



Application for Licence Transfer

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

Licence Number	L9289/2021/1
Applicant	Gold Valley Wiluna West Pty Ltd
ACN	673 280 530
File number	DER2021/000143
Premises	Wiluna West Project Sandstone-Wiluna Road, WILUNA
	Legal description - Partially within M53/1087
Date of report	29 July 2024
Decision	Licence granted

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1. Decision summary

The Delegated Officer has determined to transfer Licence L9289/2021/1. The transfer is administrative in nature therefore does not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

The decision report for the existing Licence L9289/2021/1 will remain on the department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 Application summary and overview of premises

Licence L9289/2021/1 is held by GWR Group Limited (the existing Licence Holder) for the Wiluna West Project (the Premises), located within Mining Tenements M53/1087, WILUNA WA 6646.

On 5 April 2024, Gold Valley Wiluna West Pty Ltd (the applicant) submitted an application to the department to transfer licence L9289/2021/1 under the section 61 of the *Environmental Protection Act 1986* (EP Act).

Licence transfer is limited to changing the:

- Licence holder name from GWR Group Limited to Gold Valley Wiluna West Pty Ltd;
- Australian Company Number (ACN) from 102 622 051 to 673 280 530; and
- Registered business address from 97 Outram Street WEST PERTH 6005 to 10 Kings Park Road WEST PERTH WA 6005.

The Premises is licenced for Category 5 under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) with assessed production capacities defined in existing Licence L9289/2021/1. There are no proposed changes to the current approved premises categories or design capacity.

3. Assessment

The assessment of transfer applications requires the determination of whether the new occupier meets the department's fitness and competency requirements. The applicant must provide documentary evidence of the date they became occupier of the premises.

3.1 Legal occupancy

Settlement has been achieved between the two parties (the current licence holder and applicant), and the transfer of mining tenure (tenement M53/1087) is currently under assessment with the Department of Energy, Mining, Industry Regulation and Safety (DEMIRS). DEMIRS has advised the department that they foresee no issues with closing out the transfer of the mining tenement. The applicant has provided a letter of sale as part of their application.

3.2 Legal entity status

Gold Valley Wiluna West Pty Ltd is a registered company with a valid and current entry on the Australian & Investments Commission register (ACN 673 280 530) and is, therefore, a legal entity.

3.3 Fitness and competency

The applicant advises it has not been convicted or paid a penalty for an offence under a provision of the EP Act or its subsidiary legislation or similar environmental protection legislation in Australia.

4. Conclusion

The Delegated Officer has determined to transfer licence L9289/2021/1 to Gold Valley Wiluna West Pty Ltd on the grounds it is a current legal entity with legal access to the premises.

4.1 Summary of amendments

Table 1 below provides a summary of the changes made to the existing licence as part of this transfer and will act as a record of implemented changes. All proposed changes have been incorporated into the transferred licence as part of the transfer process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	<ul style="list-style-type: none"> • Licence holder's name amended to Gold Valley Wiluna West Pty Ltd; • ACN amended to 673 280 530; and • Registered business address amended to 10 Kings Park Road WEST PERTH WA 6005.