



Ass # 405

Bull # 445

State # 113

WESTERN AUSTRALIA  
MINISTER FOR THE ENVIRONMENT

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED (PURSUANT TO THE PROVISIONS OF  
THE ENVIRONMENTAL PROTECTION ACT (1986))

**POSEIDON BOW RIVER ALLUVIAL DIAMOND MINE EXPANSION, KIMBERLEY**

This proposal may be implemented subject to the following conditions:

1. In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Consultative Environmental Review and in Appendix 1 of the Environmental Protection Authority Bulletin 445 which consolidates responses to issues raised during the assessment. (A copy of the commitments is attached).
2. Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.
3. The proponent shall be responsible for decommissioning and removal of the plant and installations and rehabilitating the site and its environs to the satisfaction of the Environmental Protection Authority. At least twelve months prior to cessation of mining and processing operations, the proponent shall prepare and subsequently implement a decommissioning and rehabilitation plan to the satisfaction of the Environmental Protection Authority upon advice from the Department of Mines and the Water Authority of Western Australia.
4. No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.
5. If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority).

Bob Pearce, MLA  
MINISTER FOR THE ENVIRONMENT

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# Appendix 1

## Proponent's environmental commitments

Poseidon Bow River Diamond Mine Pty Ltd makes the following specific commitments regarding environmental protection and rehabilitation:

1. Mining will occur only in those areas identified in this report and in the previous NOI.
2. Mining and rehabilitation will be progressive, with topsoil and overburden being used immediately, where possible, to rehabilitate mined-out pits.
3. Erosion control structures including bunds and sediment traps will be constructed along the length of the mining area to ensure that run-on and run-off are kept to a minimum.
4. When mining occurs close to Limestone Creek, special measures, as detailed in Sections 6.3 and 7.10.3 (of the Consultative Environmental Review) will be employed to minimise impacts on the creek.
5. Coarse waste dumps and tailings dams are, and will be, designed so as to minimise erosion and to remain stable in the long term.
6. The occurrence of *Parkinsonia aculeata* will be monitored and appropriate measures taken to control any serious infestations resulting from, or associated with, mining or rehabilitation activities.
7. At the end of the project, all equipment will be removed, all disturbed areas rehabilitated, rubbish removed or buried and the area left clean and tidy to the satisfaction of the EPA and the Mines Department.
8. The proponent intends to comply with all provisions of all relevant acts including the Mines Act and Regulations, and the Environmental Protection Act.
9. It is PBR's intention to set up a photographic monitoring procedure, to appoint a person or agency to provide monitoring reports as required, and to instigate remedial action if necessary.
10. PBR is also prepared to make a commitment that, when mining operations impinge on Limestone Creek, not more than 300m of the creek will be disturbed at any time. Thus, the 'window' of disturbed land will travel along the creek, with restructured land surface left behind. This will ensure that any erosion which did not occur in a rainfall event was localised and, if necessary, more easily controlled.
11. Poseidon Bow River will obtain the approval of the District Mining Engineer, Department of Mines, for the engineering design and rehabilitation of the coarse rejects dump prior to extending the height of the dump beyond 10m.