



Application for Licence Amendment

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

Licence Number	L4459/1987/13
Licence Holder	Argyle Diamonds Pty Ltd
ACN	009 102 621
File Number	DWERVT16943
Premises	Argyle Diamond Mine Lissadell Road Mining Tenements M259SA, L80/11, L80/24, L80/53, L80/1 and M80/114 LAKE ARGYLE WA 6743 As defined by the Premises maps attached to the Revised Licence
Date of Report	09 December 2024 (FINAL)
Decision	Revised licence granted

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1. Decision summary

Licence L4459/1987/13 is held by Argyle Diamonds Pty Limited (Licence Holder) for the Argyle Diamond Mine (the Premises), located approximately 90 km south-west of Kununurra in the Kimberley region of Western Australia.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Revised Licence L4459/1987/13 has been granted.

The Revised Licence issued as a result of this amendment supersedes the existing Licence previously granted in relation to the Premises. The Revised Licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment 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 Amendment summary

On 28 October 2024, the Licence Holder submitted an application (ADL 2024a) to the department to amend Licence L4459/1987/13 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act).

The amendment is to increase the design capacity of Category 12 from 360,000 tonnes per annum (tpa) to 460,000 tpa to yield the required volume of product (sized rock) necessary for rehabilitation activities (predominantly landform armouring and erosion protection).

This amendment is limited only to changes to Category 12 as shown in Table 1 below. No changes to Category 52, 54, 57, 63, 64 and 73 have been requested by the Licence Holder.

Table 1: Proposed design or throughput capacity changes

Category	Current design / throughput capacity	Proposed design / throughput capacity	Description of proposed amendment
12	360,000 tonnes per annual period	460,000 tonnes per annual period	Throughput increase of 100,000 tpa
52	32 megawatts	No change	N/A
54	300 cubic metres per day	No change	N/A
57	N/A	No change	N/A
63	180,000 tonnes per annual period	No change	N/A
64	5,000 tonnes per annual period	No change	N/A
73	1,000 cubic metres	No change	N/A

2.2.1 Other amendments

On 20 November 2024, the Licence Holder provided compliance documentation for the Completion Camp wastewater treatment plant (WWTP) and irrigation spray field (ADL 2024b) in accordance with previous conditions 6 and 7.

During this amendment, previous conditions 6 and 7 have been removed.

2.3 Part IV of the EP Act

Ministerial Statement (MS) 1023 was issued to Argyle Diamonds Limited on 17 November 2015 for the extension of the Argyle Diamond Mine to develop an underground mine and associated infrastructure.

MS 1023 has conditions relating to the following:

- Condition 5 – Argyle Diamond Environmental Management Programme consists of the following Environmental Management Plans:
 - Water (Groundwater and Surface Water)
 - Acid Rock Drainage
 - Air Quality
 - Flora and Vegetation
 - Fauna (Terrestrial, Subterranean and Aquatic)
 - Mineral Waste (Tailings and Erosion)
 - Non-Mineral Waste
 - Hazardous Waste Materials and Contamination Control
 - Weed Management
 - Noise and Vibration
- Condition 6 – Wesley Springs Management Plan
- Condition 7 – Rehabilitation and Decommissioning

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 Amendment Report are detailed in Table 2 below. Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 2: Licence Holder controls (ADL 2024a and L4459/1987/13 Amendment Report, granted 15 August 2024)

Emission	Sources	Potential pathways	Proposed controls
Dust	Increased processing capacity to the mobile screening plant (i.e. screening, unloading, loading and storage of material) Vehicle movements Lift-off from stockpiles	Air/windborne pathway	Dust sprays on screening plant. Water cart used for dust from vehicle movements. Control of vehicle movement, speed restrictions.
Hydrocarbon spills		Discharges to land	Hydrocarbons managed via standard operating procedures, including: <ul style="list-style-type: none"> • storage in bunded areas / secondary containment; • appropriate labelling of storage areas; and • provision of spill response equipment. Regular maintenance of hydrocarbon storage facilities undertaken.
Sediment laden and / or contaminated stormwater		Overland runoff	Plant located on previously disturbed land away from any native vegetation or drainage line. Potentially contaminated water to be captured / treated / mitigated as per the current drainage management procedure.

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder'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 3 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 3: Environmental receptors and distance from prescribed activity

Environmental receptors	Distance from prescribed activity
Priority Ecological Communities (PEC) Priority 3 Dinnabung Land System	Priority 3 PEC within premises boundary. <i>ADL 2024a</i> states activities proposed in this amendment do not fall within the Dinnabung Land System. Buffer zone of the PEC is approximately 0.65 km south-east from the prescribed activity.
Threatened/Priority Fauna Common Sandpiper (<i>Actitis hypoleucos</i>) listed as a migratory species under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>	Recorded at two locations, approximately 2.6 km south-east and 2.5 km north-west from the prescribed activity.
Gap Dam	Approximately 1.8 km north-west from the prescribed activity.
Limestone Creek	Approximately 2.5 km south-west from the prescribed activity.
Canning-Kimberley Groundwater Area	Located within the prescribed premises boundary.
Ord River and Tributaries / Ord Irrigation District Surface Water Area	Located within the prescribed premises boundary.
Registered artefact/scatter site (Argyle 51/21540)	Approximately 1.1 km east from the prescribed activity. <i>ADL 2024a</i> states sites are delineated to prevent access and managed in accordance with the sites <i>Cultural Heritage Management Plan</i> .

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the Licence Holder 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 Licence Holder'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 Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L4459/1987/13 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the Premises operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Operation								
Increased processing capacity to the mobile screen plant (i.e. screening, unloading, loading and storage of material). Vehicle movements Lift-off from stockpiles	Dust	Air/windborne pathway causing impacts to vegetation health from smothering causing reduced photosynthetic functions of vegetation	PEC Surrounding vegetation	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	No additional conditions imposed Existing Licence has conditions relating to: <ul style="list-style-type: none">• Conditions 3 and 4 - fugitive dust emissions• Condition 7 – operational requirements for the mobile screening plant	N/A
	Hydrocarbon spills	Discharges to land causing contamination of soil, groundwater quality and surface drainage lines	PEC Surrounding vegetation Soils Groundwater Surface water drainage lines	Refer to Section 3.1	C = Slight L = Possible Low Risk	Y	No additional conditions imposed Existing Licence has conditions relating to: <ul style="list-style-type: none">• Condition 5 - concentrations of Total Recoverable Hydrocarbons in waters discharged from the Premises must not exceed 15 mg/L• Condition 7 – operational requirements for the mobile screening plant <i>The Environmental Protection (Unauthorised Discharges) Regulations 2004 applies</i>	N/A
	Sediment laden and / or contaminated stormwater	Overland runoff potentially causing ecosystem disturbance or impact to surface water and groundwater quality	PEC Surrounding vegetation Soils Groundwater Surface water drainage lines	Refer to Section 3.1	C = Slight L = Unlikely Medium Risk	Y	No additional conditions imposed Conditions 1 and 2 of the existing Licence relate to stormwater prevention and diversion	N/A

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

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

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Licence Holder was provided with draft amendment on 15 November 2024	Licence Holder responded on 29 November 2024 Refer to Appendix 1	Refer to Appendix 1

5. Conclusion

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

5.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 6: Summary of licence amendments

Condition no.	Proposed amendments
Licence holder	Argyle Diamonds Limited updated to Argyle Diamonds Pty Limited in line with the Australian Securities & Investments Commission.
Prescribed premises category description	Increase in Category 12 from 360,000 tonnes per annual period to 460,000 tonnes per annual period. Administrative updates.
All	Change of the word 'shall' in the Licence Holder shall to the Licence Holder must.
Conditions 1 to 5	Administrative updates.
New condition 6, Table 1	Inclusion of new condition 6 to define the premises category limits for categories 52 and 73 as they don't have associated conditions.
Previous condition 7	Removed as compliance documentation for the WWTP and irrigation spray field received.
New condition 7, Table 2 (previous condition 6, Table 1) which now includes previous conditions 14, 16 and 17	Removal of requirements for the Primary Landfill and Secondary Landfill, which are now covered under new condition 11 for waste processing. Inclusion of the operational requirements for the AK1 TSF Bioremediation Facility. Previous conditions 14 and 16 are now covered under this condition. Inclusion of the operational requirements for the

Condition no.	Proposed amendments
	<p>sewage wastewater treatment ponds. Previous condition 17 is now covered under this condition.</p> <p>Removal of construction requirements for the Completion Camp WWTP and irrigation spray field as compliance documentation has been received – refer to section 2.2.1.</p> <p>The operational requirements for the WWTP and irrigation spray field have been maintained under this condition.</p> <p>Inclusion of the expected emission standards for the Completion Camp WWTP.</p>
Previous conditions 8, 9 (Table 2), 10 (Table 3), 11 and 12	<p>Commissioning requirements for the WWTP have been removed. The Licence Holder can operate the Completion Camp WWTP and spray field following the submission of the compliance document.</p> <p>The licence has monitoring requirements for the WWTP through condition 16 and reporting requirements through condition 22.</p>
Previous condition 13	Removed as commissioning requirements under the licence are not required. The WWTP and irrigation spray field can be operated under the licence conditions following submission of the compliance document (previous condition 7).
New condition 8, Table 3 (including previous condition 18)	<p>Inclusion of new condition 8 (in line with the current licence format) to list the authorised discharge points.</p> <p>Previous condition 18 is now covered under this condition.</p>
New condition 9 (previous condition 19)	Administrative updates.
New condition 10 (previous condition 20)	
New condition 11, Table 4 (including previous conditions 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33; 34, 35, 36, 37 and 38; and parts of previous condition 6)	New condition which includes all the previous waste processing conditions i.e. conditions 21 to 38.
New condition 12 (previous condition 47)	No change.
New condition 13, Table 5 (previous condition 39, Table 4)	Tables updated to include units, averaging period and method.
New condition 14, Table 6 (previous condition 41, Table 5)	
New condition 15, Table 7 (previous condition 42, Table 6)	Administrative updates.
Previous condition 43	Removed, as the method is now covered under the relevant monitoring tables.

Condition no.	Proposed amendments
New condition 16, Table 8 (previous condition 46, Table 7)	Administrative updates.
New condition 17 (previous condition 44)	Updated in line with the current licence format.
New condition 18 (previous condition 55)	Administrative updates.
New condition 19 (previous condition 48)	
New condition 20 (previous condition 49)	
New condition 21 (previous condition 53)	No change.
New condition 22, Table 9 (previous condition 54), which now includes previous conditions 15, 40 and 45	Updated in line with the current licence format. Previous requirements of condition 54(a) to (l) are now covered within Table 9. Previous conditions 15, 40 and 45 reporting requirements are now covered under this condition.
New condition 23 (previous condition 50)	Administrative updates.
New condition 24 (previous condition 51)	
New condition 25 (previous condition 52)	
Definitions	Updated as applicable.

References

1. L4459/1987/13 Amendment Report, granted 15 August 2024 available at [IR-T15 Amendment report template](#).
2. Argyle Diamonds Limited (ADL) 2024a, *RE: [External] RE: Argyle Diamonds Limited – Licence L4459/1985/13 – Category 12*, received 28 October 2024.
3. ADL 2024b, *Argyle Diamond Mine: Licence L4459/1987/13 – Compliance Document: WWTP and Spray Field*, received 20 November 2024.
4. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
5. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
6. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

Appendix 1: Summary of Licence Holder’s comments on risk assessment and draft conditions

Condition	Summary of Licence Holder’s comment	Department’s response
<p>Previous conditions 11 and 12</p>	<p>Previous requirement did not have a timeframe other than prior to commissioning. Some aspects were likely completed more than 30 days ago. The bund was the last component to be constructed and was complete ~ 4 weeks ago.</p> <p>Request previous detail on commissioning and reporting period is reinstated.</p>	<p>Under the draft amendment, the department proposed the following condition (condition 23) -</p> <p><i>The Licence Holder must within 30 days of each item of infrastructure required by condition 7 being constructed:</i></p> <ul style="list-style-type: none"> (a) <i>undertake an audit of their compliance with the requirements of condition 7; and</i> (b) <i>prepare and submit to the CEO an audit report on that compliance.</i> <p>Compliance documentation for the WWTP and irrigation spray field were received by the department on 20 November 2024. Compliance against this condition was assessed by the department of 4 December 2024. The above proposed condition is therefore no longer required and has been removed.</p>
<p>Previous condition 13</p>	<p>Removes the environmental commissioning requirement, i.e. Once compliance document is submitted the WWTP must operate as per licence.</p> <p>The commissioning period gives an adjustment period to fine tune the WWTP before the results would constitute a breach of condition 16 (Wastewater monitoring requirements).</p> <p>Request previous detail on commissioning and reporting period is reinstated.</p>	<p>Under the draft amendment, the department proposed the following condition (condition 8) –</p> <p><i>The Licence Holder must operate the WWTP in accordance with the conditions of this Licence, following submission of the compliance document required under condition 23.</i></p> <p>Compliance documentation for the WWTP and irrigation spray field were received by the department on 20 November 2024. Compliance against this condition was assessed by the department of 4 December 2024. The above proposed condition is therefore no longer required and has been removed.</p>

Condition	Summary of Licence Holder's comment	Department's response
		<p>Regarding the commissioning period, commissioning conditions have not been retained based on operational (condition 7) and monitoring (condition 16) requirements on the existing licence for the WWTP and irrigation spray field.</p> <p>The Licence Holder should note that the expected output emission standards listed in conditions 7 and 16 are targets and not limits, so if exceeded do not constitute a breach of the licence conditions.</p> <p>It is the Licence Holder's responsibility to ensure that the WWTP is operated in accordance with manufacturer's specifications including to the expected outputs.</p>
<p>New condition 19 (previous condition 48)</p>	<p>Previously condition 48(c) stated any maintenance of infrastructure that is performed in the course of complying with conditions 6, 17 and 19 of this licence;</p> <p>Missing updated condition number, all have been struck out.</p> <p>Request condition number is reinstated as required.</p>	<p>The department has updated this condition to reference condition 7 (previously condition 6) for the operational requirements for the site infrastructure and equipment.</p>
<p>New condition 22 (previous condition 54)</p>	<p>Outlines what is required in the Annual Environmental Report. Requirements set out in Table 9. For water sampling additional requirements have been inserted. a) sampling dates are to be provided, b) the raw monitoring data for each parameter in tabulated form.</p> <p>Contradicts previous communication "NOTICE OF AMENDMENT OF LICENCE REPORTING REQUIREMENTS SECTION 59(2), SECTION 59(1)(a) AND 59(1)(b) ENVIRONMENTAL PROTECTION ACT 1986 LICENSED PRESCRIBED PREMISES" that reporting would be required biennially from 2024.</p> <p>Provide clarification on reporting frequency in Condition.</p>	<p>The department has kept the reporting as annual and provides the following -</p> <p>Existing Licence L4459/1987/13 was amended on 15 August 2024. Within the associated Amendment Report, Table 6 provides a summary of licence amendments where it states:</p> <p>Condition 54 –</p> <p><i>Updated wording of Annual Environmental Report (annual reporting reinstated)</i></p> <p><i>Addition of reporting on treated wastewater monitoring and condition of Completion Camp spray field</i></p> <p><i>Addition of decommissioned infrastructure reporting</i></p>