



## Application to transfer a licence

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

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<b>Licence Number</b>	L9036/2017/1
<b>Applicant</b>	Pilgangoora Operations Pty Ltd
<b>ACN</b>	616 560 395
<b>File Number</b>	DER2017/000279
<b>Premises</b>	Pilgangoora Lithium Project M 45/1230 and M 45/1231  MARBLE BAR WA 6760
<b>Date of Report</b>	14 July 2022
<b>Decision</b>	Intent to grant revised licence

**A/SENIOR ENVIRONMENTAL OFFICER, RESOURCE INDUSTRIES  
REGULATORY SERVICES**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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## 1. Decision summary

The Delegated Officer has determined to transfer licence L9036/2017/1 from the existing licence holder (Altura Lithium Operations Pty Ltd) to Pilgangoora Operations Pty Ltd (the applicant). 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 Transfer Report documents the transfer made pursuant to section 64 of the *Environmental Protection Act 1986* (EP Act).

## 2. Scope of assessment

### 2.1 Regulatory framework

In amending the licence, the Department of Water and Environmental Regulation (DWER, 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 Application summary

Licence L9036/2017/1 is currently held by Altura Lithium Operations Pty Ltd (ACN 095 384 491) for the Pilgangoora Lithium Project (the Premises), located at M 45/1230 and M 45/1231, Marble Bar WA 6760.

The Premises relates to category 5 activities and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Licence L9036/2017/1.

On 25 May 2022, Pilgangoora Operations Pty Ltd (ACN 616 560 395) submitted an application to the department for the transfer of Licence L9036/2017/1 under section 64 of the *Environmental Protection Act 1986* (EP Act). The licence transfer is limited only to revising the licence holder details, including updating the new licence holder name, ACN and registered address.

## 3. Assessment

The assessment of the licence transfer application is limited to a review of land ownership details and the fitness of the applicant to operate the premises.

### Legal entity status

The applicant is a registered company with a valid and current entry on the Australian Securities & Investments Commission register (ACN 616 560 395) and is therefore a legal entity.

### Fitness and competency

Sally-Anne Laymen (Director of Pilgangoora Operations Pty Ltd), who is also director of Newcrest Mining Ltd, reported the following in regard to applicant history:

- In March 2022, Cadia Holdings Pty Ltd (wholly owned by Newcrest Mining) received a penalty notice from the NSW EPA for a failure to continuously monitor air emissions at registered monitoring locations.

The Delegated Officer has considered the above penalty notice in the assessment of this transfer application.

## 4. Decision

The Delegated Officer has determined that the transfer of the licence does not alter the risk profile of the premises. Following a review of the legal entity status and the fitness and competency of the applicant, the Delegated Officer has decided to transfer the licence to Pilgangoora Operations Pty Ltd, on the grounds that it is a current legal entity with legal access to the premises.

The Delegated Officer notes that compliance with Pilgangoora Operations Pty Ltd's licence will be in line with the department's Compliance and Enforcement Policy. The Compliance and Enforcement Policy details the department's approach to ensure compliance with the legislation it administers, and how it responds to breaches of the law to deter and punish offenders and rehabilitate damage caused to the environment.

## 5. Conclusion

Based on the assessment in this transfer report, the Delegated Officer has determined that the transfer will be granted. The premises shall continue to operate in accordance with the original licence conditions and regulatory requirements.

### 5.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments incorporated into the transferred licence and will act as a record of implemented changes.

**Table 1: Summary of licence amendments**

Condition no.	Proposed amendments
<i>Cover page</i>	<i>Change of Licence Holder, ACN, Registered business address and Premises details.</i>