Government of Western Australia
Department of Water and Environmental Regulation

Decision Report

Application for Licence

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

Licence Number	L3021/2025/1
Applicant	Kimberley Quarry Pty Ltd
ACN	093 519 638
File number	APP-0028526
Premises	Kununurra Basalt Quarry Legal description - Mining Lease M80/628 LAKE ARGYLE WA 6743 As defined by the premises maps attached to the issued licence
Date of report	01 October 2025
Decision	Licence granted

MANAGER, RESOURCE INDUSTRIES
STATE-WIDE DELIVERY (ENVIRONMENTAL REGULATION)
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 operation of the premises. As a result of this assessment, Licence L3021/2025/1 has been granted.

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

On 10 April 2025, Kimberley Quarry Pty Ltd (the Applicant) submitted an application for a licence to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The Application is to seek a licence relating to the operation of a mobile crushing and screening plant located within mining tenement M80/628, Lake Argyle (the Premises). The nearest town of Kununurra is situated approximately 35.6 kilometres south-west of the Premises.

The Premises relates to category 12 (ie. Screening of material) and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L3021/2025/1. 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 2020) are outlined in licence L3021/2025/1.

Crushing and screening activities of basalt rock were originally assessed at the Premises (formally named Savannah Hard Rock Quarry) under Registration R2427/2016/1, issued to J.S.W Holdings Pty Ltd on 26 May 2016. The Registration provides authorisation to process up to 35,000 tonnes of material per annum (tpa) under Prescribed Premises category 70 under the EP Regulations. On 8 July 2024, the Applicant submitted a notification of change of occupier of a registered premises for R2427/2016/1 under Regulation 5B of the EP Regulations. The transfer of the registration from J.S.W Holdings Pty Ltd to the Applicant was granted on 15 August 2024.

The Applicant is proposing to increase the production capacity at the Premises from the currently approved 35,000 tpa under the registration, to 500,000 tpa under a licence. The request for the proposed increase in production is associated to an increased demand for quarry material for regional, State and commercial projects, including supply to the Argyle diamond mine and surrounding infrastructure works. The crushing and screening plant will operate for extended periods of the year to meet demand. There will be no new infrastructure installed as part of change in production capacity. The existing crushing and screening plant is already fully operational and capable of the proposed throughput. Operations will be undertaken using the existing pit and stockpile areas. The estimated operating period for the Premises is between 15 to 25 years, subject to demand and resource availability.

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 2020).

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 operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the 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
Operation			
Dust	Crushing and screening of ore Unloading, loading and stockpiling of material onto ROM pad during ore processing Vehicle movements on unsealed surfaces	Air / windborne pathway	• Use of a 15 kL water cart with a water cannon maintained on site and used for daily dust suppression (frequency adjusted to match conditions and operations for the day); • Dust suppression spray bars installed within the crushing and screening plant to dampen product and suppress dust generation during plant operation; • Truck loads will always be covered so that no dust is generated in transit; • Traffic speed will be restricted to 20 km/hour on internal haul roads, reducing dust lift-off from trucks; • Daily visual monitoring during operations by site supervisor to ensure controls for managing dust emissions are effective; • Stockpiles will be wetted down by the watercart as required; and • A dust complaint register to be maintained at the Premises; and • All records of complaints to be recorded on the register.

Emission	Sources	Potential pathways	Proposed controls
Contaminated Stormwater/Sedimentation	Contaminated stormwater/ sedimentation generated via runoff from the ROM pad, process plant and stockpiles area Vehicle movements on the ROM pad.	Overland runoff from Processing Plant area during high during rainfall events.	• Potentially contaminated stormwater/sediment laden stormwater from the process plant area is collected within the perimeter drainage drains and directed to a catchment pond; • A 60 metre wide x 25 metre deep surface water catchment pond located at the bottom of the pit will contain stormwater runoff from stockpile areas; and • Weekly visual inspections of the surface water containment pond will be undertaken to ensure its integrity.
Spills/leaks of hydrocarbons	Hydrocarbon spills or leaks from vehicle and equipment use, refuelling or maintenance activities. Spillage, leakage and seepage of hydrocarbons and chemicals used and stored onsite.	Overland runoff during high rainfall events. Leaching through soil profile to groundwater	• Weekly visual inspections of waste oil storage pods; • Diesel fuel will be stored in a 29 kL bunded tank with lockable fill point; • Spill kits will be retained on site at the workshop and fuel/oil storage areas in the event of a spill; and • Spill kits to be inspected weekly and replenished as needed.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors 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 below provides a summary of potential environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises *(Guideline: Environmental Siting* (DWER 2020)).

Table 2: Sensitive environmental receptors and distance from prescribed activity

Environmental receptors	Distance from prescribed activity
Remnant native vegetation	The prescribed activity is surrounded by remnant native vegetation.
Priority Ecological Communities (PEC)	The prescribed activity is located 3.7 kilometres north-east of a Priority (P)1 PEC known as 'Kimberley Vegetation Association 918'. **Given the distance to this receptor, impacts from prescribed activity emissions are not expected and therefore this receptor has**

	been screened out.
Conservation significant flora	According to the Department of Biodiversity, Conservation and Attractions (DBCA) database, a P3 flora species known as 'Goodenia bymesii' is located 28 metres north-east of the prescribed activity.
Groundwater	The Prescribed Premises boundary intersects the Canning-Kimberley Proclaimed Groundwater Area and Ord Irrigation Surface Water Area under the *Rights in Water and Irrigation Act 1914*. The Applicant has noted that one licensed bore is located within the premises that is used for operational water supply. The drill hole report for this production bore provided an indication on the depth to groundwater level across the Premises, being approximately 22 metres below ground level. **Given the distance to this receptor, impacts from prescribed activity emissions are not expected and therefore this receptor has been screened out.**
Surface water bodies	An ephemeral watercourse is mapped 1.07 kilometres east of the prescribed activity.
Aboriginal cultural heritage site	One Aboriginal cultural heritage site known as 'Dundum/Middle Creek' is mapped approximately 2.8 kilometres south-east of the prescribed activity. **Given the distance to this receptor, impacts from prescribed activity emissions are not expected and therefore this receptor has been screened out.**

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) 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 licence 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.

Licence L3021/2025/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e. crushing and screening activities.

The conditions in the issued licence, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

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

Risk events					Risk rating [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of licence	Justification for additional regulatory controls
Sources / activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Applicant controls**				
Operation								
Operation of the crushing and screening plant Unloading, loading and stockpiling of basalt rock material Vehicle movements on unsealed surfaces	Dust	**Pathway:** Air/windborne pathway **Impact:** Ecosystem disturbance and impacts to adjacent remnant vegetation and conservation significant flora through dust deposition smothering vegetation.	Remnant native vegetation located within and adjacent to the Premises boundary. Conservation significant flora species within 29 metres of prescribed activity.	Refer to Section 3.1	C = Major L = Unlikely **Medium Risk**	Y	Condition 1: Infrastructure requirements – inbuilt water sprays and water truck Condition 2: Dust management	The Delegated Officer considers that the risk of dust impacts on adjacent native vegetation will be sufficiently managed through the implementation of the Applicant's proposed controls for dust.
	Contaminated Stormwater/ Sediment laden stormwater	**Pathway:** Overland and stockpile runoff during high rainfall events. **Impact:** Increase of suspended solids into the environment causing ecosystem disturbance and impacts to surface water quality of nearby waterbodies.	Minor ephemeral tributary located 1.07 kilometres east of the prescribed activity. Remnant native vegetation located within and adjacent to the Premises boundary. Conservation significant flora species within 29 metres of	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	N	**Condition 1: Infrastructure requirements** – Maintain surface water catchment pond **Condition 3:** Stormwater contamination **Condition 4:** Stormwater containment	The Delegated Officer has taken into consideration the Applicant's primary control for stormwater management, and has conditioned the Applicant's proposed control of weekly inspections and the requirement to inspect the catchment pond following significant rain events to prevent overflowing of contaminated stormwater. **The Delegated Officer has included an additional regulatory control for the surface water catchment pond to be maintained to achieve a containment of at least the total runoff from a 10% AEP**

Risk events					Risk rating [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of licence	Justification for additional regulatory controls
Sources / activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Applicant controls**				
		Reduced quality of native vegetation and impact upon conservation significant flora.	prescribed activity.					**(10-year ARI), 2-hour storm and from critical storms (those that produce the highest peak runoff) up to 100-year ARI. Conditions have also been added to the licence to ensure that stormwater is prevented from being contaminated by the crushing and screening activities and that all contaminated water is to be retained on site.**
Fuel and oil spills from heavy vehicles and mobile plant	Hydrocarbon contaminated wastewater	**Pathway:** Overland runoff during high rainfall events. **Impact:** Overland flow following a spill or leak event may cause ecosystem disturbance and impacts to surface water quality of nearby waterbodies. Reduced quality of native vegetation and impact upon conservation significant flora.	Minor ephemeral tributary located 1.07 kilometres east of the prescribed activity. Remnant native vegetation located within and adjacent to the Premises boundary. Conservation significant flora species within 29 metres of prescribed activity.	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	N	Condition 1: Infrastructure requirements – Inspection of waste oil storage pods, spill kits and **Condition 5:** Recovery of spills **Condition 6:** Appropriate containment and disposal of material used in spill recovery.	The Applicant's controls have been conditioned on the licence to ensure that any spills of hydrocarbons / oils are contained and disposed of offsite. **An additional regulatory control to ensure bunded areas (surrounding hydrocarbon and chemical storage) have a minimum capacity of 110% of the largest container stored within it has been conditioned on the licence to ensure containment of hydrocarbon contaminated water in the event of a spill.** **Additional controls requiring the immediate recovery of spills and the appropriate containment and disposal of any material used in spill management have been included on the licence to protect any offsite impacts to adjacent native vegetation,**

Risk events					Risk rating [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of licence	Justification for additional regulatory controls
Sources / activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Applicant controls**				
								conservation significant flora species and the nearby ephemeral tributary.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

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 on 31 July 2025.	No comments received	N/A
Local Government Authority advised of proposal on 31 July 2025.	No comments received.	N/A
Applicant was provided with draft documents on 11 September 2025. The Delegated Officer requested the Applicant provide an updated Prescribed Premises map that clearly labels the Prescribed Premises boundary and surface water pond. The Delegated Officer requested the Applicant provide a shapefile and GIS coordinates of the Prescribed Premises boundary.	Applicant provided an updated Prescribed Premises map, shapefile and GIS coordinates in GDA2020 Zone 51 format as requested.	The Premises Map (Schedule 1) and GIS coordinates of the Prescribed Premises boundary (Schedule 2) in the attached licence were updated accordingly.

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a licence will be granted, subject to conditions commensurate with the determined control 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) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.