

Environmental Protection Act 1986

Section 43A

**NOTICE OF DECISION TO CONSENT TO CHANGE TO PROPOSAL DURING
ASSESSMENT**

PERSON TO WHOM THIS NOTICE IS GIVEN

(a) First Quantum Minerals Australia Nickel Pty Ltd (ACN: 135 761 465)
1/24 Outram St,
WEST PERTH WA 6005

PROPOSAL TO WHICH THIS NOTICE RELATES:

Ravensthorpe Nickel Project Revised Proposal
Assessment No. 2100

Pursuant to section 43A of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority (EPA) consents to the proponent making the following changes to the proposal during assessment without a revised proposal being referred.

The proposed changes are attached (Schedule 1) and include the following aspects to be **removed** from the project footprint under assessment:

- Removal of the proposed expansion of mining of the Hale-Bopp orebody within the *Kunzea similis ssp. mediterranea* Community Conservation Area as defined in Statement 633 resulting in a reduction of 29 ha.
- Removal of the realignment of the infrastructure corridor route between the Shoemaker-Levy orebody and the processing plant area resulting in a reduction of 101 ha.
- Removal of the incorporation of neutralised tailings to the reject rocks used to backfill mine pits and re-establish hill topographies.
- Reduction in the amount of clearing of 340 ha at the Shoemaker-Levy expansion area.

EFFECT OF THIS NOTICE:

1. The EPA considers that the change is unlikely to significantly increase any impact that the proposal may have on the environment. The proponent may change the proposal as provided for in this notice.

RIGHTS OF APPEAL:

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



Professor Mathew Tonts
Delegate of the Environmental Protection Authority
CHAIR

19 April 2021

Schedule 1

Change to Proposal

Element	Revised Proposal (Referred including previous 43A applications)	Current Section 43a	Revised Proposal
Physical Elements			
Maximum depth of mining	60m (from edge of pit)	No change	60m (from edge of pit)
Tailing storage facility	Disturbance of no more than 830 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance of no more than 830 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Evaporation pond			
Sand reject storage facility	Disturbance of no more than 110 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance of no more than 110 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Halleys and Hale-Bopp pit, overburden storage areas and stockpiles	Disturbance of no more than 938 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	Decrease in disturbance of 29 ha	Disturbance of no more than 909 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Shoemaker-Levy pit, overburden storage area and stockpile	Disturbance of no more than 1,475 ha within the 1,567.3 ha Shoemaker-Levy Development Envelope	Decrease in disturbance by 340 ha	Disturbance of no more than 1135 ha within the 1164 ha Shoemaker-Levy Development Envelope

Processing and infrastructure	Disturbance of no more than 169 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance of no more than 169 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Limestone quarry area – Tamarine	Disturbance of no more than 67 ha within the 100 ha Limestone Quarry Development Envelope	No change	Disturbance of no more than 67 ha within the 100 ha Limestone Quarry Development Envelope
Seawater intake and brine reject pipeline	Constructed within the 40.2 ha Seawater Pipeline and Intake Development Envelope	No change	Constructed within the 40.2 ha Seawater Pipeline and Intake Development Envelope
Access Corridor	Disturbance of no more than 161 ha within the 210.6 ha Access Corridor Development Envelope	Proposed curved corridor removed. Decrease of 101 ha.	Disturbance of no more than 60 ha within the 210.6 ha Access Corridor Development Envelope
Access tracks and miscellaneous infrastructure within cleared farmland	Disturbance no more than 119 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope. Additional 1 ha is within native vegetation	No change	Disturbance no more than 119 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope. Additional 1 ha is within native vegetation
Topsoil stockpiles within cleared farmland	Disturbance no more than 170 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance no more than 170 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Operational Elements			
Operations Water Supply – raw water (average)	Seawater Up to 30,000 kL/day	No change	Seawater Up to 30,000 kL/day
Construction water supply	Groundwater Up to 25,000 kL/day	No change	Groundwater Up to 25,000 kL/day
Sulphur	Up to 500,000 tpa <1.8kg SO ₂ per tonne of acid produced	No change	Up to 500,000 tpa <1.8kg SO ₂ per tonne of acid produced

Nickel production nominal nickel production (contained nickel in a mixed nickel cobalt hydroxide intermediate)	Up to 50,000 tpa	No change	Up to 50,000 tpa
Tailings management	Incorporating neutralised tailings to the reject rocks used to backfill mine pits and re-establish hill topographies	Proposed incorporation of neutralised tailings to reject rocks removed	N/A
Transport rate to site	855,000 tpa	No change	855,000 tpa
Transport rate from site (production)	Up to 220,000 tpa	No change	Up to 220,000 tpa

Table 3: Abbreviations

Abbreviation	Term
Ha	Hectares
kL	Kilolitres
tpa	Tonnes per annum

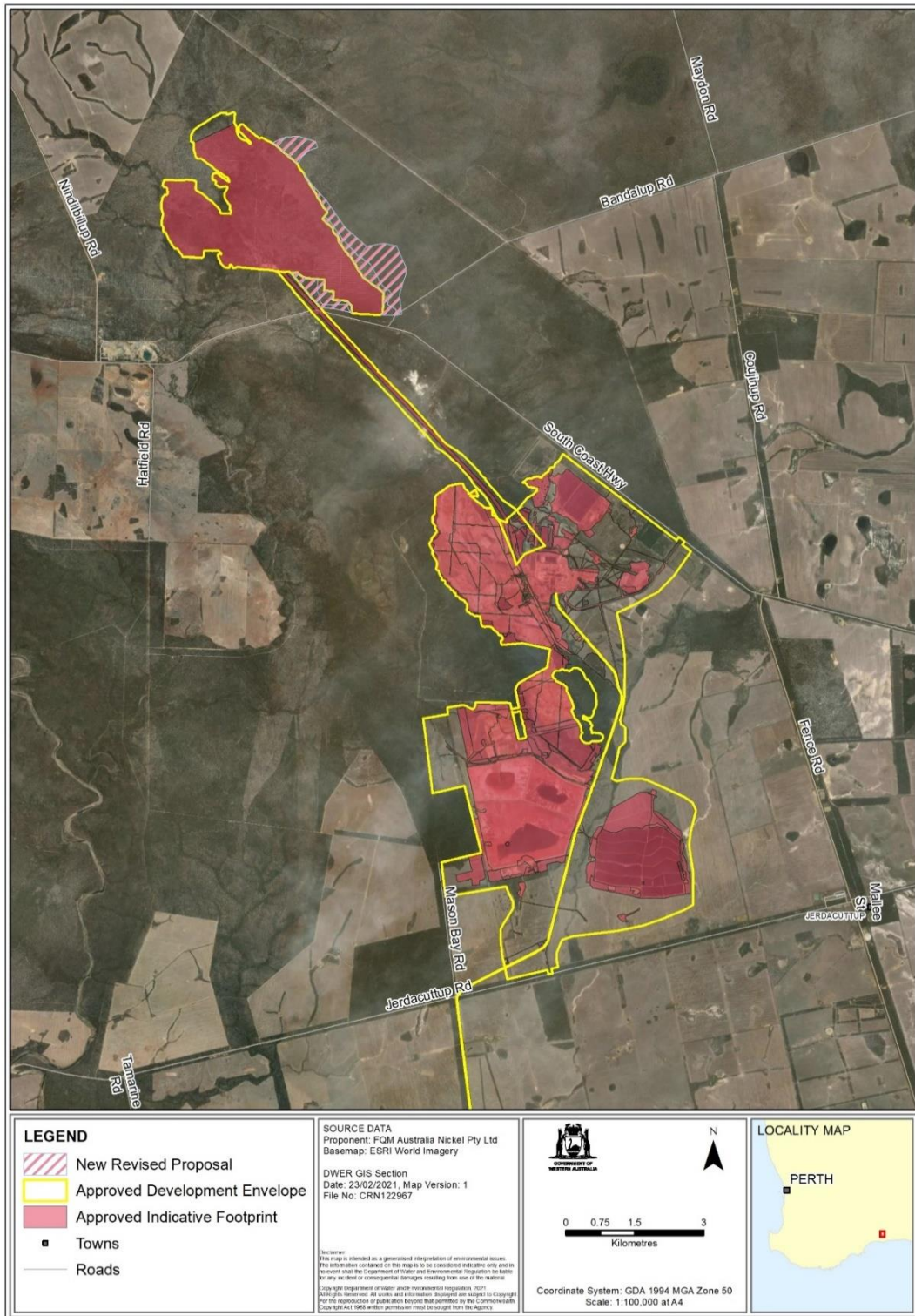


Figure 1: New Revised Proposal Authorised Extent

Environmental Protection Act 1986

Section 43A

STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: Ravensthorpe Nickel Project Revised Proposal

Proponent: First Quantum Minerals Australia Nickel Pty Ltd

Decision

For the reasons outlined below, the EPA has determined to consent to the Proponent changing the Proposal outlined in Schedule 1 attached to this Statement of Reasons.

Background

On 15 August 2016, First Quantum Minerals Australia Nickel Pty Ltd referred the Proposal to the Environmental Protection Authority (EPA) under section 38 of the *Environmental Protection Act 1986* (EP Act). The Proponent proposes to change and expand its Ravensthorpe Nickel Operations near Bandalup Hill currently approved under ministerial statement 633 as follows:

- Expand Hale-Bopp mining operations by approximately 29 hectares (ha) into the *Kunzea similis ssp. mediterranea* Community Conservation Area.
- Revise the alignment of the infrastructure corridor between the Shoemaker-Levy ore body and the processing area.
- Incorporate neutralised tailings to the reject rocks used to backfill mine pits and re-establish hill topographies.

The EPA determined to assess the Proposal at the level of Public Environmental Review (PER) with a six-week Public Review Period on 24 October 2016.

Following the decision to assess this proposal, the EPA consented on 11 January 2017 to a change to the proposal under s43A of the EP Act as follows:

- Expanding disturbance of native vegetation around the already approved disturbance area at Shoemaker-Levy by an additional 560 ha.

In advance of the EPA preparing a report on the outcome of its assessment of the Proposal, the Proponent has sought the EPA's consent to changing the Proposal.

Relevant Statutory and Administrative Provisions

Section 3.8 of the Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual 2016 guides what information the EPA requires from a person wanting to change its proposal during assessment.

The proponent is required to provide:

- details of the proposed change
- statement of the significance of the change and
- rationale for the change.

Materials considered in making this decision

In determining whether to consent to the proponent changing the proposal the EPA has considered the following:

1. Ravensthorpe Nickel Project Revised Proposal 43A Application (Reference 18PER-10332, 15 December 2020)
2. EPA Guidance and procedures
3. Ministerial Statement 633 – Attachment 4
4. Proposal referral documentation
5. Public submissions from 7 day advertising period for the referral
6. Previous approved S43A Statement of Reasons

Consideration

1. Nature of the proposed change

The proposed change to the revised proposal involves removal of parts of the project and decreasing the overall disturbance area. Specifically, the following changes are proposed to be removed from the project footprint currently under assessment:

- Removal of the proposed expansion of mining of the Hale-Bopp orebody within the *Kunzea similis ssp. mediterranea* Community Conservation Area as defined in Ministerial Statement 633 resulting in a reduction of 29 ha.
- Removal of the realignment of the infrastructure corridor route between the Shoemaker-Levy orebody and the processing plant area resulting in the reduction of 101 ha.
- Removal of the incorporation of neutralised tailings to the reject rocks used to backfill mine pits and re-establish hill topographies.
- Reduction in the amount of clearing of 340 ha at the Shoemaker-Levy expansion area.

The Revised Proposal will therefore now comprise only the Shoemaker-Levy expansion area.

The overall outcome of the proposed changes is highlighted in the table below.

Overall there is a decrease of 470 ha to the disturbance footprint due to modifications of mine pits, key mine infrastructure and other supporting infrastructure. This decrease in disturbance does not introduce any new key environmental factors that were not previously considered.

Element	Previously authorised extent (ministerial statement 633)	Revised proposal (Received 15/08/2016)	previous 43a application (approved on 11/01/2017)	Current Section 43a	Difference
Physical Elements					
Maximum depth of mining	60m (from edge of pit)	No change	No change	No change	N/A
Tailing storage facility	Disturbance of no more than 830 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	No change	No change	N/A
Evaporation pond					
Sand reject storage facility	Disturbance of no more than 110 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	No change	No change	N/A
Halley's and Hale-Bopp pit, overburden storage areas and stockpiles	Disturbance of no more than 909 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	Increase in disturbance of 29 ha	No Change	Decrease in disturbance of 29 ha	-29 ha

Element	Previously authorised extent (ministerial statement 633)	Revised proposal (Received 15/08/2016)	previous 43a application (approved on 11/01/2017)	Current Section 43a	Difference
Physical Elements					
Shoemaker-Levy pit, overburden storage area and stockpile	Disturbance of no more than 915 ha within the 944 ha Shoemaker-Levy Development Envelope	No Change	Increase in disturbance of 560 ha	Decrease in disturbance by 340 ha	-340 ha
Processing and infrastructure	Disturbance of no more than 169 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	No change	No change	N/A
Limestone quarry area – Tamarine	Disturbance of no more than 67 ha within the 100 ha Limestone Quarry Development Envelope	No change	No change	No change	N/A
Seawater intake and brine reject pipeline	Constructed within the 40.2 ha Seawater Pipeline and Intake Development Envelope	No change	No change	No change	N/A

Element	Previously authorised extent (ministerial statement 633)	Revised proposal (Received 15/08/2016)	previous 43a application (approved on 11/01/2017)	Current Section 43a	Difference
Physical Elements					
Access Corridor	Disturbance of no more than 60 ha within the 210.6 ha Access Corridor Development Envelope	Proposed curved corridor. Increase of 101 ha – 80 ha clearing of Native Vegetation and 21 ha disturbance of already disturbed land within a 222 ha Development Envelope	No change	Proposed curved corridor removed. Decrease of 101 ha.	-101 ha
Access tracks and miscellaneous infrastructure within cleared farmland	Disturbance no more than 119 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope. Additional 1 ha is within native vegetation	No change	No change	No change	N/A
Topsoil stockpiles within cleared farmland	Disturbance no more than 170 ha within the 3,940.7 ha	No change	No change	No change	N/A

Element	Previously authorised extent (ministerial statement 633)	Revised proposal (Received 15/08/2016)	previous 43a application (approved on 11/01/2017)	Current Section 43a	Difference
Physical Elements					
	Southern Mines and Processing Development Envelope				
Operational elements					
Operations Water Supply – raw water (average)	Seawater Up to 30,000 kL/day	No change	No change	No change	N/A
Construction water supply	Groundwater Up to 25,000 kL/day	No change	No change	No change	N/A
Sulphur	Up to 500,000 tpa <1.8kg SO ₂ per tonne of acid produced	No change	No change	No change	N/A
Nickel production nominal nickel production (contained nickel in a mixed nickel cobalt hydroxide intermediate)	Up to 50,000 tpa	No change	No change	No change	N/A
Tailings management		Incorporating neutralised tailings to the reject rocks used to backfill mine	No change	Proposed incorporation of neutralised tailings to	N/A

Element	Previously authorised extent (ministerial statement 633)	Revised proposal (Received 15/08/2016)	previous 43a application (approved on 11/01/2017)	Current Section 43a	Difference
Physical Elements					
		pits and re-establish hill topographies		reject removed rocks	
Transport rate to site	855,000 tpa	No change	No change	No change	N/A
Transport rate from site (production)	Up to 220,000 tpa	No change		No change	N/A

2. Stage of the assessment process

The proponent is currently preparing the Environmental Review Document (ERD) which has not yet been finalised or released for public review.

3. Currency, relevance and reliability of the information, including submissions

The ESD was approved on 30 March 2017. The ERD is in preparation and has not been submitted to the EPA. The final ERD will include the approved changes to the proposal, which will then be subject to a six-week public comment period.

4. Community engagement

The initial referral was open for a 7-day public comment period from 13 September 2016 to 21 September 2016. The ERD will also be subject to a six-week public review period.

5. Level of public concern

Four submissions were received during the public comment period, which indicated they were concerned with the potential direct and indirect impacts to species and communities of conservation significance. In response to these submissions, the proponent has revised the proposed layout to minimise impacts to species and communities of conservation significance to address these comments.

Consideration of Whether the Change is Unlikely to Significantly Increase Any Impact that the Proposal May Have on the Environment

The following were considered:

- a. Values, sensitivity and the quality of the environment which is likely to be impacted

The change to the proposal will not include any additional factors or different impacts to the environment. The proponent has revised the proposed layout to minimise impacts to species of conservation significance and reduce the overall disturbance footprint. This includes avoidance of individuals *Conostylis lepidospermoides* which is listed as Vulnerable under the *Biodiversity Conservation Act 2016* (BC Act) and Endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (BC Act) and removal of the requirement to directly impact any individuals of *Kunzea similis subsp. Mediterranea* which is listed as Endangered under the BC Act.

Therefore, it is expected that this change to proposal will not result in environmental impacts significantly greater than what has been approved.

b. Extent (intensity, duration, magnitude and geographic footprint) of the likely impacts

The duration of the operation and life of mine is not expected to change through this change of proposal. The change to the proposal will result in a decrease to the disturbance footprint by 470 ha. Therefore, it is expected to result in a reduction in potential environmental impacts.

c. Consequence of the likely impacts (or change)

The change to proposal does not alter the types of impacts associated with the proposal and will decrease the likely impacts on species of conservation significance. This includes avoidance of individuals *Conostylis lepidospermoides* which is listed as Vulnerable under the *Biodiversity Conservation Act 2016* and Endangered under the *Environment Protection and Biodiversity Conservation Act 1999 (BC Act)* and remove the requirement to directly impact any individuals *Kunzea similis subsp. Mediterranea* which is listed as Endangered under the BC Act.

d. Resilience of the environment to cope with the impacts or change

The resilience of the environment to cope remains unchanged from that of the original proposal. The change would result in a reduction in potential environmental impacts.

e. Cumulative impacts with other projects

There would be no additional cumulative impacts with other projects. The change would result in a reduction in potential environmental impacts.

f. Connections and interactions between parts of the environment to inform holistic view of impacts of the whole environment

There is no change to the potential connections and interactions of the environment due to the change from the original proposal.

g. Level of confidence in the prediction of impacts and the success of proposed mitigation

The change to clearing would result in a reduction in potential environmental impacts, in particular the impacts to species and communities of conservation significance. These changes increase the level of confidence in the predicted impacts and the success of proposed mitigation. The ERD is currently in preparation and would incorporate the associated changes.

h. Public interest about the likely effect of the proposal, if implemented, on the environment, and public information that informs the EPA's assessment

Four submissions were received during the public comment period, which indicated that they were concerned with the potential direct and indirect impacts to species and communities of conservation significance. In response to these submissions, the proponent has revised the proposed layout to minimise impacts to species and communities of conservation significance to address these comments. The proposed change is likely to decrease the level of public concern.

Conclusion

In conclusion, the EPA considers that the change is unlikely to significantly increase any impact the proposal may have on the environment primarily because:

- Removing the expansion of mining of the Hale-Bopp orebody within the *Kunzea similis ssp. mediterranea* Community Conservation Area as defined in Ministerial Statement 633 will reduce the disturbance impacts by 29 ha.
- Decrease in the expansion of mining of the Shoemaker-Levy ore body will reduce the clearing of native vegetation by 340 ha.
- Removing the realignment of the infrastructure corridor route between the Shoemaker-Levy orebody and the processing plant area will reduce the disturbance impacts by 101 ha.
- Removing incorporating neutralised tailings to the reject rocks used to backfill mine pits and re-establish hill topographies removes potential impacts to Inland Waters.

Schedule 1

Change to Proposal

Element	Revised Proposal (Referred including previous 43A applications)	Current Section 43a	Revised Proposal
Physical Elements			
Maximum depth of mining	60m (from edge of pit)	No change	60m (from edge of pit)
Tailing storage facility	Disturbance of no more than 830 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance of no more than 830 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Evaporation pond			
Sand reject storage facility	Disturbance of no more than 110 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance of no more than 110 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Halleys and Hale-Bopp pit, overburden storage areas and stockpiles	Disturbance of no more than 938 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	Decrease in disturbance of 29 ha	Disturbance of no more than 909 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Shoemaker-Levy pit, overburden storage area and stockpile	Disturbance of no more than 1,475 ha within the 1,567.3 ha Shoemaker-Levy Development Envelope	Decrease in disturbance by 340 ha	Disturbance of no more than 1135 ha within the 1164 ha Shoemaker-Levy Development Envelope
Processing and infrastructure	Disturbance of no more than 169 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance of no more than 169 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope

Element	Revised Proposal (Referred including previous 43A applications)	Current Section 43a	Revised Proposal
Physical Elements			
Limestone quarry area – Tamarine	Disturbance of no more than 67 ha within the 100 ha Limestone Quarry Development Envelope	No change	Disturbance of no more than 67 ha within the 100 ha Limestone Quarry Development Envelope
Seawater intake and brine reject pipeline	Constructed within the 40.2 ha Seawater Pipeline and Intake Development Envelope	No change	Constructed within the 40.2 ha Seawater Pipeline and Intake Development Envelope
Access Corridor	Disturbance of no more than 161 ha within the 210.6 ha Access Corridor Development Envelope	Proposed curved corridor removed. Decrease of 101 ha.	Disturbance of no more than 60 ha within the 210.6 ha Access Corridor Development Envelope
Access tracks and miscellaneous infrastructure within cleared farmland	Disturbance no more than 119 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope. Additional 1 ha is within native vegetation	No change	Disturbance no more than 119 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope. Additional 1 ha is within native vegetation
Topsoil stockpiles within cleared farmland	Disturbance no more than 170 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope	No change	Disturbance no more than 170 ha within the 3,940.7 ha Southern Mines and Processing Development Envelope
Operational Elements			
Operations Water Supply – raw water (average)	Seawater Up to 30,000 kL/day	No change	Seawater Up to 30,000 kL/day
Construction water supply	Groundwater Up to 25,000 kL/day	No change	Groundwater Up to 25,000 kL/day
Sulphur	Up to 500,000 tpa <1.8kg SO ₂ per tonne of acid produced	No change	Up to 500,000 tpa <1.8kg SO ₂ per tonne of acid produced

Element	Revised Proposal (Referred including previous 43A applications)	Current Section 43a	Revised Proposal
Physical Elements			
Nickel production nominal nickel production (contained nickel in a mixed nickel cobalt hydroxide intermediate)	Up to 50,000 tpa	No change	Up to 50,000 tpa
Tailings management	Incorporating neutralised tailings to the reject rocks used to backfill mine pits and re-establish hill topographies	Proposed incorporation of neutralised tailings to reject rocks removed	Removed
Transport rate to site	855,000 tpa	No change	855,000 tpa
Transport rate from site (production)	Up to 220,000 tpa	No change	Up to 220,000 tpa

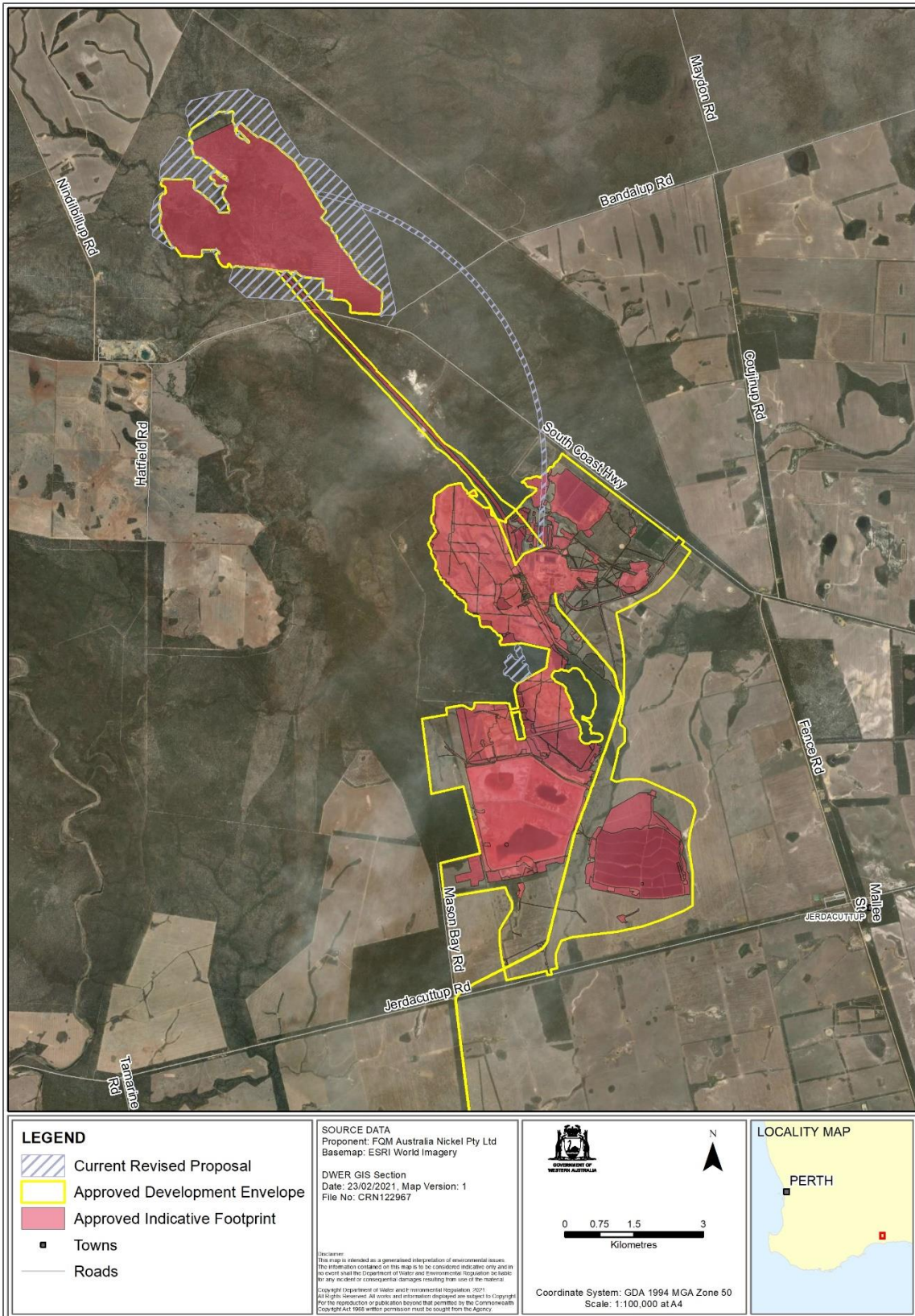


Figure 1 – Current layout of proposal

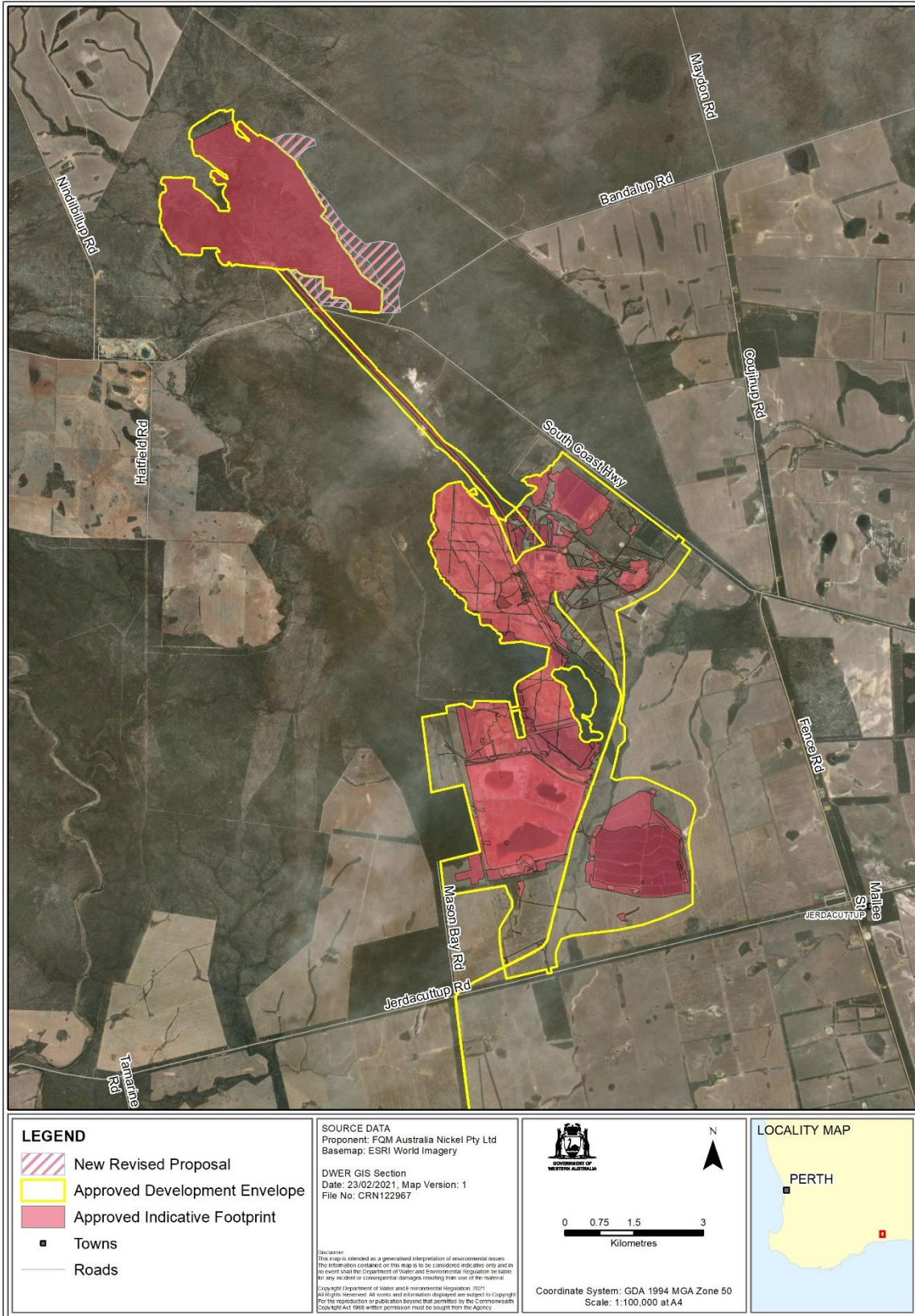


Figure 2 – Layout of proposed change