



## Application for Licence Transfer

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

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<b>Licence Number</b>	L9095/2017/1
<b>Applicant</b>	Salvum Pty Ltd
<b>ACN</b>	631 976 317
<b>File number</b>	DER2017/001521-1
<b>Premises</b>	Lot 1 Military Road WILBINGA WA 6041 Legal description Lot 1 on Diagram 44256 Certificate of Title Volume 1408 Folio 392 As defined by the coordinates in Schedule 1 of the licence
<b>Date of report</b>	15 January 2024
<b>Decision</b>	Transfer application granted

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## 1. Decision summary

The delegated officer has determined to transfer licence L9095/2017/1. As activities, emissions and receptors remain unchanged, the transfer is deemed administrative in nature and does not require a further risk assessment.

This decision report will remain on the Department of Water and Environmental Regulations (DWER; the department) website for future reference and will act as a record of the department's decision-making process. The revised licence issued following this amendment consolidates and supersedes the existing licence.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing this decision report, the department has considered and given due regard to its regulatory framework and relevant policy documents available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary

Licence L9095/2017/1 is held by Meteor Stone Pty Ltd (licence holder) for the mining and crushing of limestone. The licensed premises is located at lot 1 Military Road, Wilbinga (the premises) in the Shire of Gingin within the Wheatbelt region.

The premises relates to category 12 under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which is defined on licence L9095/2017/1. The infrastructure and equipment relating to the premises category and any associated activities considered by the department in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in licence L9095/2017/1.

On 11 October 2023, an application for a transfer of licence was submitted to the department under section 61 of the *Environmental Protection Act 1986* (EP Act). The transfer application is limited to changing:

- The licence holder's name from Meteor Stone Pty Ltd to Salvum Pty Ltd;
- The Australian Company Number (ACN) from 623 253 770 to 631 976 317; and
- The occupier's registered company address from 14 Furniss Road, Landsdale to Level 1, 544 Beaufort Street, Mount Lawley, 6050.

### 2.3 Consolidation of licence

As part of this transfer the department has also consolidated the licence by incorporating changes made under Amendment notice 1, summarised in Table 1.

**Table 1: Summary of changes consolidated in this amendment**

Instrument	Issued	Summary of approval
L9095/2017/1	12/12/2017	Licence granted
L9095/2017/1	13/11/2018	Amendment notice 1 to transfer licence to Meteor Stone, remove category 77, and deletion of conditions 7-10

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 delegated officer has:

- Revised licence conditions numbers, removed any redundant conditions and realigned condition numbers for numerical consistency; and
- Corrected any clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this revised licence are detailed in section 4.1. The previously issued amendment notice will remain on the department's website for future reference and will act as a record of the department's decision-making process.

### 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.

#### Legal occupancy

The following documents were submitted as evidence that Salvum Pty Ltd is the rightful occupier of the premises:

- Assignment of Lease for lot 1 Military Road, Wilbinga, executed by Water Resources Ministerial Body (the Lessor), Meteor Stone Pty Ltd (the Assignor) and Salvum Pty Ltd (the Assignee) on 20 July 2023; and
- Evidence of fee paid to the lessor by the assignee for occupancy of the premises until 30 June 2024.

#### Legal entity status

Salvum Pty Ltd is a registered company with a valid and current entry on the Australian & Investments Commission register (ACN 631 976 317) therefore it is a legal entity.

#### 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, its subsidiary legislation or similar environmental protection legislation in Australia.

### 4. Consultation

Table 2 provides a summary of the consultation undertaken by the department.

**Table 2: Details of consultation**

Consultation method	Comments received	Delegated Officer's response
The applicant was provided with the draft documents on 19 December 2023	The applicant replied on 12 January 2024 and: <ul style="list-style-type: none"> <li>- Highlighted a typing error on the cover page</li> <li>- Queried the expiry date on the licence.</li> </ul>	The delegated officer has amended the typing error.  The licence duration has been reverted to the original licence granted to Civex Group Pty Ltd. The department no longer considers the lease agreement as a basis for expiry of the licence. The decision is in accordance with the department's <i>Guideline: Licence duration</i> .

## 5. Conclusion

The delegated officer has determined to transfer licence L9095/2017/1 to Salvum Pty Ltd on the grounds it is a current legal entity with legal access to the premises and has no known convictions.

### 5.1 Summary of amendments

Table 3 provides a summary of the proposed amendment and consolidation of licence conditions made to the existing licence and will act as a record of implemented changes.

**Table 3: Summary of licence amendments**

Condition no.	Amendments
Expiry date	Amendment notice 1 outlined that the expiry of the licence was changed to 31/10/2027 as this reflected the lease agreement duration. This is no longer in line with the department's <i>Guideline: Licence duration</i> and therefore the expiry date has been changed back to 12/12/2033.
Cover page	Licence holder's name amended to Salvum Pty Ltd, ACN amended to 631 976 317. Registered business address amended to Level 1, 544 Beaufort Street Mount Lawley WA 6065. Prescribed premises - category 77 removed as approved under Amendment notice 1 (change has not been highlighted in draft as this amendment had already been granted). Premises: Meteor Stone removed.
1 - Emissions	Table 2, Noise, amended to remove reference to condition 10 as condition 10 was removed during amendment notice 1.
3 – Throughput restrictions	Table 3, Category 77 and approved premises production or design capacity 82,500 tonnes per annum removed as per Amendment notice 1 (change has not been highlighted in draft as this amendment had already been granted).
7, 8 – Noise emission control	Conditions removed as per Amendment notice 1 (change has not been highlighted in draft as this amendment had already been granted).
9,10 – Noise validation monitoring	Conditions removed as per Amendment notice 1 (change has not been highlighted in draft as this amendment had already been granted).
11 - Improvements	Improvement conditions removed as part of this transfer application as the requirements have been met (A1778588).
11, 12 – Record Keeping	Conditions renumbered to 7 and 8 as per Amendment notice 1 (changes have not been highlighted in draft as these amendments had already been granted).
13,14 – Reporting	Conditions renumbered to 9 and 10 as per Amendment notice 1 (changes have not been highlighted in draft as these amendments had already been granted).
Schedule 1: Maps	Removed and replaced Attachment 2 as per Amendment notice 1 (change has not been highlighted in draft as this amendment had already been granted).
Schedule 2 – Primary Activities	Table 6, Primary Activities, Category 77 and related premise production and design capacity removed as per Amendment notice 1 (change has not been highlighted in draft as this amendment had already been granted).