

Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

Proposal title: Lucky Bay Garnet Mine

Proposal location: 35 km south of Kalbarri

CMS number: 18069

Date referral received: 07-09-2021 **Date more information received:** 14-06-2022

Referrer: Third-party referral **Proponent:** Australian Garnet Pty Ltd

Potential significant effects:

There are potential impacts on: flora and vegetation from the clearing of 161 ha; terrestrial fauna from the clearing of fauna habitat; terrestrial environmental quality from potential contamination to soils; inland waters from groundwater abstraction; air quality from dust generation; social surroundings from construction and operation noise and light, and impact to heritage values; and human health from the mining of naturally occurring radioactive materials.

Public comment on referral information:

Do not assess:	0
Assess: a) Referral information	0
b) Environmental review - no public review	0
c) Public environmental review	4
<i>Total submissions:</i>	4

Decision: s. 38G(1) – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act – No advice given.

Explanation of decision:

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment due to the clearing aspects, processing activities and water abstraction being regulated under existing approvals.

The EPA is of the view that the potential impacts of the proposal can be adequately managed through the implementation of the proposal in accordance with the referral documentation, and the proponent's management and mitigation measures. The EPA considers that the potential impacts of the proposal can be mitigated by the following statutory decision-making processes:

- Department of Water and Environmental Regulation - Part V of the *Environmental Protection Act 1986* – Division 3 – Prescribed Premises, Works Approval and Licence.
- Department of Water and Environmental Regulation - Part V of the *Environmental Protection Act 1986* – Division 2 – Clearing of Native Vegetation.
- Department of Water and Environmental Regulation – *Rights in Water and Irrigation Act 1914* – 5C Groundwater Licence.
- Department of Mines, Industry Regulation and Safety – *Mining Act 1978* – Mining Proposal and Mine Closure Plan; Radiation Management Plan.

- Department of Mines, Industry Regulation and Safety - *Mines Safety and Inspection Act 1994* – Radiation Management Plan and Radiation Waste Management Plan.
- Radiological Council - *Radiation Safety Act 1975* - Radiation Management Plan and Radiation Waste Management Plan.

Appeals: This decision is appealable. Appeals close 01-08-2022. Appeals are administered by the Office of the Appeals Convenor.

A handwritten signature in blue ink, appearing to read 'Matthew Tonts', with a stylized flourish extending to the right.

Prof. Matthew Tonts

CHAIR

Delegate of the Environmental Protection Authority

Date: 6 July 2022