

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

Proposal title: Lamb Creek Iron Ore Project

Proposal description: Development of an open pit iron ore mine to produce up to 10 million tonnes per annum (Mtpa) of crushed and screened iron ore over an anticipated period of three to five years. The proposal comprises a multi-stage crushing and screening (two or three stages) process plant and associated mine infrastructure.

Proposal location: Located approximately 130 kilometres northwest of Newman, in the East Pilbara Local Government Authority.

EO number: APP-0026940

Date referral received: 08-01-2025

Referrer: Process Mineral International (PMI), a wholly owned subsidiary of Mineral Resources Limited (MinRes).

Proponent: Process Mineral International (PMI), a wholly owned subsidiary of Mineral Resources Limited (MinRes).

Potential significant effects:

There are potential impacts on: flora and vegetation and terrestrial fauna from the clearing of native vegetation, inland waters from dewatering and potential contamination, subterranean fauna from loss of habitat, social surroundings from indirect impacts to Aboriginal heritage sites such as noise, dust and amenity, and greenhouse gas emissions from total annual average scope 1 emissions exceeding 100,000 tCO₂-e.

Preliminary key environmental factors: flora and vegetation, terrestrial fauna, inland waters, subterranean fauna, social surroundings, and greenhouse gas emissions.

Public comment on referral information:

Do not assess:	0
Assess: a) Referral information	1
b) Environmental review - no public review	0
c) Public environmental review	0
<i>Total submissions:</i>	1

Decision: s. 38G(1) – Not assess

Referral examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the *Environmental Protection Act 1986* (EP Act) – Advice Given.

Summary of reasons pursuant to s. 38G(1)(c):

The EPA has decided not to assess the proposal because:

- The EPA considers the likely environmental effects of the proposal, after taking into account the mitigating effects of other statutory decision-making processes, are not so significant as to warrant formal assessment under Part IV of the EP Act;
- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the Proposal Content Document dated 8 January 2025 and implementing the management measures and monitoring set out in the Flora & Vegetation Management Plan (Appendix B), Significant Fauna Management Plan (Appendix E), and Surface Water Management Plan (Appendix K). Changes to expected implementation content and/or management which are likely to result in significant environmental effects have not been considered as part of the decision

for this proposal and may result in a new referral being required for that different proposal.

- The proposal is of a relatively small scale and short duration, with an overall maximum 5-year operational life.
- The EPA notes that the proposal is being assessed as a controlled action (preliminary documentation – further information), under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC 2023/09754). The EPA understands that impacts to species of Matters of National Environmental Significance, such as northern quoll, ghost bat and Pilbara olive python will be assessed and subject to conditions under EPBC 2023/09754. Pursuant to s.38G(4) the EPA has taken this into account and considers that the potential impacts of the proposal on threatened fauna species can be mitigated to meet the EPA's objectives.
- Vegetation types within the proposal area are typical and widespread in the region and there are no threatened or priority ecological communities within the development envelope. There are no threatened flora species within the development envelope, noting that *Seringia exastia*, currently listed as critically endangered under the EPBC Act, has recently undergone taxonomic review and has been delisted under *Biodiversity Conservation Act 2016* and is expected to be de-listed under the EPBC Act in the future.
- The proponent has modified the proposal to avoid impacts to the majority of priority flora species identified in the development envelope, and has minimised impacts to two priority flora species, that are known to extend outside of the proposal area.
- The proponent intends to offset residual impacts associated with clearing of vegetation and important fauna habitat through monetary contributions under the Pilbara Environmental Offsets Fund (PEOF). Conditions requiring contributions to the PEOF are expected to be considered through the EPBC assessment (EPBC 2023/09754) and through the granting of a clearing permit under Part V Division 2 (Clearing) of the EP Act.
- The proponent has modified the proposal to avoid direct impacts to ghost bat (vulnerable) roost sites, and has proposed measures (including temporary cave closure) to minimise indirect impacts to ghost bat individuals and important habitat. The EPA notes that the proponent will be required to obtain authorisation under s40 of the *Biodiversity Conservation Act 2016* to take or disturb threatened fauna, such as cave closure.
- Impacts to Inland Waters values are expected to be low given the minimal change to the Marillana Creek sub catchment; the lack of permanent or semi-permanent surface water bodies within the area; no discharge of excess mine dewater to the environment; rapid recovery of groundwater levels following cessation of dewatering, and the backfilling of the mine pit to 5 metres above the pre-mining water table.
- There are no subterranean fauna priority or threatened ecological communities within or proximal to the proposal area. Impacts to stygofauna habitat from mine dewatering will be temporary noting the expected recovery of groundwater levels following the cessation of dewatering. Subterranean fauna habitats are likely to be

connected and extend beyond the predicted impact areas and therefore support the persistence of the identified subterranean fauna assemblages.

- The EPA notes that the proponent has, and continues to, engage with relevant stakeholders, including the Banjima People, on the potential environmental impacts of the proposal. Aboriginal cultural heritage surveys guided by the Banjima Traditional Owners ensured that direct impacts to archaeological and ethnographic Aboriginal cultural heritage values could be avoided through proposal design. The proponent has established a Mineral Resources Heritage Environment Reference Committee led by nominated members of the Banjima People to consider the impact of the proposal on heritage values. The Banjima Native Title Aboriginal Corporation provided a letter of support confirming satisfaction with the level of engagement for the proposal. The EPA expects that the proponent will undertake ongoing consultation with the Banjima People as part of the statutory processes required prior to implementation.
- No significant impacts to Aboriginal heritage sites or values are expected as a result of the proposal, and the environmental outcome of the proposal is likely to be consistent with the EPA's objective for social surroundings.
- The EPA acknowledged that, based on contractual arrangements for haulage, it is likely the Safeguard Mechanism will require the haulage contractor to reduce emissions as a designated facility. Additionally, the EPA considered GHG emissions from the proposal are unlikely to be significant given the short duration of the proposal and the proponent's commitment to implement GHG emissions reductions technologies and, where necessary, purchase carbon offsets to ensure that total project net GHG emissions (including haulage) do not exceed 100,000 tCO₂-e/yr.
- The EPA considered cumulative impacts of the proposal with other activities within the Pilbara Region. The EPA concluded that the small scale and short mine life of the proposal are unlikely to contribute to cumulative impacts which undermine achievement of the EPA's objectives.
- The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.

Material information considered by the EPA in this decision

The EPA has considered the following material information in making its decision:

- The proponent's referral and referral supporting documentation, including Appendices A to O, as published on the EPA's website.
- Additional clarifying information from the proponent dated 10 April 2025 regarding the mitigation of GHG emissions.
- Department of Water and Environmental Regulation advice in relation to regulation under Part V of the EP Act, dated 4 March 2025, and in relation to regulation under the *Rights in Water and Irrigation Act 1914*, dated September 2022.
- Department of Energy, Mines, Industry Regulation and Safety advice, dated 21 February 2025.

- EP Act s 3, s 4, Part IV, Admin Procedures, EPA factor and technical guidance.

Public advice:

The EPA publishes the following public advice for the benefit of other decision-making authorities to ensure that their statutory decision-making processes achieve and assure environmental outcomes consistent with the EPA's environmental factor objectives:

- The EPA expects that the works approval and licensing process under Part V Division 3 of the EP Act process can manage potential impacts to the environment associated with emissions and discharges into the environment.
- The abstraction of groundwater, including mine dewatering, will be regulated under the *Rights in Water and Irrigation Act 1914* (RIWI Act) and require implementation of a Groundwater Operating Strategy (GWOS). The EPA expects that the GWOS will include consideration of appropriate groundwater monitoring and triggers to mitigate impacts to environmental values, including stygofauna.
- Ministerial Authorisation is likely required under section 40 of the *Biodiversity Conservation Act 2016* (BC Act) to take or disturb threatened fauna, including the proposed closure of ghost bat roost Cave 1. The EPA expects that conditions will be applied to this authorisation as appropriate for the purpose of mitigating or offsetting the impact, as outlined under section 41 of the BC Act.
- The EPA notes that impacts associated with the clearing of native vegetation for the proposal, including suitable habitat for threatened fauna species, can be regulated under Part V Division 2 of the EP Act (administered by the Department of Energy, Mines, Industry Regulation and Safety [DEMIRS]).
- The EPA notes that the proponent has submitted a Mining Proposal and Mine Closure Plan to DEMIRS for assessment under the *Mining Act 1978*. The EPA expects that the Mining Proposal and Mine Closure Plan will include environmental outcomes consistent with the achievement of the EPA's objectives for relevant environmental factors. The Mining Proposal and Mine Closure Plan should also reflect the commitments made by the proponent in respect of the Banjima People's expectations for the implementation and closure of the proposal. The Mine Closure Plan should be prepared in consultation with the Banjima People.

Appeals: There are no rights of appeal under the EP Act in respect of this decision.



Darren Walsh

Chair

Delegate of the Environmental Protection Authority

Date: 11 April 2025