



Application for Licence Amendment

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

Licence Number	L8971/2016/1
Licence Holder	Summit Resource Pty Ltd
ACN	639 047 528
File Number	DER2016/000677-1
Premises	Radio Gold Mine Mining Lease M77/633 Southern Cross, WA 6426 As defined by the Premises maps attached to the Revised Licence
Date of Report	09 November 2020
Decision	Revised licence granted

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An officer delegated by the CEO under section 20 of the EP Act

Table of Contents

1. Decision summary	3
2. Scope of assessment	3
2.1 Regulatory framework	3
2.2 Amendment summary	3
2.3 Consolidation of Licence.....	3
2.4 Assessment of fitness and competency of the Licence Holder.....	4
3. Consultation	4
4. Conclusion	4
4.1 Summary of amendments.....	4
References	6

1. Decision summary

The Delegated Officer has determined to grant the transfer of Licence L8971/2016/1. 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 the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing licence 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

The legislative framework for this assessment is the *Environmental Protection Act 1986* (EP Act) and *Environmental Protection Regulations 1987* (EP Regulations).

In amending the licence, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://www.der.wa.gov.au>.

2.2 Amendment summary

Licence L8971/2016/1 was held by Bullfinch One Pty Ltd for the Radio Gold Mine (the Premises), located at Mining Lease M77/633, Southern Cross, WA 6426.

On 15 June 2020, the Applicant submitted an application to the department to transfer Licence L8971/2016/1 to the new occupier Summit Resource Pty Ltd under Part V Division 3 of the *Environmental Protection Act 1986* (EP Act). The amendment is limited only to updating occupier's name, ACN, registered business address; typographical errors; updating/deletions/inclusion of definitions, and consolidation of the previous amendment reports.

2.3 Consolidation of Licence

As part of this transfer package DWER has consolidated the licence by incorporating changes made under the following Amendment Notices:

- Amendment Notice 1, granted 14 December 2017 – Addition of Category 64 putrescible landfill and authorisation to construct and operate the putrescible landfill.

The obligations of the licence holder have not changed in consolidating the licence. DWER 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 advises the licence holder to obtain the form from the Department's website; and
- corrected clerical mistakes and unintentional errors.

Previously issued Amendment Notices will remain on the DWER website for future reference and will act as a record of DWER's decision making.

2.4 Assessment of fitness and competency of the Licence Holder

As per the Sale and Purchase Agreement dated 3 April 2020 between Bullfinch One Pty Ltd, Valor Resources Limited, and Summit Resource Holdings Pty Ltd (Summit Resource); Summit Resource acquired 100% interest in the Radio Gold Mine Project. As a result, Summit Resources is in control and occupation of the prescribed premises regulated under licence L8971/2016/1.

Summit Resource has been deemed to be a fit and competent operator. No records of the following have been found by DWER:

- Infringement notices or environmental field notices;
- Closure notices, stop work orders or environmental protection notices;
- Investigation reports or prosecution outcomes;
- Non-compliance history with controlled waste obligations and payment of fees;
- History of complaints received about the applicant or any other activities they have been involved with; and
- Past history of being unable to meet their financial obligations, for example unpaid licencing fees, current or past insolvency and bankruptcy proceedings.

3. Consultation

The Licence Holder was provided with the draft Amendment Report on 10 September 2020. DWER requested Licence holder to confirm the submission of the compliance document for the landfill and whether it is operational. Requested information was received from the Licence Holder on 04 November 2020 with photographic evidence of the landfill cell and has been considered by the Delegated Officer. Upon confirmation of the compliance, construction requirement conditions in the previous licence have been removed.

4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a transfer of the Licence L8971/2016/1 will be granted, subject to the condition that activities and emissions as stated in the current licence will remain unchanged.

4.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised licence as part of the transfer process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	Updated the format and appearance. Licence holders name, ACN and Registered Business Address have been updated as a part of the transfer process. Prescribed Premises Category table has been updated to include Category 64 Class II Putrescible Landfill Site as a part of the amalgamation of the amendment notice 1.

Condition no.	Proposed amendments
Contents	Contents table has been removed from the licence as a result of changing the licence into the new licence template
Introduction	Introduction section has been removed from the licence as it is not applicable anymore
Licence History	A section has been added too the licence to reflect the history of the licence as per the new template
Interpretation	<p>Section 1.1 Interpretation section under General conditions has been removed from the licence as the new template is consist of a Definition table which consists all the relevant explanations</p> <p>Conditions 1.1.3 and 1.1.4. have been removed from the licence as they reflect in the interpretation section in the new template</p>
1.2. Premises Operation	Section 1.2 has now become Section 1.1 in the transferred licence upon removing the Section 1.1 Interpretation section from the old licenece
Condition 1.2.1 to 1.2.4	Condition 1.2.1. to 1.2.4 have been renamed as Condition 1.1.1 to 1.1.4
Condition 1.2.5 to 1.2.8 in the Amendment Notice 1	These construction requirement conditions have been removed upon receiving the construction compliance document
Condition 1.1.5 – 1.1.7	These conditions incorporated to the licence as a part of the amalgamation of the amendment notice 1
Table numbers	Table numbers have been updated to reflect the new numbering system in the new licence template
Condition 3.2.1	Table 6 has updated as a part of the amalgamation of the amendment notice 1 and to reflect the new numbering system
Schedule 2: Reporting and Notification Forms	Deleted the redundant forms set out in schedule 2 of the previous licence

References

- Email titled “Application - Transfer of Licence - Radio Gold Mine L8971” dated 13/06/2020 authored by Summit Resources Pty Ltd, available at DWER records (A1903549)
- L8971/2016/1 Radio Gold Mine, available at <https://www.der.wa.gov.au>
- Amendment Notice 1 – 14 December 2017, available at <https://www.der.wa.gov.au>
- DER, July 2015. *Guidance Statement: Regulatory principles*. Department of Environment Regulation, Perth.
- DWER, June 2019 *Guideline: Decision Making*. Department of Water and Environmental Regulation