



Application for Works Approval

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

Works Approval Number	W6735/2022/1
Applicant	India Bore Holdings Pty Ltd
ACN	098 895 026
File Number	DER2022/000416
Premises	India Bore Diamond Project Legal description Mining Lease M04/473
Date of Report	13 March 2023
Decision	Works approval granted

**A/MANAGER, RESOURCE INDUSTRIES
REGULATORY SERVICES**

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

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1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Works Approval W6735/2022/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision Report, 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 and overview of Premises

On 21/08/2022, India Bore Holdings Pty Ltd (the Applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction works relating to Category 80: non-metallic mineral processing at the India Bore Diamond Project, located within Mining Lease M04/473 (the Premises). The Premises is approximately 67 km south-east of Kimberly Downs Station.

The Premises relates to the category and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Works Approval W6735/2022/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk assessments* (DWER 2017) are outlined in Works Approval W6735.

Activities at the Premises are currently regulated under Registration R2474/2018/1. This was granted to India Bore Holdings Pty Ltd in 2018 and allows the holder to process up to 20,000 tonnes per annual period of diamond ore under Category 80 of Schedule 1 Part 2 of the *Environmental Protection Regulations 1987*. Existing infrastructure at the facility includes a dense media separation plant (DMS), a Flowsort x-ray diamond recovery unit, a sediment pond and a water recirculating ponding system.

The Applicant is seeking approval to increase screening of materials at the premises, up to 100,000 tonnes per annual period. This is to be achieved by installing 2 additional mobile screening units to the process. A Terex Finlay 663 and a Terex Finlay 683 will together have a maximum processing rate of 40 tonnes/hour.

No additional construction will be required. The two screens will be mobilised into position and be ready to process ore within a day. Emissions during mobilisation are expected to be minimal.

The location of the India Bore Diamond Project is shown below in Figure 1. The layout of the project showing infrastructure and the accommodation camp is shown below in Figure 2.

Once the works outlined in W6735/2022/1 have been completed, the Applicant will be required to make a submission to apply for a new registration or licence.

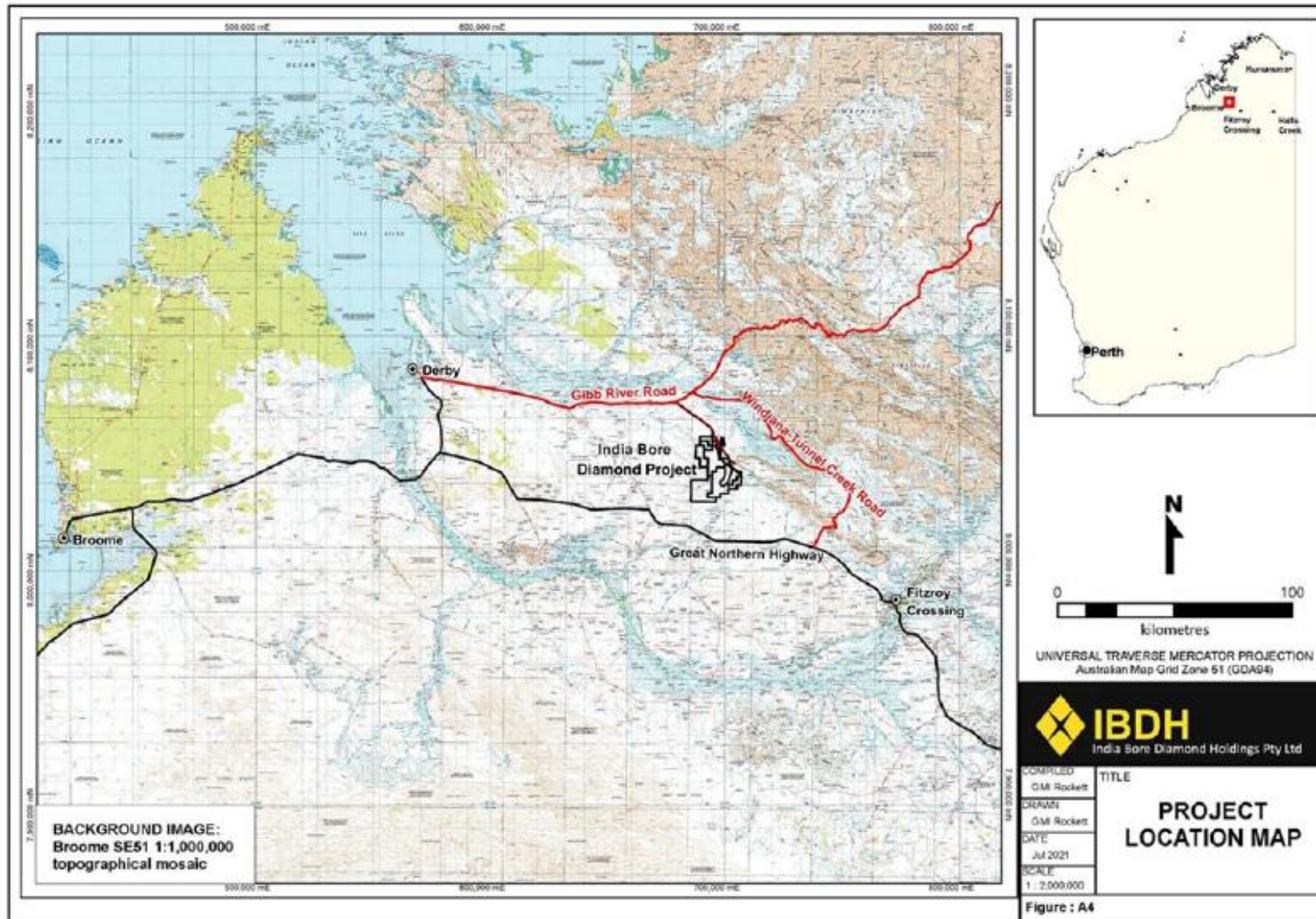


Figure 1: India Bore Diamond Project locality map

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IR-T13 Decision Report Template (short) v2.0 (July 2020)



Figure 2: Infrastructure and Accommodation Camp layout

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2017).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and operation which have been considered in this Decision Report are detailed in Table 1 below. Table 1 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Vehicle and machinery activity on disturbed ground and unsealed roads Wind-driven dust lift off from disturbed areas and stockpiles	Air/windborne pathway	Roads and stockpiles will be wet down when needed with an on-site 20,000 L water truck being always available.
Noise	Vehicle and machinery activity	Air/windborne pathway	Not required as nearest sensitive receptor is 67 km away.
Operation			
Dust	Vehicle and machinery activity on disturbed ground and unsealed roads Wind-driven dust lift off from disturbed areas and stockpiles Screening of product	Air/windborne pathway	Roads and stockpiles will be wet down when needed with an on-site 20,000 L water truck being always available.
Noise	Vehicle and machinery activity	Air/windborne pathway	Not required as nearest sensitive receptor is 67 km away.
Hydrocarbon waste/spillage	20,000 L diesel storage for power generators 50,000 L self-bunded diesel	Direct discharge to land and waters	All hydrocarbon storage will be within self-bunded containment units that are in accordance with <i>AS1940:2004 – The Storage and Handling of Flammable and Combustible Liquids</i> .

Emission	Sources	Potential pathways	Proposed controls
	storage for mobile equipment Waste hydrocarbons		Waste hydrocarbons to be stored within purpose-built waste oil pods before being transported off-site to an oil recycling facility.
Sedimentation	DMS processing plant	Direct discharge to land and waters	All fines produced as a result of the processing of ores in the DMS plant will be diverted to a set of bunded settlement ponds before entering the bunded tailings storage facility.

3.1.2 Receptors

In accordance with the *Guideline: Risk assessment* (DWER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 and **Error! Reference source not found.** below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2016)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Kimberly Downs Station	67 km north west of the premises
Environmental receptors	Distance from prescribed activity
Priority 4 fauna – Gouldian Finch	Possible habitat within premises
Priority 3 flora – Goodenia Sepalosa	14 km north of premises

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk assessments* (DWER 2017) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works Approval W6735/2022/1 that accompanies this Decision Report authorises construction and time-limited operations. The conditions in the issued Works Approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence or new registration is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the Premises i.e. crushing and screening activities. A risk assessment for the operational phase has been included in this Decision Report, however licence conditions will not be finalised until the department assesses the licence application.

Table 3: Risk assessment of potential emissions and discharges from the Premises during construction and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Placement of screen and associated equipment including vehicle movements (reversing beepers).	Dust	Air/windborne pathway causing impacts to health and amenity	Residences over 60 km away	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	Conditions 1, 2 and 3	N/A
	Noise			Refer to Section 3.1	C = Minor L = Rare Low Risk	Y		N/A
Operation (including time-limited-operations operations)								
Screening, crushing, unloading, loading and storage of material Vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Residences over 60 km away	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	Conditions 4, 5, 6 and 7	N/A
	Noise	Air/windborne pathway causing impacts to health and amenity		Refer to Section 3.1	C = Minor L = Rare Low Risk	Y		N/A
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Localised vegetation	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y		N/A
Vehicle refueling and servicing Hydrocarbon storage	Hydrocarbon discharge	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Localised vegetation, surface water and groundwater	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y		N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2017).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website (21/11/2022)	None received	N/A
Local Government Authority advised of proposal (16/11/2022)	None received	N/A
Applicant was provided with draft documents on 11/01/2023	Comment's received on 13/02/2023 – <i>'India Bore Diamond Holdings Pty Ltd (IBDH) has carefully reviewed the draft documents and confirms the details are correct and is happy to accept the Works Approval as outlined'</i>	Noted.

5. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2016, *Guideline: Environmental siting*, Joondalup, Western Australia.
3. DWER 2017, *Guideline: Risk assessments*, Joondalup, Western Australia.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY		
Application type		
Works approval	<input checked="" type="checkbox"/>	
Date application received	21/08/2022	
Applicant and Premises details		
Applicant name/s (full legal name/s)	India Bore Diamond Holdings Pty Ltd (IBDH)	
Premises name		
Premises location	M04/473	
Local Government Authority	Shire of Derby/West Kimberly	
Application documents		
HPCM file reference number:	DER2018/001042-7-95	
Key application documents (additional to application form):	Attachments: 1A, 1B, 1C, 2, 3C, 5, 7 and 8 Radiation Certificate	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Works approval Mobilization of screening unit.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Proposed production or design capacity	
Category 80:	100,000 tonnes per annual period	
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:

Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Mining approval
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	DMIRS approval
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Licence/permit No: GWL 200028(2)
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office:
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</i>)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Yes include details here.
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Yes include details of which EPP(s) here.
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Yes, include details here, e.g. Site is subject to SO ₂ requirements of Kwinana EPP.
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Yes include details here. Classification: N/A / possibly contaminated – investigation Date of classification: N/A