



Application for Works Approval Transfer

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

Works Approval Number	W6551/2021/1
Applicant	Gold Valley Wiluna West Pty Ltd
ACN	673 280 530
File number	DER2021/000186
Premises	Wiluna West Project Sandstone-Wiluna Road, WILUNA
	Legal description - Partially within M53/1087
Date of report	29 July 2024
Decision	Works approval granted

Table of Contents

1. Decision summary	3
2. Scope of assessment	3
2.1 Regulatory framework	3
2.2 Application summary and overview of premises	3
3. Assessment	3
3.1 Legal occupancy	3
3.2 Legal entity status	3
3.3 Fitness and competency	4
4. Conclusion	4
4.1 Summary of amendments	4
Table 1: Summary of licence amendments	4

1. Decision summary

The Delegated Officer has determined to transfer works approval W6551/2021/1. 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 works approval W6551/2021/1 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

Works approval W6551/2021/1 is held by GWR Group Limited (the existing works approval holder) for the Wiluna West Project (the Premises), located within Mining Tenements M53/1087, Wiluna.

On 5 April 2024, Gold Valley Wiluna West Pty Ltd (the applicant) submitted an application to the department to transfer works approval W6551/2021/1 under the section 61 of the *Environmental Protection Act 1986* (EP Act).

The transfer limited to changing the works approval holder's name, Australian Company Number (ACN) and registered business address. There are no proposed changes to the current approved premises categories or design capacity.

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 works approval W6551/2021/1.

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 works approval 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 the works approval to Gold Valley Wiluna West Pty Ltd on the grounds it is a current legal entity and will have legal access to the premises. Further, the expiry date was extended by one year to provide additional time for the new works approval holder to construct and operate the infrastructure specified in Table 1 of the works approval.

4.1 Summary of amendments

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

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	<ul style="list-style-type: none"> • Works approval 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.