

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) FI Joint Venture Pty Ltd (ACN: 611 846 023)
Level 14, Forrest Centre
221 St Georges Terrace
PERTH WA 6000

PROPOSAL TO WHICH THIS NOTICE RELATES:

Yogi Magnetite Project
Assessment No. 2154

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 -

Amend the water requirements for the proposal to reflect the current requirements, based on refined mine planning. At referral, the requirement for water included up to 5 gigalitres per annum (GLpa) for groundwater abstraction from a water supply borefield, and up to 5 GLpa from mine site dewatering, to be used for processing. The change reduces the abstraction at the borefield to 1 GLpa, and the dewatering requirements to 4 GLpa. This represents a total change in water requirements from 10 GLpa to 5 GLpa.

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.



Dr Tom Hatton
Delegate of the Environmental Protection Authority
CHAIRMAN

6 October 2020

Schedule 1

Change to Proposal

Element	Current proposal	Changed Proposal (s43A)
Groundwater abstraction (water demand)	Up to 5 gegalitres per annum (GLpa) from water supply borefield	Up to 1 GLpa from the water supply borefield
Mine site dewatering	Up to 5 GLpa (to be used for processing)	Up to 4 GLpa from the mine pit dewatering (to be used for processing)

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STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: Yogi Magnetite Project

Proponent: FI Joint Venture Pty Ltd (FIJV)

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 19 December 2017, FI Joint Venture Pty Ltd referred the Proposal to the Environmental Protection Authority (EPA) under section 38 of the *Environmental Protection Act 1986* (EP Act). The Proposal included the construction and operation of a magnetite iron ore mine and associated infrastructure, located approximately 225 kilometres east-northeast of Geraldton. The Proposal also includes the development of a magnetite slurry pipeline and a water pipeline to Geraldton Port and a gas supply pipeline from the Dampier to Bunbury Natural Gas Pipeline network.

The EPA determined to assess the Proposal at the level of Public Environmental Review (PER) on 26 February 2018.

At referral, the Proponent advised that it was currently investigating the most appropriate route for the pipelines. A preferred pipeline route has since been identified. Pursuant to section 43A of the EP Act, the EPA consented on the 12 November 2018 to the modified pipeline route. During assessment the Proponent sought additional changes, including a modification to the mine development envelope to reflect the total area available within the mining tenements, a reduction in required clearing, and the removal of storage of wet process tailings. Pursuant to section 43A of the EP Act, the EPA consented on the 24 July 2019 to these changes.

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 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.

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. Referral supporting document (EnviroWorks Consulting, December 2017)
2. Yogi - Magnetite Project Environmental Scoping Document (GHD, 2019)
3. Yogi Magnetite Mine - Public Environmental Review. Environmental Review Document (GHD, Rev 4, 2020)
4. Section 43A Notice (EPA, 12 November 2018)
5. Section 43A Notice (EPA, 24 July 2019)
6. Section 43A Application (GHD, 25 September 2020).

Consideration

1. Nature of the proposed change

The proposed change is a reduction in overall groundwater requirements for the proposal, resulting in a total reduction of 5 Gegalitres per annum (GLpa). The change to groundwater requirements is due to further refinement during mine planning and a greater understanding of the hydrogeology of the region. This change is expected to result in a reduction in potential environmental impacts than those predicted in the Referral supporting document.

2. Stage of the assessment process

The ERD was released for a six-week public review period from 15 April 2020 to 28 May 2020. The proposal is currently at the Response to Submissions stage of assessment. Comments received during the public review period have been provided to the Proponent, and these will need to be adequately addressed as part of the Response to Submissions.

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

The request is current and based on the knowledge gained from the Proponent's studies that informed the ERD. The modelling presented within the ERD was based on the revised water requirements for the proposal.

4. Community engagement

The referral was advertised for a seven-day public comment period, and comments received were considered in determining the appropriate level of assessment. The ERD was released for a six-week public review period from 15 April 2020 to 28 May 2020 and a number of public comments were received. Throughout the assessment process the Proponent has been encouraged to actively engage with

relevant stakeholders, and the consultation and engagement undertaken to date is provided in Section 3 of the ERD.

5. Level of public concern

The proposal received four comments during the seven-day public comment period at referral. The key issues raised included the adequacy of the Proponent's survey reports, the requirements for further community consultation, and the size and scale of the proposal. The EPA notes the size and scale of the proposal has been reduced since the original referral, as detailed in the Section 43A notice, dated 12 November 2018 and the Section 43A notice dated 24 July 2019.

A number of public comments were received during the six-week public review period on the ERD. The key issues raised included lack of consideration of contamination, opportunity for consultation, potential impacts from the pipeline, impacts to wildlife, and risks to ground water.

Noting this request to change proposal is a reduction in requirements for groundwater abstraction and dewatering, the EPA does not consider there to be an increased level of public interest in the proposal as a result of the change.

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

The following were considered:

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

The change will not introduce new environmental factors and does not increase the level of impact as described in the Referral supporting document. The reduction in water requirements would result in an overall reduction of environmental impact to that described in the initial Referral supporting document. Furthermore, as the Proposal reduces the overall water requirements, the potential impact to factors such as Inland Waters and Subterranean Fauna are also reduced.

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

The proposed change reduces the total water requirements from the borefield by 4 GLpa and reduces the water requirements from dewatering by 1 GLpa. This change represents a total reduction of water requirements of 5 GLpa, which in turn, results in a reduction in potential environmental impacts.

- Consequence of the likely impacts (or change)

The proposed change reduces the total water requirements by 5 GLpa. This change will result in a reduction in potential environmental impacts.

- 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.

- 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.

- 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.

- Level of confidence in the prediction of impacts and the success of proposed mitigation

The change to groundwater requirements would result in a reduction in potential environmental impacts. This reduction in groundwater requirements subsequently increases the level of confidence in the predicted impacts and the success of proposed mitigation.

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

Noting an issue raised during public submissions related to potential impacts to groundwater, the public interest in the proposal is unlikely to increase from the changes to the proposal. The Proponent will be required to respond to the submissions as part of the assessment.

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:

- The change will not introduce new environmental factors and does not increase the level of impact as described in the Referral supporting document. The reduction in water requirements would result in an overall reduction of environmental impact.

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