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Published on: 1 February 2022

Statement No. 1181

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(*Environmental Protection Act 1986*)

KALGOORLIE RARE EARTHS PROCESSING FACILITY

Proposal: Construct and operate a rare earths processing facility at Lot 500 Great Eastern Highway, Yilkari, Kalgoorlie.

Proponent: Lynas Kalgoorlie Pty Ltd
Australian Company Number 053 160 302

Proponent Address: Suite 1, 45 Royal Street, East Perth 6004 WA

Assessment Number: 2269

Report of the Environmental Protection Authority: 1712

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described in section 2 of the proponent's referral (September 2020), as amended by the change to proposal approved under section 43A on (9 September 2021) may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

1 Limitations and extent of proposal

When implementing the proposal, the proponent shall ensure the proposal does not exceed the following extents:

Proposal element	Location	Limitation or maximum extent
<i>Physical elements</i>		
Development envelope	Figure 2	135 hectares
Disturbance footprint	Figure 2	120 hectares
<i>Operational elements</i>		

Proposal element	Location	Limitation or maximum extent
Processing of rare earth concentrate		Up to 162,000 dry tonnes per annum
Rare earth carbonate production		Up to 68,000 dry tonnes per annum
Processing facility derived waste/by-products		Up to 132,000 dry tonnes per annum of iron phosphate Up to 330,000 dry tonnes per annum of gypsum
<i>Timing elements</i>		
Proposal life		25 years

2 Visual Amenity

2-1 The proponent shall implement the proposal to meet the following environmental outcomes:

- (1) maintain a vegetation buffer of no less than 30 metres between the Great Eastern Highway and the boundary of the facility;
- (2) revegetate all bunding constructed on the boundary of the facility with native species; and
- (3) undertake operations in a manner that minimises visual impacts from implementation of the proposal as far as practicable.

3 Waste Management

3-1 The proponent shall ensure that **processing facility derived gypsum waste** is stored only in the dedicated gypsum storage infrastructure.

3-2 During operation of the Kalgoorlie Rare Earths Processing Facility, the proponent shall ensure that **processing facility derived gypsum waste** is removed to a waste facility at the Mt Weld mine or an alternative waste facility approved by the Department of Mines, Industry Regulation and Safety by the later of:

- (1) twelve (12) months of its production; or
- (2) the capacity of any the dedicated gypsum waste storage infrastructure at the site being exceeded.

3-3 The proponent shall ensure that **processing facility derived iron phosphate waste** is stored only in the dedicated iron phosphate storage infrastructure.

3-4 The proponent shall ensure that **processing facility derived iron phosphate waste** is removed to a waste facility approved by the Department of Mines, Industry Regulation and Safety (DMIRS) located at the Mt Weld mine:

- (1) within twelve (12) months; and
- (2) by no later than two (2) years of its production.

3-5 Where the proponent has identified the **processing facility derived waste** is no longer considered a waste and becomes considered a **processing facility derived by-product**, it may be removed to an alternative location for storage or reuse, as approved by the CEO in writing.

4 Contact Details

4-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

5 Time Limit for Proposal Implementation

5-1 The proponent shall not commence implementation of the proposal after five (5) years from the date of this Statement, and any commencement, prior to this date, must be substantial.

5-2 Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.

6 Compliance Reporting

6-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 6-6, or prior to implementation of the proposal, whichever is sooner.

6-2 The Compliance Assessment Plan shall indicate:

- (1) the frequency of compliance reporting;
- (2) the approach and timing of compliance assessments;
- (3) the retention of compliance assessments;
- (4) the method of reporting of potential non-compliances and corrective actions taken;
- (5) the table of contents of Compliance Assessment Reports; and
- (6) public availability of Compliance Assessment Reports.

- 6-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 6-2, the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 6-1.
- 6-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 6-1 and shall make those reports available when requested by the CEO.
- 6-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 6-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 6-1.

7 Public Availability of Data

7-1 Subject to condition 7-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

7-2 If any data referred to in condition 7-1 contains particulars of:

- (1) a secret formula or process; or

(2) confidential commercially sensitive information,

the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

[signed on 1 February 2022]

Hon Reece Whitby MLA

MINISTER FOR ENVIRONMENT; CLIMATE ACTION

Key decision-making authority consulted under section 45(2):

Minister for Mines and Petroleum

Table 1: Abbreviations and definitions

Acronym or abbreviation	Definition or term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or the CEO's delegate.
Processing facility derived gypsum waste	Waste materials produced as a result of the operation of the facility which does not have a recognised viable alternative use.
Processing facility derived iron phosphate waste	
Processing facility derived waste	Waste material produced as a result of the operation of the facility which does not have a recognised viable alternative use.
Processing derived by-product	Waste material produced as a result of the operation of the facility for which a viable alternative use has been found.



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Figure 2: Development envelope and disturbance footprint

Schedule 1

All coordinates are in metres, listed in Map Grid of Australia Zone 51 (MGA Zone 51), datum of Geocentric Datum of Australia 1994 (GDA94).

Coordinates defining the development envelope are held by the Department of Water and Environmental Regulation, Document Reference Number DWERDT499720.

Notes

The following notes are provided for information and do not form part of the implementation conditions of the Statement:

- The EPA notes that many of the potential emissions and discharges associated with the proposal will be regulated under Part V of the *Environmental Protection Act 1986*. This includes the storage of by-products/wastes on site. The Department of Water and Environmental Regulation will assess the emissions and discharges in detail, and mitigation and monitoring conditions are expected to be applied to the proposal.
- The Department of Water and Environmental Regulation may consider the following information for the regulatory processes under Part V of the *Environmental Protection Act 1986*:
 - require monitoring to validate the effectiveness of waste storage infrastructure, using the environmental monitoring bores for the iron phosphate and gypsum waste storage facilities; and
 - require updating of the Operations Environmental Management Plan (OEMP) in relation to the storage of chemicals and wastes to include emergency/contingency measures for extreme weather events.
- The EPA notes that management of impacts associated with low level radioactive material and Naturally Occurring Radioactive Material will be regulated through *the Mines Safety and Inspection Act 1994* and the *Radiation Safety Act 1975* via the implementation of a Radiation Management Plan and a Transport Management Plan.

Attachment 1 to Ministerial Statement 1181

Amendment to proposal and implementation conditions approved under section 45C of the *Environmental Protection Act 1986*

Proposal: Kalgoorlie Rare Earths Processing Facility

Proponent: Lynas Kalgoorlie Pty Ltd

Changes:

- Increase in the disturbance footprint from 120 ha to 126 ha.
- Increase in the maximum timeframe for storage of iron phosphate waste from no later than 2 years, to no later than 7 years from the date of production.
- Replace the introduction to reference a Proposal Content Document for the purpose of describing the approved proposal.

1. Introduction is deleted and replaced

The introduction of Ministerial Statement 1181 is deleted and replaced with:

Pursuant to section 45C of the *Environmental Protection Act 1986*, it has been agreed that the proposal described in the 'Proposal Content Document' dated 1 April 2025, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures.

2. Condition 1 is deleted and replaced

Condition 1 of Ministerial Statement 1181 is deleted and replaced with:

When implementing the proposal, the proponent shall ensure the proposal does not exceed the following extents:

Proposed element	Location	Limitation or maximum extent
<i>Physical elements</i>		
Development envelope	Figure 2	135 hectares
Disturbance footprint	Figure 2	126 hectares
<i>Operation elements</i>		
Processing of rare earth concentrate		Up to 162,000 dry tonnes per annum
Rare earth carbonate production		Up to 68,000 dry tonnes per annum
Processing facility derived waste/by-products		Up to 132,000 dry tonnes per annum of iron phosphate Up to 330,000 dry tonnes per annum of gypsum
<i>Timing elements</i>		
Proposal life		25 years

Note: Text in ***italics*** denotes amendments

3. Condition 3-4 is deleted and replaced

Condition 3-4 of Ministerial Statement 1181 is deleted and replaced with:

3-4 The proponent shall ensure that **processing facility derived iron phosphate waste** is removed to a waste facility approved by the Department of Mines, Petroleum and Exploration located at the Mt Weld mine:

(1) By no later than seven (7) years of its initial production.

(2) Within each twelve (12) month period thereafter.

4. Figures (attached)

Figure 2 of Ministerial Statement 1181 is deleted and replaced (attached).



Darren Walsh
CHAIR
Environmental Protection Authority
under delegated authority

Approval date: 11 May 2026

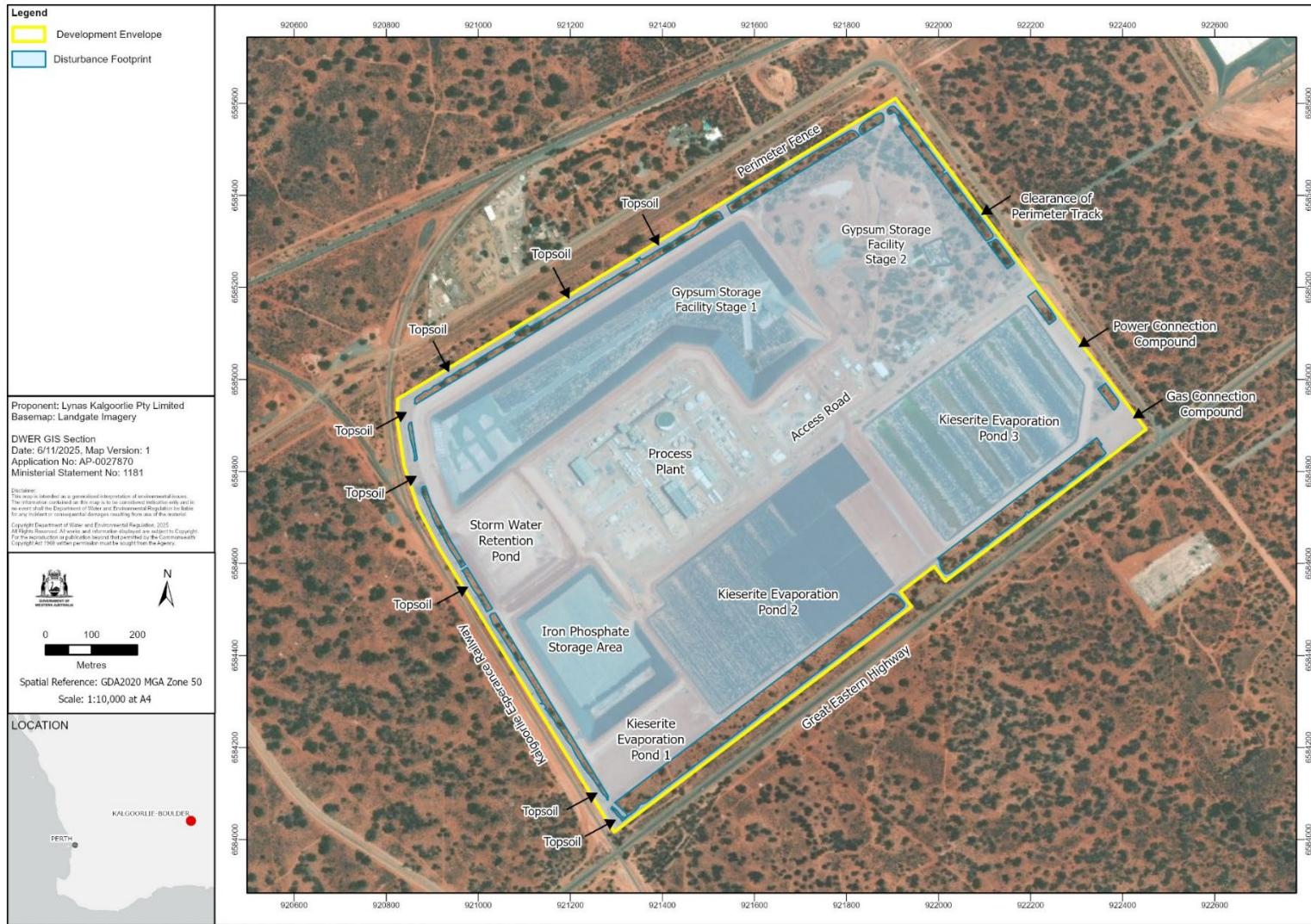


Figure 2: Development envelope and disturbance footprint