



Application to Transfer and Amend a licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L8529/2011/2
Licence Holder	Wyloo Metals Pty Ltd
ACN	604 832 751
File Number	DWERVT16862
Premises	Onslow Tenement Project TALANDJI WA 6710 Legal description Being tenements M08/458, M08/461, M08/471, L08/52 and L08/132 As defined by the schedule 1 Premises map and the coordinates in schedule 2 of the licence.
Date of Report	20 February 2025
Decision	Licence amended

MANAGER, RESOURCE INDUSTRIES
INDUSTRY REGULATION (STATEWIDE DELIVERY)

Officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

The Delegated Officer has determined to make amendments to Licence L8529/2011/1. The amendments are administrative in nature therefore they do not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the Environmental Protection Act 1986 (EP Act) and the transfer of licence made pursuant to section 64 of the EP Act.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Premises and Application summary

2.2.1 Premises overview

Licence L8529/2011/1 is currently held by Onslow Resources Ltd for the Onslow Tenement Project, located in Talandji (the premises). The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 12: Screening etc. of material - premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	50 000 tonnes per annual period
Category 13: Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned.	50 000 tonnes per annual period.

The Onslow Tenement Project excavates, crushes and screens sand, rock and shingle from the bed of the Ashburton River in an area southwest of Onslow. The Project produces material for industrial and residential developments. Collectively, the Project includes the Ashburton River Sand and Shingle Operations, Onslow Camp Dunes Project and Onslow Dune Sand Operation.

The existing licence L8529/2011/1 approves the tenements as locations for processing of excavated material as a Category 12 premises. On 21 November 2018 the licence was amended (Amendment Notice 1) to add Category 13 to the licence to allow the crushing and screening of cemented sand material and concrete aggregates up to 20 mm in size as a waste sourced from building sites. This activity took place on mining tenement G08/80 only.

2.2.2 Application summary

On 21 October 2024, Wyloo Metals Pty Ltd (Applicant), submitted two applications to the department. An amendment application and a transfer application for Licence L8529/2011/1.

The applicant is seeking approval to:

- Transfer the licence from Onslow Resources Ltd (ACN: 140 317 264) to Wyloo Metals Pty Ltd (ACN: 604 832 751) as they have purchased the Mining Tenements held by the previous licence holder and have therefore now become the occupier of the premises;
- Amend the prescribed premises boundary to remove six tenements from the premises description and boundary maps because three tenements (M08/473, L08/43 & E08/1728) were not purchased by Wyloo Metals Pty Ltd and three tenements (G08/80, M08/488 & M08/496) are no longer active. The change in premise boundary will not extend boundaries beyond that area which has already been assessed for this licence; and
- Remove Category 13 from the licence, along with conditions 1.2.6 – 1.2.16, Schedule 3 and Schedule 4 from the licence as these conditions relate to the Category 13 activity which use to occur on tenement G08/80. The applicant is seeking the removal of tenement G08/80 as it is no longer active and they will not be carrying out Category 13 activities.

The licence is due to expire on 29 January 2028. The licence was granted to the initial licence holder (Onslow Resources Ltd) for the premises on 30 January 2012. The current licence will retain the same duration and expiry date.

2.2.3 Other amendments

As part of this amendment package the department has consolidated the licence by incorporating changes made under the Amendment Notices as summarised in Table 2.

Table 2: Licences consolidated in this amendment

Instrument	Issued	Summary of approval
L8259/2011/1	18/12/2014	Licence amended to add M08/496 to the premises boundary and conversion of licence to new standard REFIRE format.
L8259/2011/1	29/04/2016	Notice of Amendment of Licence Expiry Dates – changed expiry date from 29/01/2017 to 29/01/2028
L8259/2011/1	21/11/2018	Amendment Notice 1 to add Category 13 and to remove M08/472, L08/51, E08/1991, E08/1995, E08/2009 and L08/47 from premises boundary and the addition of G08/80, L08/132, L08/143 to the premises boundary.
L8259/2011/1	16/05/2022	Notice of amendment of Licence reporting requirements - change from annual submission of environmental report to Biennial submission.

The obligations of the Licence Holder have not changed in consolidating the licence. The department has not undertaken any additional risk assessment of the Premises related to previous Amendment Notices.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- deleted the redundant AACR form set out in schedule 1 of the previous licence and advise the Licence Holder to obtain the form from the department's website;
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and

- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in Section 4. Previously issued Amendment Notices will remain on the department’s website for future reference and will act as a record of the department’s decision making.

3. Consultation

The Delegated Officer undertook the consultation for the application to transfer and amend the licence as per Table 3.

Table 3: Consultation

Consultation method	Comments received	Delegated Officer’s response
Local Government Authority – Shire of Ashburton, letter sent 10/01/2025	N/A	N/A
Department of Energy, Mines, Industry Regulation and Safety, letter sent 10/01/2025	N/A	N/A
Applicant was provided with draft documents on 29 January 2025	18 February 2025 comments received. Clerical errors noted.	Clerical errors corrected.

4. Decision

Wyloo Metals Pty Ltd has demonstrated legal occupancy of the premises by providing copies of tenement reports confirming that the tenements are held in their name. The department is satisfied that they are now the legal occupiers of the premises. The delegated officer has determined to transfer licence L8529/2011/1 to Wyloo Metals Pty Ltd on the grounds it is the current legal entity with legal access to the premises. Wyloo Metals Pty Ltd will be required to comply with the conditions of the licence when undertaking Category 12 activities.

The Delegated officer has determined to amend the premises boundary and to remove Category 13 from the licence (and associated conditions) as requested by Wyloo Metals Pty Ltd. The removal of some tenements has resulted in non-contiguous tenements. The Delegated Officer has determined that the premises will be made up of each proposed tenement, and the Licence is amended to update the premises map.

In undertaking these amendments, a reassessment of emissions and discharges have not been undertaken. The amendments are administrative in nature therefore they do not alter the risk profile of the premises, providing that Category 12 activities, emissions and receptors as stated in existing approvals remain unchanged.

4.1 Summary of amendments.

Table 4 summarises the changes from the existing licence including changes made to licence conditions where required and the rationale for changes explained.

Table 4: Licence condition amendments

Condition No.	Amendments
Licence number	As application has been transferred, version number has been changed to version 2 (L8529/2011/2)
Cover page	Change of Licence Holder Change of Registered Office Change of ACN Cover page updated to new format Category 13 removed
Duration	Changed to 29/01/2028 as granted in Notice of amendment issued on 29/04/2016
Introduction	Deleted as not consistent with new licence template. This guidance is available in the department's Guideline: Industry Regulation Guide to Licensing (June 2019)
Condition 1.1.1 Condition 1.1.2	These conditions have been replaced by the new Interpretation section and definitions in Table 3.
Condition 1.1.3	Condition has been deleted as it's a redundant condition. Revised to current licensing format.
Condition 1.1.4	Condition has been deleted as it's a redundant condition. Revised to current licensing format.
Condition 1.2.5	Condition retained. Now numbered as Condition 1
Conditions 1.2.6 – 1.2.16	Deleted as they relate to the regulation of the category 13 activity on G08/80 which is no longer being undertaken.
Section 1.3 – Premises operation	Heading deleted as old format and no conditions in this section
Condition 2.1.1	Condition deleted as redundant and not required as no limits or targets exist on the licence.
Sections 2.2 – 2.5	Headings deleted as old format and no conditions in these sections
Condition 2.6.1	Retained with no changes to wording. Now condition 2.
Sections 2.7 – 2.8	Headings deleted as old format and no conditions in these sections
Condition 3.1.1	Now condition 3, updated to remove requirement to monitor tonnes of C&D waste processed as Category 13 has been removed from the licence.
Section 4 Improvements	Heading deleted as old format and no conditions in this section

Condition 5.1.1	Now condition 4 and 5. Wording updated to current format. Intent of conditions remains the same.
Condition 5.1.2	Deleted as redundant
Condition 5.1.3	Now condition 7. Wording updated to current format. Intent of condition remains the same.
Condition 5.1.4	Now condition 6. Wording updated to current format. Intent of condition remains the same.
Condition 5.2.1	Now condition 8. Wording updated to reflect changes made through the Notice of amendment issued on 16/05/2022.
Condition 5.3.1	Redundant condition. Deleted from licence. Obligations under section 72 of the EP Act remain the same.
Schedule 2	Deleted. Reporting forms available on DWERs website. N1 form no longer required as notification condition has been deleted.
Schedule 3	Deleted as related to Category 13 activities.
Schedule 4	Deleted as relate to Category 13 activities.