



Application for a security risk substances (SRS) fertiliser licence

Applying for or
amending an SRS
fertiliser licence



Applying for a licence

Resources Safety wants to ensure that primary producers who store, handle and use ammonium nitrate based fertilisers, and referred to as security risk substances (SRS) in Western Australia, do so without creating risks to the community.

Introduction of an SRS Fertiliser Licence has recognised that primary producers have special needs when it comes to the storage, transport and use of ammonium nitrate for their own use. This licence addresses the safety and security provisions that primary producers have in place when dealing with this product. Applicants are required to prepare and lodge an appropriate security plan with their application.

Improved security clearance measures are now in place that will impact on all persons who have unsupervised access to the fertiliser.

Licences will not be issued for products containing more than 45% ammonium nitrate in solid form where the purpose is for household use or the fertilisation of recreational grounds such as sports grounds, parks and gardens.

General requirements

An SRS Fertiliser Licence is issued for 3 years and authorises the purchase, storage and use of AN fertiliser by primary producers and unlimited quantities for own use. The transport of fertiliser in bulk on public roads is however subject to additional regulatory requirements and explained in a following section.

Licences will only be issued if certain criteria are met:

- any individual named in the application must be:
 - 18 years of age or over; and
 - hold a current security clearance.
- the applicant must:
 - conduct a business that requires the possession of the SRS for use as a fertiliser in primary production; and
 - submit a security plan.

An application for licence by a body corporate or partnership must nominate an authorised person who will be responsible for the safety and security of the SRS possessed under the licence. This person must hold a current WA Dangerous Goods Security Card, or mutually recognised security clearance, and be involved in the management of, or employed by, the body or partnership. Their personal details will be included on the licence.

Bulk transport of fertiliser

Should the quantity of SRS fertiliser being transported by a primary producer (for own use) on public roads exceed the following limits then separate additional licensing is required under the Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007:

- 3 tonnes or greater in Intermediate Bulk Containers (IBCs)
- 500kg or greater in bulk (not in IBCs)

In these situations the vehicles being used (other than a prime mover) will require a Dangerous Goods Vehicle Licence and the drivers must also possess a Dangerous Goods Driver Licence. Further information on obtaining these licences can be found on the Resources Safety website.

Obligations of the licensee

Licence holders must comply with the provisions of the *Dangerous Goods Safety Act 2004* and Regulations as they relate to safety and security of the SRS. This includes compliance with any conditions that may be on the licence.

The holder of an SRS Fertiliser Licence:

- must take all reasonable measure to ensure that an unauthorised person does not have unsupervised access to the SRS;
- must ensure the SRS is stored in a way that enables any loss or removal to be identified quickly;
- for packaged SRS must keep an inventory for the place where stored and perform a stocktake at least once a month; and
- must inspect the place at least once a month.

Supervised and unsupervised access - what does this mean?

For the purposes of the SRS Regulations an individual is supervised by another person while he or she has access to an SRS if at the time he or she:

- is in the presence of the other person; or
- is in a place where any handling or removal of the SRS is controlled by the other person.

A licence holder may authorise an employee to have in the course of the employee's duties, access to the SRS in the licence holder's possession. If the access is supervised there is no specific need for the employee to have a security clearance.

If access to the SRS is to be unsupervised the employee must possess a security clearance and be recorded by the licence holder as a secure employee. (refer to the section on security clearances for further information).

Reference material

Further information can be found at:

- *Dangerous Goods Safety Act 2004*
- Dangerous Goods Safety (Security Risk Substances) Regulations 2007
- Dangerous Goods Safety (Explosives) Regulations 2007
- Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007
- Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007

(download of the Act and regulations are available free on the State Law Publisher's website at www.slp.wa.gov.au)

- Application for a Dangerous Goods Driver Licence
- Application for a Dangerous Goods Vehicle Licence

- Code of Practice - Safe Storage of Solid Ammonium Nitrate
- Code of Practice - Storage and Handling of Dangerous Goods
- Council of Australian Governments Agreement on Ammonium Nitrate - COAG meeting dated 25 June 2004
- Guidance material on obtaining a Dangerous Goods Security Card
- Guidance Note S1 - Storage and handling of dangerous goods - licensing and exemptions
- Guidance Note - Primary producers using ammonium nitrate fertilisers in Western Australia
- National Ammonium Nitrate Guidance Note No. 3 - Agricultural Use
- Schedule of prescribed fees and charges for dangerous goods
- Template for a Security Risk Assessment and Security Plan - SRS Fertiliser Use
(available from www.dmp.wa.gov.au/ResourcesSafety)
- Application form for a Dangerous Goods Security Card
(available from participating post offices - refer Australia Post website www.auspost.com.au or call 13 13 18)

Applicant details

Licences can only be granted to an individual, a body corporate or a partnership. An application from a body corporate must be in the name as described on the certificate of incorporation, and a copy of the certificate is to be provided with the application.

The following are also recognised as corporate bodies:

- Federal or State Government Departments
- Local Government authorities (Cities, Towns, Shires)
- Some semi-government organisations (e.g. Water Corporation, Western Power)

Where an unincorporated body owns/operates/leases premises or a site, or undertakes an activity (and does not wish, or is not eligible, to become incorporated (i.e. small businesses, associations, etc.) an eligible individual person must be nominated to be the applicant.

An application from a partnership must include:

- a certified copy of evidence of the partnership; and
- a statutory declaration from **each** partner stating:
 - the name of the partnership

- the name, home address and contact details of all partners; and
- business in which the partnership is engaged.

The licence will be granted in the name of the partnership.

Applications may be received in respect to premises that are operating under a trust. The licence cannot be granted to a trust, but can be granted to, as an example, *'The trustees of the ABC Trust'*. Applications from trusts must include:

- a certified copy of a document which states the name of trust; and
- the name, home address and contact details of **at least one of the trustees**.

Licences cannot be granted to business names or trading names.

Please ensure that a contact number is provided in case the Departmental assessor needs to clarify matter or seek additional information. A residential business is mandatory and may be supplemented with a post office address.

Security clearances

In accordance with the Council of Australian Governments (COAG) agreement of 25 June 2004 on counter-terrorism measures all SRS related licence holder and people with unsupervised access to explosives or SRS must possess a security clearance (and where necessary be a secure employee of their employer). Key features of the assessment process are identity checks to confirm the status of applicants as well as national criminal history record checks including an ASIO clearance.

As a means of proof of a valid security clearance, individuals will be issued with a photographic WA Dangerous Goods Security Card valid for 5 years, and it will be subject to renewal. The security card will allow portability of the security clearance between employers.

Individuals who wish to apply for an SRS Fertiliser Licence or are named in the application, must first obtain a WA Dangerous Goods Security Card. Details are available on the Resources Safety website and application forms can be obtained from and lodged at participating post offices around Western Australia.

An SRS Fertiliser Licence is only valid while the security clearance of the individual or authorised person named in the licence remains current.

Mutually recognised security clearances

Licence holders may employ persons from outside this State on a short-term basis to have unsupervised access to the SRS covered under the licence.

Western Australian explosives regulations have mutually recognised various current explosives and Security Sensitive Ammonium Nitrate (SSAN) licences/ permits issued by another State/Territory of Australia as being valid security clearances in this State. This does not apply for permanent residents of WA with more than 3 months residency. These are detailed in the following table:

State/Territory	Legislation
New South Wales	Explosives Regulations 2005
Queensland	Explosives Act 1999
South Australia	Explosives (Security Sensitive Substances) Regulations 2006
Tasmania	Security Sensitive Dangerous Substances Act 2005
Victoria	Dangerous Goods (Explosives) Regulations 2000 Dangerous Goods (HCDG) Regulations 2005
Northern Territory	None applicable
Australian Capital Territory	None applicable

Integrity information

The regulations require that all individuals who apply for, or are named in, the application for any type of SRS licence must disclose to the Chief Officer:

- details of any relevant offence of which the person has been convicted; and
- details of any charge of a relevant offence against the person that is pending.

The term 'relevant offence' means any of the following:

- an offence against the *Dangerous Goods Safety Act 2004* and regulations;

- an offence against a law of another place that substantially corresponds to the *Dangerous Goods Safety Act 2004* and regulations; or
- an offence against a law of this State or another place, an element of which is the handling, storage or transport of explosives.

Two questions on this matter are contained in the application form and answers in the affirmative to either question must be supported by a separate sheet briefly describing details of the offence and/or charge including places, dates and penalties.

Location of storage

Adequate land title information must be provided to enable the precise location of the primary production property for pre-licence assessment and for future inspection purposes. Applicants must wherever possible provide Global Positioning System (GPS) coordinates that may be specified as:

- longitude/latitude (geographic) coordinates using the Geocentric Datum of Australia 1994 (GDA94); or

- easting/northings (projected) coordinates which should be in Map Grid of Australia (MGA94) metres east (X) and metres north (Y) and specify the zone.

For example, *GPS coordinates for ABC Farms* - Geographic: 121°29'28"E, 30°44'24"S (or in decimal degrees 121.4913°E, 30.7399°S). Projected: 355574.17, 6598246.30, zone 51

Complimentary site information can include certificate of title (CT) number.

Security plans

A security plan that describes how the applicant will meet minimum requirements must be prepared and lodged with an application for an SRS Fertiliser Licence. The content of a security plan is referred to in Regulation 31 of the Dangerous Goods Safety (Security Risk Substances) Regulations 2007. In essence, a security plan will address:

- security risk assessment;
- personnel management;
- site security; and
- procedures.

To assist industry in this matter, a template has been developed and copies are available from the Resources Safety website.

The licence holder and the person representing the company as the person responsible for implementing the security plan are both required to implement and comply with the security plan. The licence holder must promptly advise the Chief Officer of any change in the responsible person or contact details.

The security plan has been declared a 'safety management document' for the purposes of sections 3 and 10 of the *Dangerous Goods Safety Act 2004* and this gives Dangerous Goods Officers the power to order improvements and updates to security plans, as well as allowing the Chief Officer to order third-party audits paid by the licence holder.

Transitional provisions

There is a transition phase of 12 months from the commencement date of the Dangerous Goods Safety (Security Risk Substances) Regulations 2007. During this period any person who is required to hold a licence to

possess an SRS, or to engage in an activity in respect of an SRS, is not required to hold the relevant SRS licence. During this period, licence holders will not be prosecuted for not obeying a security plan.

Application form

Complete the application section, including the checklist and attach all the required information. **Lodgement of an incomplete application may increase the time it takes to issue you with a licence and deficient applications may be returned to the applicant.**

NOTE: Please refer to the schedule of fees on the Resources Safety website for the current fee applicable to this licence application.

Contact details

Tel: (08) 9358 8001
 Fax: (08) 9358 8000
 Email: rsdclientservices@dmp.wa.gov.au
 Website: www.dmp.wa.gov.au/ResourcesSafety for fees, forms, FAQs, guidance material and publications.



Government of **Western Australia**
 Department of **Mines and Petroleum**
 Resources Safety

Application for security risk substances fertiliser licence

Dangerous Goods Safety Act 2004
Dangerous Goods Safety (Security Risk Substances) Regulations 2007

ABN: 69 410 335 356

Application no. *(office use only)*

SFE



1. What are you applying for? (please tick one)

New licence Additions or amendments

Please indicate the licence number

Briefly describe the type of business being conducted that requires use of the SRS as a fertiliser

2. Applicant details

Please tick one of the following boxes and complete the relevant sections below:

Body corporate Partnership Individual Trust

Body corporate (name as shown on certificate of incorporation)

 ACN

- Individuals
- Partnerships (names of all partners)
- Trusts (name of at least one trustee)

Family name	Given names

(if insufficient space please attach a separate sheet)

An application from a partnership must include:

- a certified copy of evidence of the partnership; and
- a statutory declaration from each partner stating:
 - the name of the partnership
 - the name, home address and contact details of all partners; and
 - the business in which the partnership is engaged

An application from a trust must include a certified copy of a document which states the name of the trust

Name of the registered business or firm, partnership or trust

Contact details (all applicants)

Phone Facsimile

Mobile Email

ABN

Business street address (mandatory)

Unit no. Street no. Lot no. Street

Town/suburb State Postcode

Postal address (complete if different from above)

Unit no. Street no. Lot no. Street

PO box no. Town/suburb State Postcode

3. Authorised person (mandatory if applicant is body corporate or partnership)

Applicant must nominate a person who is responsible for the safety and security of the SRS to be covered by the licence.

Position held

Family name	Given names	Date of birth
<input type="text"/>	<input type="text"/>	<input type="text"/>

Motor driver's licence no.

Expiry date / / State issued

Residential street address

Unit no. Street no. Lot no. Street

Town/suburb State Postcode

Phone Facsimile

Email Mobile

4. Integrity information

The following questions must be answered by:

- the applicant if an individual; or
- the authorised person nominated at part 3 above

Family name	Given names
<input type="text"/>	<input type="text"/>

Have you been convicted of any relevant offence? Yes No

Do you have a charge of a relevant offence pending against you? Yes No

If you answered 'yes' to either of the above questions please attach a separate sheet with details of your full name, date of birth, description of offence and/or charge, places, dates, penalties etc.

5. Security clearance details

Completion of this section is mandatory for either an individual applicant or the person named in part 3.

WA Dangerous Goods Security Card number Expiry date / /

Or

Mutually recognised security clearance from another State/Territory of Australia.

Licence / Permit/Description

Licence/Permit number

Expiry date / / State issued

A certified copy of the licence/permit must be attached to the application.

6. Security plan

A security plan must be prepared and submitted with this application. It is suggested that applicants utilise the template referred to under 'Reference material'.

Is a copy of the security plan attached? Yes No

Applications that do not contain a security plan will be returned.

7. Location of fertiliser site or compound

Property name (if applicable)

Address

Unit no. Street no. Lot no. Street

Town/suburb Postcode

Site phone Site fax

Site email

Additional location information (if there is no valid street address)

Global Positioning System (GPS) coordinates

Geographic (GDA94): Latitude Longitude

And/Or

Projected (MGA94): Easting Northing Zone

Land title information

Certificate of title (CT) number

8. Applicant's declaration (must be signed by intended licensee)

I certify that the details contained in this application are true and correct and the applicant is a primary producer.

Name

Position

Signature of applicant

Date

/

/

9. Checklist (please tick the boxes to ensure your submission is complete)

- Completed and signed application form
- A certified copy of incorporation (if applicable)
- If a partnership, the following:
 - a certified copy of evidence of the partnership
 - a statutory declaration from **each** partner stating (the name of the partnership; the name, home address and contact details of all partners; the business in which the partnership is engaged)
- If a trust, a certified copy of a document which states the name of the trust
- A legible copy of both sides of a current motor drivers licence issued anywhere in Australia (for any individual named in the application)
- If applicable, a separate sheet briefly describing details of any offences resulting in convictions, and/or charges pending (as per part 4)
- A certified copy of an interstate mutually recognised security clearance (if applicable as per part 5)
- A copy of a security plan (refer part 6)
- Payment of licence fee

Incomplete applications cannot be processed and will be returned.

Licences cannot be issued over the counter. Please post applications to the Department of Mines and Petroleum - Resources Safety. The processing time for compliant applications that do not need complex internal assessment is 20 business days.

10. Payment details

Please forward your application and remittance by mail to:

Resources Safety — Department of Mines and Petroleum
100 Plain Street, EAST PERTH WA 6004

Application no. *(office use only)*

SFE

Cheques and money orders should be made payable to: Department of Mines and Petroleum

SRS Fertiliser licence

Complete this section if paying by credit card

Card number

Expiry date /

Card type *(please tick)* Mastercard Visa

Cardholder's name

Amount

Signature

Phone number of card holder

Date signed / /