
- 2 The Licence Holder shall use and maintain reverse pulse bag dust collection systems at all conveyor transfer points.
- 3 The Licence Holder shall collect all particulate material from the reverse pulse bag dust collection system in bulka bags for reuse as raw product or disposed to a licensed landfill facility.
- 4 The Licence Holder when commencing shiploading shall position the chute as close to the bottom of the ship's hold.
- 5 The Licence Holder during shiploading operations shall position the chute to be close to the deposited product.

REPORTING CONDITIONS

- 6 The Licence Holder shall, by 30 August in each year, provide to the CEO an Annual Audit Compliance Report, indicating the extent to which the Licence Holder has complied with the conditions of this licence, issued under Part V of the Act for the Premises, during the annual period.

MOBILE SHIPLOADING INFRASTRUCTURE CONDITIONS

- 7 The Licence Holder must only use mobile shiploading infrastructure at Berth 5 for the loading of mineral sands products at the Premises.
- 8 The Licence Holder during mobile shiploading operations must attach rubber baffles to the end of the boom of the mobile shiploader at Berth 5.
- 9 The Licence Holder must maintain and continuously operate a fan forced dust suppression and extraction system capable of creating vacuum pressure and directing dust emissions to a transportable bag house at all times during truck unloading at the truck unloader at Berth 5.
- 10 The Licence Holder shall maintain sealed transfer points between the truck unloader and the link conveyor, the link conveyor and mobile shiploader and continuously operate dust suppression fogging sprays on the end of the shiploader boom during loading activities.
- 11 The Licence Holder during shiploading operations shall position spill trays under the boom of the mobile shiploader at Berth 5.
- 12 The Licence Holder shall maintain spill deflectors and dust trays on the outer and incline mobile conveyors at Berth 5.
- 13 The Licence Holder shall collect all spillage of bulk granular materials onto the berth in a manner and at a frequency which prevents the discharge of this material into the marine environment.

AMBIENT AIR QUALITY MONITORING

- 14 The Licence Holder shall undertake the continuous monitoring of ambient air quality for the parameters as specified in Column 2 of Table 2 at the locations specified in Column 1 of Table 2 and depicted in Schedule 2. Emissions must be calculated as an average over the period specified in column 3, at the frequency specified in column 4 and using the method specified in column 5.

Table 2: Ambient Air Quality Monitoring				
Column 1	Column 2	Column 3	Column 4	Column 5
Location	Parameter	Averaging Period	Frequency	Method
TEOM samplers at Estuary Dr, Stirling St, Workshop and Navel Cadets	Particulates as PM ₁₀	24 hours	Continuous	AS 3580.9.8
HVAS sampler at Stirling St	Dust as TSP	24 hours	Continuous	AS 3580.9.3

- 15 The Licence Holder shall provide a report to the CEO specifying the data from the monitoring undertaken in conditions 14 and 18 quarterly on the following dates: the last day of December, March, June and September in any year.
- 16 The Licence Holder must operate the baghouse dust collector at all times when trucks are tipping bauxite ore and alumina hydrate into the Berth 8 road hopper.
- 17 The Licence Holder must maintain side, top and bottom covers on conveyor CV04.
- 18 The Licence Holder must only accept alumina hydrate and spodumene concentrate that contains a Moisture Content above the DEM derived from application of AS4156.6-2000.

SPODUMENE STORAGE

- 19 The Licence Holder must continue to maintain the infrastructure and equipment:
- i. specified in Column 1;
 - ii. to the requirements specified in Column 2; and
 - iii. at the location specified in Column 3, of Table 3 below.
- 20 Where a departure from the requirements specified in Column 2 of Table 3 occurs, , the Licence Holder must provide to the CEO a description of, and explanation for the departure.

Table 3:Spodumene Storage Infrastructure and equipment requirements		
Column 1	Column 2	Column 3
Infrastructure and Equipment	Requirements	Site plan reference
Spodumene storage shed	The storage shed must be continue to function: <ul style="list-style-type: none"> • such that all spodumene concentrate stockpiled within the shed will be protected from wind; • with a partially enclosed annex; and • with a below ground hopper and grizzly within the partially enclosed annex, for the purpose of reducing the exposure of the spodumene concentrate to the wind. 	Attachment 2, Figure 1
	Covers and skirts must be present at: <ul style="list-style-type: none"> • the in-loading grizzly; and • in-loading hoppers and transfer chutes, for the prevention of spillage and the risk of dust generated through the handling of spodumene concentrate at the shed. 	

TRIAL CONDITIONS

NOTIFICATION OF A TRIAL

- 21 The Licence Holder must notify the CEO of a Trial and such notification (which the CEO will make publicly available) must:
- (a) be in writing;
 - (b) be made 30 calendar days or more prior to that Trial commencing;
 - (c) include details of the extent of the Trial, including:
 - (i) the duration and frequency of any loading or unloading activities;
 - (ii) method for materials storage and handling including any changes to infrastructure and equipment used at the Premises; and
 - (iii) all controls to be implemented for the management of emissions and discharges;
 - (d) include details of the nature of bulk granular material, including:
 - (i) all public health and ecosystem hazards;
 - (ii) the chemical and geochemical composition;
 - (iii) particle size distribution of bulk granular material including inhalable and respirable fractions;
 - (iv) the representative DEM level, where determination of DEM is possible for that material; and
 - (v) leachate testing conducted on materials that may present a toxicological or Eco toxicological risk;
 - (e) include an analysis of risks to the environment, public health and amenity from potential discharges, dust, odour and noise emissions associated with the Trial;
 - (f) include a monitoring plan that includes, but is not limited to:
 - (i) the indicator parameter/s to be monitored;
 - (ii) monitoring locations, equipment used and proximity to sensitive receptors;
 - (iii) monitoring frequencies;

- (iv) monitoring averaging periods; and
- (v) any meteorological monitoring to be undertaken; and
- (g) only when a CEO notification to cease a Trial has been issued in accordance with Condition 22, and in the event that the Licence Holder is submitting a Trial amendment notification, then the Licence Holder must:
 - (i) resubmit the requirements of Conditions 21(a) – (f);
 - (ii) address the issues that resulted in the notification to cease the Trial on the initial (or any subsequent) Trial for the same product; and
 - (iii) include a new Trial end date calculated 12 months from the commencement of the first shipment of the ceased Trial, not including time elapsed between the CEO notification to cease that Trial and the Trial amendment notification.

CEO NOTIFICATION TO CEASE A TRIAL (PRIOR TO COMMENCEMENT OR DURING)

- 22 The Licence Holder must cease a Trial in the manner and at the time, when:
- a. the CEO forms the view, acting reasonably:
 - (i) that following an assessment of the information provided as part of Condition 21, it is determined that the proposed Trial will result in unacceptable impact on public health, amenity or the environment; or
 - (ii) that following a review of any data received in accordance with Condition 25, it is determined that the Trial is having an unacceptable impact on public health, amenity or the environment; or
 - (iii) that the Trial being undertaken is different in any manner from that described in the notification provided by the Licence Holder through Condition 15, when that difference is resulting in, or is likely to result in, an unacceptable impact on public health, amenity or the environment; and
 - b. the CEO has provided written notice to cease the Trial (which the CEO will make publicly available) to the Licence Holder specifying the grounds for the CEO's views.

Nothing in this Condition prevents the Licence Holder subsequently submitting an amendment in relation to the Trial. Any Trial amendment proposed by the Licence Holder must follow the notification requirements as per Condition 21(g).

TRIAL RESTRICTIONS

- 23 The Trial must cease:
- a. 12 months from the date of the commencement of the first shipment; or
 - b. immediately after the shipment where the cumulative throughput amounts exceed 1,000,000 tonnes; or
 - c. immediately upon receipt of a CEO notification to cease a Trial in accordance with Condition 22, whichever occurs first.
- A Trial may only recommence upon notification of a Trial amendment, in accordance with Condition 21(g).
- 24 The Licence Holder must not Trial the bulk handling of materials that:
- a. Contain asbestos in concentrations equal to or greater than 0.01% w/w for non-friable asbestos or 0.01% w/w for fibrous asbestos;

- b. Contain respirable silica equal to or greater than 1% w/w;
- c. Exceed the radiation transport limit of 10 Bq/g for Uranium-238 and Thorium-232 combined;
- d. Exceed Rubidium-87 concentrations of 30 Bq/g; or
- e. Are a waste or waste-derived by-product (except clean fill).

TRIAL REPORTING

- 25 The Licence Holder must submit a report to the CEO which includes the results of monitoring required by condition 213(f), and includes:
- (a) the 15-minute averaged, raw data in tabulated format;
 - (b) a graphical representation of the monitoring results for each Trial shipment with a comparison against 15-minute averaged meteorological (wind speed and direction) monitoring data;
 - (c) Moisture Content data averaged over each Trial shipment and showing a comparison against the representative DEM level, where the DEM level can be determined; and
 - (d) a summary of the effectiveness of the controls implemented for the management of emissions and discharges, within 30 days of the completion of the first Trial shipment; at four, seven and 10 months from the first Trial shipment; and a final closeout report within 30 days following the cessation of the Trial.

ONGOING SHIPMENTS

- 26 In the event that approval for the ongoing shipments of the Trial material is sought, the Licence Holder must provide an application for Licence amendment, along with a report fulfilling the requirements of Condition 25, at least three months prior to the completion of the Trial period.

Schedule 1: Maps

Premises map

The Plan of the Premises below depicts the location of the spodumene concentrate storage shed outlined, Berth 8, hopper and conveyor CV04. The blue line outlines the wastewater capture system. The red line depicts the Premises.



The Department of Environment Regulation does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted. Roads and tracks on land managed by DER may contain unmarked hazards and their surface condition is variable. Exercise caution and drive to conditions on all roads.

Schedule 2 – Ambient Air Quality Monitoring Locations

