

Environmental Protection Act 1986

Section 43A

STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: Mt Keith Satellite Project

Proponent: BHP Billiton Nickel West Pty Ltd

Decision

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

Background

On 3 April 2017, the BHP Billiton Nickel West Pty Ltd (Nickel West) referred the Mt Keith Satellite Project (the proposal) to the EPA under section 38 of the *Environmental Protection Act 1986* (EP Act). The proposal is to develop a nickel mine as a satellite operation to the existing Mt Keith Mine, and includes two open pits, a waste rock landform, a haul road corridor and ancillary support infrastructure.

The ore mined will be processed at the existing Mt Keith Mine located approximately 20 kilometres (km) north of the satellite operation. The proposal is located 80 km north of Leinster in the Shire of Leonora.

The EPA determined to assess the Proposal at the level of Environmental Review Document (ERD) on 24 July 2017.

EPA Services has prepared a draft Environmental Scoping Document (ESD) for the proposal. Prior to the consideration of the draft ESD by the EPA, Nickel West requested a change to the proposal under section 43A (s43A) of the EP Act. EPA Service notes that the ESD would be updated in accordance with the requested change to proposal, should it be considered minor as defined under s43A of the EP Act.

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. proposal referral documentation;
2. advice sought from DMAs through the referral and scoping process;
3. discussions held between EPA Services and Nickel West in October 2017;
4. the s43A request from Nickel West received 6 October 2017; and
5. relevant EPA policy and procedures.

Consideration

1. Nature of the proposed change

The proposed change consists of:

- an increase of the development envelope from 1242 hectares (ha) to 1259 ha;
- an increase of the disturbance footprint from 842 ha to 878 ha; and
- an increase of bore field water supply from 0.6 Gigalitres (GL) per annum to 1.65 GL per annum from operating licensed bore fields.

The s43A change requires an increase to the disturbance footprint of 36 ha. The change to the disturbance footprint and subsequent development envelope relate to the minor realignment and widening of the haul road corridor that connects the proposal to the existing Mt Keith Mine.

Widening of the haul road corridor is intended to facilitate construction and the safe movement of dual carriageway haul traffic. The minor realignment of the haul road is an avoidance measure to prevent direct impact to a breakaway landform that supports significant environmental values, including potentially suitable habitat for the Black-flanked Rock-wallaby (Endangered, *Wildlife Conservation Act 1950*), and *Hibbertia sp. Sherwood Breakaways* flora individuals (Priority 1, *Wildlife Conservation Act 1950*).

The change also relates to the inclusion of an additional access route to the south-west of the proposal to facilitate support vehicles in accessing the mine via Goldfields Hwy. For the purposes of the assessment, this additional access route has been included as ancillary support infrastructure under Schedule 1. The transport route already exists as an exploration track, and would be upgraded and widened as part of the assessment.

In addition, Nickel West proposes an increase to the water supply via its existing licensed bore field. No change to the current water abstraction licenses are required to adequately provide for environmental management of construction and operational activities including dust suppression and hydro-scaling. It is proposed

that additional water would be reticulated via water carts and a surface polyethylene pipeline. The existing licensed bore fields are used at Mine Keith Mine for production, processing and dust suppression for over 30 years and have approved operating strategies and usage reporting requirements.

2. Stage of the assessment process

On 24 July 2017, the EPA set the level of assessment for the proposal as ERD with no public review period. The ESD is still in draft and will be updated to include the change to the development envelope and disturbance footprint before finalisation by the EPA.

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

The proposal was referred to the EPA in April 2017 and all information submitted in support of the referral remains current. The change to the proposal, namely the minor realignment of the haul road and additional access route both occur in the same area in which the proponent's environmental investigations are being undertaken. Nickel West has provided the EPA with updated spatial data for the change to the development envelope and disturbance footprint.

4. Community engagement

Nickel West has provided details regarding the preliminary community consultation it has undertaken through the referral process, and will continue to do so as the proposal progresses through assessment. The EPA has engaged with the community through the referral process and intends to release this decision document on its website for public information.

5. Level of public concern

No comments were received during the seven-day comment period on the referral and subsequently the proposal was determined to be formally assessed via an Environmental Review without a public comment period.

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 EPA Chairman's determination identified the preliminary environmental factors for the original proposal as:

- Flora and Vegetation;
- Terrestrial Fauna;
- Subterranean Fauna;
- Hydrological Processes;
- Inland Water Environmental Quality; and
- Social Surroundings.

The change gives no cause for additional environmental factors to be considered preliminary environmental factors for the purposes of finalising the ESD.

The s43A change will increase the disturbance envelope, however the changed proposal is unlikely to have a significant environmental impact that is different from the original proposal. The significance of the potential environmental impact of the proposal will be considered by the EPA during the assessment process.

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

The EPA considers that the proponent's avoidance of the breakaway landform is an appropriate measure to reduce the extent of the likely overall impact of the proposal.

The proposed additional access route to Goldfields Hwy is an existing disturbed exploration track. The inclusion and upgrade of the access route is unlikely to significantly increase the extent of the environmental impact that the proposal may have.

The change results in an increase of 36 ha of disturbed vegetation, but will not result in an increased significance of impact in the context of the entire proposal.

The additional water for the proposal will improve dust suppression on the site and would come from an operating licensed borefield. There is no requirement to increase abstraction from that currently licensed.

c) Consequence of the likely impacts (or change)

The consequence of likely impacts remains unchanged from the original proposal.

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

The resilience of the environment to cope with the changed proposal remains unchanged from that of the original proposal, should it be implemented.

e) Cumulative impacts with other projects

Cumulative impacts will be considered in the assessment of the changed proposal as it were to be considered in assessment of the original proposal. The change is unlikely to significantly increase the cumulative impact at a local or regional scale.

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

The change to the proposal does not alter any connections or interactions with the receiving environment different to the original proposal.

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

There is no change to the level of confidence in the predicted impacts and the success of proposed mitigation.

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

No comments were received during the seven-day comment period on the referral. The EPA has set the level of assessment as ERD with no public review period. The EPA will publish all relevant information regarding its assessment of this proposal on its website.

Schedule 1

Change to Proposal*

Element	Current Proposal	Changed Proposal (s43A)
<i>Physical elements</i>		
Mine pit (Goliath)	Clearing of approximately 212 ha of native vegetation within a development envelope of 1242 ha, mining in three stages within a 12 year timeframe.	Clearing of approximately 212 ha of native vegetation within a development envelope of 1259 ha, mining in three stages within a 12 year timeframe.
Mine pit (Six Mile Well)		
Waste Rock Landform	Clearing of approximately 445 ha of native vegetation within a development envelope of 1242 ha.	Clearing of approximately 445 ha of native vegetation within a development envelope of 1259 ha.
Ancillary support infrastructure	Clearing of approximately 134 ha of native vegetation within a development envelope of 1242 ha.	Clearing of approximately 137 ha of native vegetation within a development envelope of 1259 ha.
Haul Road	Clearing of approximately 51 ha of native vegetation within a development envelope of 1242 ha.	Clearing of approximately 84 ha of native vegetation within a development envelope of 1259 ha.
<i>Operational elements</i>		
Pit dewatering	Water abstraction of up to 0.4 Gigalitres (GL) per year.	No Change.
Bore field supply	Up to 0.6 GL per year from existing licensed fields.	Up to 1.65 GL per year from existing licensed fields. No water abstraction increase to the licenses are required.
Waste	Up to 800 Million tonnes of waste rock to be generated over the life of mine, to be stored in a Waste Rock Landform and used as backfill. Processes.	No Change.

* A new table will be developed to align the changed proposal description with Instruction: Key Proposal Characteristics. The table above is derived from the proponents s43A request and has been used to illustrate the changes as compared to the proposal as described in the referral documentation. As such this table will be subject to change during the assessment.