



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Application for a security sensitive ammonium nitrate (SSAN) fertiliser licence

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) Regulations 2007

ABN: 69 410 335 356

Use this form to apply for or amend a security sensitive ammonium nitrate (SSAN) fertiliser licence.

Applying for a licence

The Department wants to ensure that primary producers who store, handle and use ammonium nitrate based fertilisers, and referred to as security sensitive ammonium nitrate (SSAN) in Western Australia, do so without creating risks to the community.

Introduction of an SSAN 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.

The Department has accredited a number of consultants who are approved to prepare and submit your application. When you have a consultant endorse your application as complying with the regulations, the checking fee does not apply.

The Department officers can also assess applications for a SSAN licence. However, its core business is regulation, and resources available for assessment of applications are dependent on workloads generated from core activities. The assessment time for applications submitted to the Department without accredited consultant endorsement is approximately three months and checking fees apply. If your submission is deficient, the processing time may be increased.

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 SSAN Fertiliser Licence is issued for 5 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:

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

Bulk transport of fertiliser

Should the quantity of SSAN 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 Driver Licence. Further information on obtaining these licences can be found on the Department 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 SSAN. This includes compliance with any conditions that may be on the licence.

The holder of an SSAN Fertiliser Licence:

- must take all reasonable measures to ensure that an unauthorised person does not have unsupervised access to the SSAN;
- must ensure the SSAN is stored in a way that enables any loss or removal to be identified quickly;

- for packaged SSAN 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 SSAN Regulations an individual is supervised by another person while he or she has access to an SSAN 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 SSAN is controlled by the other person.

A licence holder may authorise a person to have access to the SSAN in the licence holder's possession. If the access is supervised there is no specific need for the person to have a security clearance.

If access to the SSAN is to be unsupervised the person must possess a security clearance and be recorded by the licence holder as a secure nominee.

Secure nominees

Holders of SSAN licences may authorise persons to have unsupervised access to SSAN in the course of their duties providing:

- the person has a security clearance; and
- the licence holder is satisfied the person is suitably trained to safely handle any SSAN that the person will have unsupervised access to.

Persons authorised are deemed to be 'secure nominees' and the licence holder is required to maintain written records of all secure nominees including when authorisations were granted or cancelled.

Persons who are not secure nominees are not permitted to have unsupervised access to SSAN.

Reference material

Further information can be found at:

- *Dangerous Goods Safety Act 2004*
- Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) 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 Security Card (forms are available at participating post offices)
- 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 – Licensing and exemptions for storage and handling
- Guidance Note – Primary producers using ammonium nitrate fertilisers in Western Australia
- National Ammonium Nitrate Guidance Note No. 3 – Agricultural use
- Schedule of fees and charges
- Template for a security risk assessment and security plan – SSAN fertiliser use

(available from the Department website at www.dmirs.wa.gov.au)

Applicant details

Licences can only be granted to an individual, a body corporate or a partnership.

An application for an individual must include a copy of the applicant's current motor driver's licence for proof of identity.

An application from a body corporate must be in the name as described on the certificate of incorporation, and the original certified 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 must be nominated to be the applicant.

An application from a partnership must include:

- the original 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:

- the original 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**. If the nominated trustee is a body corporate or partnership, the documents required are the same as advised above for such entities.

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 matters or seek additional information. A residential business is mandatory and may be supplemented with a post office address.

Security clearances

It is a requirement that explosives related licence holders and people with unsupervised access to explosives or SSAN possess a security clearance (and where necessary be a secure nominee of the licence holder). 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 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 a SSAN Fertiliser Licence must first obtain a WA Dangerous Goods Security Card. Details are available on the Department website and application forms can be obtained from and lodged at participating post offices in Australia.

A SSAN Fertiliser Licence held by an individual is only valid while the security clearance of the individual remains current.

Recognised security clearances

Western Australian explosives regulations recognise current explosives and SSAN licences / permits issued by

another State / Territory of Australia as being valid security clearances in this State. These are detailed in the following table:

State / Territory	Legislation
New South Wales	Explosives Regulations 2013
Queensland	<i>Explosives Act 1999</i>
South Australia	Explosives (Security Sensitive Substances) Regulations 2006
Tasmania	<i>Security Sensitive Dangerous Substances Act 2005</i>
Victoria	Dangerous Goods (Explosives) Regulations 2011 Dangerous Goods (HCDG) Regulations 2005
Northern Territory	None applicable
Australian Capital Territory	None applicable

Applicants from interstate, who do not possess a recognised security clearance will be required to obtain a WA Dangerous Goods Security Card in order for the application for licence to proceed.

Relevant offence

The regulations require that all individuals who apply for any type of SSAN 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 site or compound 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

- eastings / northings (projected) coordinates which should be in Map Grid of Australia (MGA 94) metres east (x) and metres north (y) and specify the zone.

For example, GPS coordinates for ABC Explosives Storage Site – 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 SSAN Fertiliser Licence. The content of a security plan is referred to in Regulation 31 of the Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) 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 Department website.

The licence holder and the person responsible for implementing the security plan are both required to implement and comply with the security plan.

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.

Application lodgement

If you intend to apply for a licence, it is recommended that you contact an accredited dangerous goods consultant and work with them to have your submission developed. The processing time for compliant applications that do not need complex internal assessment is 20 business days.

Your consultant will normally complete the application form on your behalf, however the intended licensee must actually sign the application. The licensee is responsible for all matters associated with the day-to-day storage and handling of the dangerous goods, and will be held accountable for any breaches of the Regulations.

Information for dangerous goods consultants

The following information will assist accredited dangerous goods consultants when lodging applications for licences.

Lodgements by email

- Applies to applications for new licences.
- All emails are to be sent to cso@dmirs.wa.gov.au and not to individual DMIRS staff members. Any correspondence sent to this email address should only be submitted once and it will be actioned in a timely manner. This process ensures all applications can be tracked from time of lodgement.
- The original hardcopy application must still be forwarded by mail so that certified copies of supporting documents can be verified.
- The email should include a list detailing the names of all attachments.

Consultants are requested to utilise appropriate naming conventions for all attachments sent electronically so that DMIRS staff can easily identify the contents and make it easy for electronic document storage and retrieval.

Licence fees

Please refer to the schedule of fees and charges on the Department website for the current fee applicable to this application for licence.

Contact details

Tel: (08) 6251 2300
 Email: cso@dmirs.wa.gov.au
 Website: www.dmirs.wa.gov.au for fees, forms, FAQs, guidance material and publications.

Only the licence fee for the first year of the licence is to be lodged with the application. Licence fees for subsequent years will be billed annually.

Checking fees

These are only payable if the application has not been lodged through an accredited dangerous goods consultant. Checking fees are equal to the licence fee payable with the application.

Lodgement

The completed application form, together with relevant documents and the relevant fee payable to the Department of Mines, Industry Regulation and Safety is to be mailed to:

Department of Mines, Industry Regulation and Safety
 Dangerous Goods Licensing
 Locked Bag 100
 East Perth WA 6892

or handed in person at:

Level 1, 303 Sevenoaks Street
 Cannington WA 6107

Business hours: 8.30 am to 4.30 pm

Notes:

- *Licences cannot be issued over the counter.*
- *Please refer to the schedule of fees and charges on the Department website for the current fee applicable to this application for licence.*



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Application no. (office use only)

SFE

Application for a security sensitive ammonium nitrate (SSAN) fertiliser licence

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) Regulations 2007

ABN: 69 410 335 356

1. Application type (you must tick one of the boxes)

- New licence
 Amendments to an existing licence
 Transfer of a licence
 (can only be done by licence holder)

Indicate licence number

SFE

Briefly describe amendment or transfer requirements

2. Applicant details

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

- Body corporate
 Partnership
 Trust
 Individual

Proof of entity documents are required to be lodged with the application. Refer to information section of application form.

Full legal name (as shown on the proof of entity document)

ABN **AND/OR** ACN

Registered business (trading name) (if different to the legal name)

Contact details

Business street address (mandatory)

Unit no. Street no. Lot no. Street Type (e.g. St, Rd)

Town / suburb State Postcode

Phone Email

Postal address (complete if different from above)

Unit no. Street no. Lot no. Street Type (e.g. St, Rd)

Town / suburb State Postcode

Phone Email

3. Relevant offence

The following questions must be answered if the applicant is an individual.

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.

4. Security clearance details

Completion of this section is mandatory where the applicant is an individual.

WA Dangerous Goods Security Card number Expiry date //

OR

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.

5. Location of fertiliser site or compound

Property trading name (if applicable)

Address

Unit no. Street no. Lot no. Street Type (e.g. St, Rd)

Town / suburb State 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

6. Applicant’s declaration (where the intended licence holder is not an individual, this declaration must be signed by a person within the business / firm who has authority to sign)

I declare the information provided in this application and the documents provided in support of it, are true and correct. I understand that providing false or misleading information in an application is an offence.

Name Position
 Signature of applicant Date / /

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

- Completed and signed application form
- If a body corporate, the original certified copy of certificate of incorporation
- If a partnership, the following:
 - the original 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, the following:
 - the original certified copy of a document which states the name of the trust
 - full name, home address and contact details of at least one of the trustees
 - If the nominated trustee is a body corporate or partnership, the documents required are the same as advised for such entities
- If an individual, a colour copy of the applicant’s current motor driver’s licence
- If applicable, a separate sheet briefly describing details of any relevant offence resulting in convictions, and/or charges pending (as per part 3)
- The original certified colour copy of an interstate recognised security clearance (if applicable as per part 4)
- A copy of a security plan
- Payment of the licence fee

Incomplete applications cannot be processed and will be returned.

Licences cannot be issued over the counter. The processing time for compliant applications that do not require complex internal assessment is 20 business days.

8. Payment

Payment must be made by Visa or Mastercard credit cards. You will be contacted by telephone for payment on the telephone number provided in your application.

If a person other than yourself is to pay for this application, please provide relevant contact details below. **Incomplete information may delay the processing of your application.**

Payment contact details

Payer name *(must be completed even if a company is paying)*

Payer company *(if a third party company is paying)*

Payer daytime phone number

Payer mobile number

Payer email address

9. Enquiry contact details

Business address

Department of Mines, Industry Regulation and Safety
Dangerous Goods Licensing
Level 1, 303 Sevenoaks Street (entrance on Grose Avenue)
Cannington WA 6107

Business hours: 8.30 am to 4.30 pm

Phone: (08) 6251 2300

Email: cso@dmirs.wa.gov.au

Postal address

Department of Mines, Industry Regulation and Safety
Dangerous Goods Licensing
Locked Bag 100
East Perth WA 6892