



Licence Number	L6744/1996/12
Licence Holder	Southern Ports Authority
Registered business address	Ground Floor 16 Parliament Place West Perth WA 6005
Date of amendment	15 December 2016
Prescribed Premises	Category 58: Bulk material loading or unloading
Premises	Southern Port Authority Lot 963 on Plan 220558 and Lot 962 on Plan 219848, Inner Harbour – Berth 5 and 8 BUNBURY WA 6230

Amendment

The Chief Executive Officer (CEO) of the Department of Environment Regulation (DER) has amended the above licence in accordance with section 59 of the *Environmental Protection Act 1986* as set out in this Amendment Notice.

Date signed: 14 December 2016
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Agnes Tay

Director Strategy and Reform

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

Amendment Notice

This notice is issued under section 59 of the *Environmental Protection Act* 1986 (EP Act) to amend the licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

Amendment Description

On 28 September 2016, Amendment Notice 1 was issued to the Southern Ports Authority (SPA) 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. The SPA hold Licence L6744/1996/12 issued under Part V of the EP Act for the Port of Bunbury (Premises).

DER is also currently undertaking a full risk-based review of the Premises in accordance with its regulatory framework. This risk-based review and assessment is scheduled to be completed in early 2017 and will include all prescribed premises activities.

Following the issuing of the Amendment Notice, SPA sent a letter on 30 November 2016 requesting an extension for the use of mobile equipment for the loading of mineral sands until 30 June 2017 or until such time as the separate risk-based review is completed.

Decision

The Delegated Officer has determined that an amendment to permit the time extension for the use of mobile ship loading equipment for the loading of mineral sands to 30 June 2017 is appropriate.

The Delegated Officer considers that the risks have not changed since the Amendment Notice 1 was issued and that given a full risk-based review of the Premises is currently underway and scheduled for completion in early 2017, a full risk assessment is not required for this amendment. In addition the Delegated Officer notes that there is no record of any complaints being lodged with the DER for the premises and no non-compliances reported by the Licence Holder during the operation of the mobile equipment.

No changes in addition to the extension requested by the Licence Holder have been made.

Amendment History

Instrument	Issued	Amendment
L6744/1996/12	25/09/2015	Licence reissue
L6744/1996/12	29/04/2016	Amendment Notice to extend expiry date Expiry date extended to 29 September 2031
L6744/1996/12	28/09/2016	Amendment Notice 1 Approval of mobile ship loading infrastructure at Berth 5

L6744/1996/12	15/12/2016	Amendment Notice 2 Extension of approval of mobile ship loading infrastructure at Berth 5
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Licence Holder Comments

The Licence Holder was provided with the draft Amendment Notice 2 on 12 December 2016. The Licence Holder reviewed the draft Amendment Notice and advised that the 21 day comment period is not required. No other comments or changes were requested by the Licence Holder.

Amendment

1. Condition 8 of the Licence is amended by deletion of the text shown in strikethrough below and insertion of the red text shown in underline below:
 8. *The Licensee must not use mobile shiploading infrastructure at Berth 5 at the Premises after ~~31 December 2016~~ 30 June 2017 and must not load more than 80,000 tonnes of mineral sands during that time.*