

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) Robe River Mining Co Pty Ltd (ACN: 71 008 694 246)
152-158 St Georges Terrace
PERTH WA 6000

PROPOSAL TO WHICH THIS NOTICE RELATES:

West Angelas Iron Ore Project Deposits C, D and G
Assessment No. 2132

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

The change is to amend the development envelope and conceptual layout as shown in Figure 1.

EFFECT OF THIS NOTICE:

1. 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.

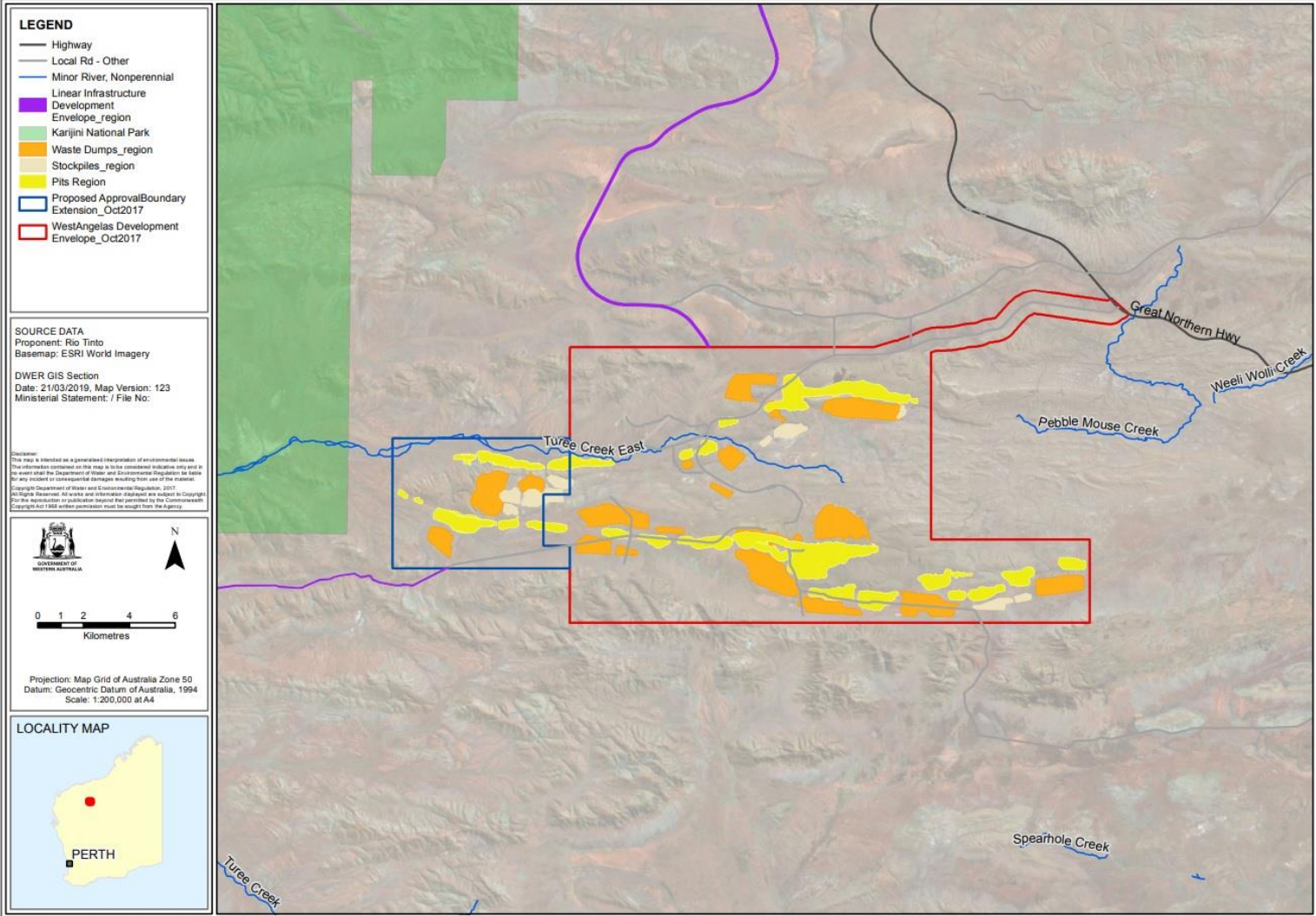


Robert Harvey
Delegate of the Environmental Protection Authority
DEPUTY CHAIRMAN

8 May 2019

Attachment 1

Figure 1: West Angelas Revised Development Envelope and conceptual layout



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STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: West Angelas Iron Ore Project Deposits C, D and G

Proponent: Robe River Mining Co 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 11 June 2017, Robe River Mining Co Pty Ltd referred the Proposal to the Environmental Protection Authority (EPA) under section 38 of the *Environmental Protection Act 1986* (EP Act). The proposal is to undertake expansion activities at the West Angelas mine site, 130 kilometres (km) north-west of Newman in Western Australia's Pilbara region, to sustain current production levels.

On 23 August 2017, the EPA decided to assess the proposal and set the level of assessment at level of Public Environmental Review.

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

In considering the request for consent, the EPA considered the:

- 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. West Angelas Iron Ore Project Deposit C, D and G Proposal (Assessment No. 2132) – Section 43A application (Robe River Mining Co Pty Ltd, 2019)
2. West Angelas Iron Ore Project Deposit C, D and G Proposal - Environmental Review Document (Robe River Mining Co Pty Ltd, 2018)
3. consultation between the proponent and the Department of Water and Environmental Regulation.

Consideration

The proponent seeks consent from the EPA to change the proposed Development Envelope and the conceptual layout that form part of the proposal.

The proposed changes are limited to increasing the size of the proposed Development Envelope, specifically moving the western boundary approximately 500 metres (m) further west, resulting in a 300 hectare (ha) increase in area of the proposed Development Envelope. In addition to this, two pits associated with Deposit D located to the west of the main Deposit D pits are included in the revised conceptual layout.

No other changes are proposed, specifically the proponent does not request the clearing element of the Proposal be increased, given the conservative approach by the Proponent in calculating the original clearing estimate for the Proposal (i.e. application of clearing buffers around the conceptual layout of the Proposal).

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

The detailed biological surveys that were completed to support the assessment of the Proposal fully encompassed the additional areas of the proposed Development Envelope and conceptual layout (additional pits). The additional areas do not contain any of the following:

- Threatened Ecological Communities (TEC)
- West Angelas Cracking Clay Priority Ecological Community (PEC)
- Records of conservation significant flora
- Records of conservation significant terrestrial vertebrate fauna
- Ghost Bat roosts.

One record of a species of pseudoscorpion considered to be a potential short range endemic (SRE) was identified within the additional area. This species, however, was recorded from seven separate locations across the survey area and different habitats including two of the most extensive habitats identified ('footslope and plain' and 'mixed Acacia woodland').

Furthermore, the proposed changes have been subject to public and agency/EPA review and assessment. Therefore, the changes subject to this application are unlikely to increase any impact that the Proposal may have on the environment and have not been considered as unacceptable previously.

