

# Form

## Referral of a proposal under s. 38 of the EP Act

### PART A: PROPONENT AND REFERRER INFORMATION AND PROPOSAL DESCRIPTION

#### Referrer information

Who is referring this proposal?

☒ Proponent

☐ Decision-making authority

☐ Community member/third party

Name: Rebecca Wright

Signature

Position

Manager Environment

Organisation

BHP Iron Ore Pty Ltd  
(BHPIO)

Email

Rebecca.Wright@bhp.com

Phone

9609 3333

Address

125

St Georges Terrace

Perth

WA

6000

Date

8 May 2025

Does the referrer request that the EPA treat any part of the proposal information in the referral as confidential?

☒ Yes

☐ No

*Provide confidential information in a separate attachment.*

Does the referrer confirm that they consent to receive correspondence electronically?

☒ Yes

☐ No

Referral declaration for proponent and Authorised representative:

I, Rebecca Wright declare that I am authorised to refer this proposal on behalf of BHP Iron Ore Pty Ltd and further declare that the information contained in this form is true and not misleading.

Date: 8 May 2025

#### Proponent information

Name of the proponent/s

BHP Iron Ore Pty Ltd

*Include Trading Name if relevant*

Australian Company Number(s)

☐

OR

Australian Business Number(s)

☒

ABN: 46 008 700 981

#### Pre-referral discussions

Have you had pre-referral discussions with the EPA (including the EPA Services of DWER)?

☒ Yes

☐ No

If so, provide name, date, and overview of discussions.		A pre-referral meeting was held on 9 April 2025 between BHPIO and EPA Services representatives (Gaynor Owen, Rory Neale). BHPIO introduced the Proposal, the key environmental factor, potential impacts, mitigation hierarchy, environmental outcomes and management measures.
<b>Proposal information</b>		
<b>Proposal name</b>		Marillana Creek (Yandi) Life of Mine Proposal Significant Amendment
<b>What is the proposal? (Include general description in the <a href="#">Instructions and template: How to identify the content of a proposal</a>)</b>		The Proposal includes the expansion of the Yandi Mine to include new above and below water table mining, creek crossings, haul and access roads, pipelines and associated infrastructure
<b>Have you provided electronic spatial data, maps, and figures in the appropriate format?</b>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>What type of proposal is being referred?</b>  <i>For significant amendment or derived proposal, provide the associated existing Ministerial statement number/s</i>  <i>For a proposal under an assessed planning scheme, provide the scheme number and name</i>	<input type="checkbox"/> significant proposal. <i>Choose which type of significant proposal</i> <input type="checkbox"/> new proposal <input type="checkbox"/> significant amendment (proposal only) <input type="checkbox"/> significant amendment (conditions only) <input checked="" type="checkbox"/> significant amendment (proposal and conditions) <input type="checkbox"/> strategic proposal <input type="checkbox"/> derived proposal <input type="checkbox"/> proposals of a prescribed class <input type="checkbox"/> proposal under an assessed planning scheme	
<b>Proposal content:</b> Complete the corresponding template (Proposal Content Document) from the <a href="#">Instructions and template: How to identify the content of a proposal</a> for the type of proposal identified above. The completed form <b>must be</b> submitted with the referral.		
<b>Alternatives</b>	The Proposal is to ensure ongoing supply of iron ore from Yandi operations and therefore, there are no alternatives.	

## PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS

### Environmental factors

What are the likely significant environmental factors for this proposal?	<input type="checkbox"/> Benthic Communities and Habitat <input type="checkbox"/> Coastal Processes <input type="checkbox"/> Marine Environmental Quality <input type="checkbox"/> Marine Fauna <input checked="" type="checkbox"/> Flora and Vegetation <input type="checkbox"/> Landforms <input checked="" type="checkbox"/> Subterranean Fauna <input type="checkbox"/> Terrestrial Environmental Quality <input checked="" type="checkbox"/> Terrestrial Fauna <input checked="" type="checkbox"/> Inland Waters <input type="checkbox"/> Air Quality <input checked="" type="checkbox"/> Greenhouse Gas Emissions <input checked="" type="checkbox"/> Social Surroundings <input type="checkbox"/> Human Health	
<p><i>For <b>each</b> of the environmental factors identified above, complete the following table, or provide the information in a supplementary report.</i></p> <p><b>Refer to the relevant section of the supporting Environmental Review Document (ERD)</b></p>		
<b>Potential environmental impacts – Inland Waters</b>		
1	EPA policy and guidance	Section 7.2
2	Receiving environment	Section 7.3
3	Likely environmental impacts	Section 7.4
4	Application of the mitigation hierarchy, including other statutory decision-making processes	Section 7.5
5	Assessment and significance of residual impacts	Section 7.6
6	Likely environmental outcomes	Section 7.7
<b>Potential environmental impacts – Flora and Vegetation</b>		
1	EPA policy and guidance	Section 8.2
2	Receiving environment	Section 8.3
3	Likely environmental impacts	Section 8.4
4	Application of the mitigation hierarchy, including other statutory decision-making processes	Section 8.5
5	Assessment and significance of residual impacts	Section 8.6
6	Likely environmental outcomes	Section 8.7
<b>Potential environmental impacts – Terrestrial Fauna</b>		
1	EPA policy and guidance	Section 9.2
2	Receiving environment	Section 9.3

3	Likely environmental impacts	Section 9.4
4	Application of the mitigation hierarchy, including other statutory decision-making processes	Section 9.5
5	Assessment and significance of residual impacts	Section 9.6
6	Likely environmental outcomes	Section 9.7
<b>Potential environmental impacts – Subterranean Fauna</b>		
1	EPA policy and guidance	Section 10.2
2	Receiving environment	Section 10.3
3	Likely environmental impacts	Section 10.4
4	Application of the mitigation hierarchy, including other statutory decision-making processes	Section 10.5
5	Assessment and significance of residual impacts	Section 10.6
6	Likely environmental outcomes	Section 10.7
<b>Potential environmental impacts – Social Surroundings</b>		
1	EPA policy and guidance	Section 11.2
2	Receiving environment	Section 11.3
3	Likely environmental impacts	Section 11.4
4	Application of the mitigation hierarchy, including other statutory decision-making processes	Section 11.5
5	Assessment and significance of residual impacts	Section 11.6
6	Likely environmental outcomes	Section 11.7
<b>Potential environmental impacts – Greenhouse Gas Emissions</b>		
1	EPA policy and guidance	Section 12.2
2	Receiving environment	Section 12.3
3	Likely environmental impacts	Section 12.4
4	Application of the mitigation hierarchy, including other statutory decision-making processes	Section 12.5
5	Assessment and significance of residual impacts	Section 12.6
6	Likely environmental outcomes	Section 12.7
<b>Holistic impact assessment</b>		

BHPIO has undertaken a holistic impact assessment for the Proposal. Please refer to Section 15 of the ERD.	
<b>Cumulative environmental impact assessment</b>	
BHPIO has undertaken a cumulative impact assessment for the Proposal. Please refer to Section 16 of the ERD.	
<b>Consultation</b>	
BHPIO has undertaken stakeholder consultation for the Proposal. Please refer to Section 4 and Section 11.3 of the ERD.	
<b>Supporting documents</b>	
Please refer to the following supporting documents: Marillana Creek (Yandi) Life of Mine Proposal Significant Amendment Proposal Content Document Marillana Creek (Yandi) Life of Mine Proposal Significant Amendment Environmental Review Document and appendices	
Has the referrer provided survey information according to the <a href="#">Instructions and Form: IBSA Data Packages</a> and/or the <a href="#">Instructions and form: IMSA Data Packages</a>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Conclusion</b>	
Do you consider the proposal may have a significant effect on the environment? BHPIO has undertaken an assessment of the potential significance of impacts in relation to the key environmental factors. Please refer to the attached ERD.	

<b>PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS <u>FOR SIGNIFICANT AMENDMENTS ONLY</u></b>	
<b>Type of significant amendment</b>	<input type="checkbox"/> significant amendment to the approved proposal <input type="checkbox"/> significant amendment to the implementation conditions <input checked="" type="checkbox"/> significant amendment to both the proposal and the implementation conditions
<b>Information of the approved proposal</b>	Section 2.1 of the ERD.
<b>Combined effects of the approved proposal and significant amendment</b>	Sections 7.4, 7.6, 8.4, 8.6, 9.4, 9.6, 10.4, 10.6, 11.4, 11.6, 12.4 and 12.6
<b>Analysis of existing implementation conditions</b>	Appendix 2 of ERD.
<b>Previous changes to the Proposal and or implementation conditions</b>	Section 2.1.1 of the ERD.
<b>Compliance</b>	Section 2.1.2 of the ERD.
<b>Environmental Performance</b>	Section 2.1.3 of the ERD.
<b>Control of implementation of significant amendment</b>	Sections 7.5.4 and 7.7, 8.5.4 and 8.7, 9.5.4 and 9.7, 10.5.4 and 10.7, 11.5.4 and 11.6.4, 12.5.4 and 12.7

## PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR A PROPOSAL UNDER AN ASSESSED SCHEME ONLY

What new environmental issues are raised by the proposal that were not assessed during the assessment of the planning scheme?	N/A
How does the proposal not comply with the assessed scheme and/or the environmental conditions in the assessed planning scheme?	N/A

## PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR DERIVED PROPOSALS ONLY

Demonstrate how the proposal will meet the environmental outcomes defined through the assessment of the strategic proposal	N/A
Provide an analysis of the existing implementation conditions of the related strategic proposal in relation to the derived proposal	N/A

## PART C: OTHER APPROVALS AND REGULATION

### Decision-making authorities and their approvals

Provide a table list of the decision-making authorities, associated legislation or agreement regulating the activity and the specific approval required. (Example table at the end of form)	BHPIO has considered other statutory decision-making authorities and processes. Refer to Sections 7 to 12 of the Environmental Review Document.
Provide a summary of the statutory decision-making processes you consider can mitigate the potential impacts of the proposal on the environment. (Note: this should be a summary of the information provided in Part B section 2.4). (Example table at the end of form)	Refer to Section 3 and sections 7 to 12 of the of the Environmental Review Document.

### Tenure and Local Government approvals

Location of proposal: a) street address, lot number, suburb, and nearest road intersection; or b) if remote, the nearest town and distance and direction from that town to the proposal site.	Shire of East Pilbara, approximately 90km north-west of Newman.
Name of the Local Government Authority in which the proposal is located.	Shire of East Pilbara.

Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the current land use on the property, and the extent (area in hectares) of the property?	Existing iron ore mining. Please refer to the Proposal Content Document.
Does the proponent have the legal access required for the implementation of all aspects of the proposal? <i>If yes, provide details of legal access authorisations / agreements / tenure.</i> <i>If no, what authorisations / agreements / tenure is required and from whom?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Refer to Section 3.2.1 of the ERD.
<b>Commonwealth Government approvals</b>	
Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No BHP is preparing a Validation Notice for the Proposal under its Strategic EPBC Program which was approved on 19 June 2017.
Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: _____ EPBC No.: _____
If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes', check the appropriate box and provide the decision in an attachment.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decision – controlled action <input type="checkbox"/> Decision – not a controlled action
If the proposal is determined to be a controlled action, do you request that this proposal be assessed under a Bilateral Agreement or as an accredited assessment?	<input type="checkbox"/> Yes - Bilateral <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Accredited
Is approval required from other Commonwealth Government/s for any part of the proposal? <i>If yes, describe.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Approval:
<b>Decision-making authority referrals <u>ONLY</u></b>	
What approval/s, under your authority, are required for this proposal? <i>Please provide details.</i>	N/A

**Example Table:** Other approvals

Decision-making authority	Legislation or Agreement regulating the activity	Approval required (and specify which proposal element the approval is related to)

**Example table:** Other statutory decision-making process which can mitigate potential impacts on the environment

Environmental impact	How is the impact regulated by other decision- making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact eg time limits, excluded operations	Likely environmental outcome of decision-making process(es), and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process(es)