



Amendment Notice 1

Licence Number	L8566/2011/2
Licence Holder	TEC Desert Pty Ltd and TEC Desert No 2. Ltd T/A Southern Cross Energy Partnership
ACN	084 695 661 and 084 953 088
File Number:	2012/006662
Premises	Kambalda Power Station Mining tenement L15/252 KAMBALDA EAST WA 6442
Date of Amendment	21 November 2018

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Caron Goodbourn

A/Manager, Process Industries

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
Amendment Notice	Refers to this document
Amendment Notice	refers to this document
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the Environmental Protection Act 1986 Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DER	Department of Environment Regulation (former)
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>

Amendment Notice

This amendment is made pursuant to 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.

The following guidance statement has informed the decision made on this amendment:

- *Guidance Statement: Licence Duration* (August 2016)

Amendment description

The Kambalda Power Station holds EP Act Licence L8566/2011/2 for Category 52: electric power generation and the Licence is due to expire on 19 January 2019. The CEO has decided to initiate an amendment to extend the duration of the current Licence for an additional seventeen years from 19 January 2019 to 19 January 2036. The lease on tenement L15/252, upon which the premises is situated, expires on 12 November 2036. The new expiry date is aligned to the expiry date of the Leinster Power Station, another Southern Cross Energy Partnership premises.

Amendment history

Table 2 provides the amendment history for L8566/2011/2.

Table 2: Licence amendments

Instrument	Issued	Amendment
L8566/2011/2	19/12/2013	Re-issue of Licence
L8566/2011/2	22/11/2018	Amendment Notice 1 Amendment to extend the duration of the Licence to 2036

Decision

The extension of the Licence expiry date does not include any alteration to the production, design capacity or prescribed activity and therefore does not require a risk assessment in accordance with *Guidance Statement: Licence Duration* (DER, 2016). In determining the duration of the Licence, the Delegated Officer has taken into account consent granted under other legislation, including Mining Leases granted under the *Mining Act 1978*.

At the time of granting this Amendment Notice, the regulatory controls contained within the Licence are considered adequate to manage the day to day public health and environmental risk posed by the premises. In the future DWER intends on undertaking a review of all licenses, including the current Licence against the new risk assessment framework to ensure contemporary risk based pollution prevention, control and abatement outcomes are achieved.

The premises will be subject to ongoing compliance inspections and in the event that risks arise in relation to the site operation, the CEO may, depending on the circumstances: amend the conditions of licence at any time; or in the event of an alleged offence, exercise enforcement powers under the EP Act.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 20 November 2018. DWER received a waiver for the comment period, accepting the draft amendment notice as proposed, the following day.

Amendment

The Licence duration has been extended from 19 January 2019 to 19 January 2036.

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8566/2011/2 – Kambalda Power Station	L8566/2011/2	accessed at www.dwer.wa.gov.au
2	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.	-	accessed at www.dwer.wa.gov.au
3	Email correspondence: Tenement dates	NA	DWER records (A1740412)