

***Environmental Protection Act 1986***

**Section 43A**

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

**PERSON TO WHOM THIS NOTICE IS GIVEN**

FI Joint Venture Pty Ltd (ACN: 611 846 023)  
Unit 2/9 Glory Road  
GNANGARA WA 6077

**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 consents to the proponent making the following changes to the proposal during assessment without a revised proposal being referred

*Modify the pipeline alignment, which reduces the amount of required clearing from 1500 hectares (ha) to 600 ha, and the size of the pipeline development envelope from 383,850 ha to 76,800.5 ha.*

**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.



**Dr Tom Hatton**  
**Delegate of the Environmental Protection Authority**  
**CHAIRMAN**

12 November 2018

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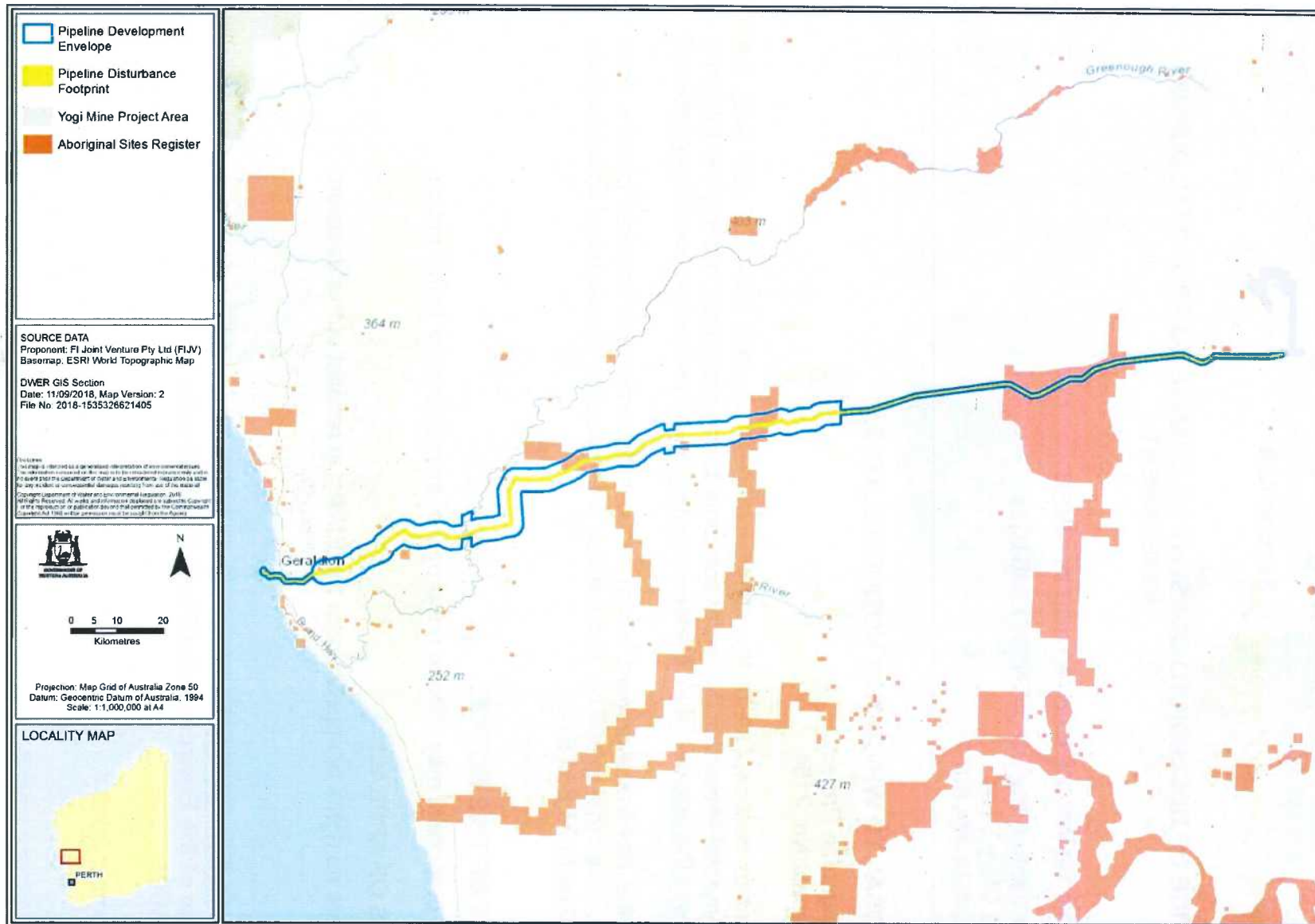


Figure 1: Section 43a pipeline development envelope

***Environmental Protection Act 1986***

**Section 43A**

**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*. 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. At referral, the proponent advised that it was currently investigating the most appropriate route for the pipelines. A preferred pipeline route has now been identified.

The EPA determined to assess the Proposal at the level of Public Environmental Review (PER) on 27 February 2018.

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.

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. Referral supporting document (EnviroWorks Consulting, December 2017)
2. Section 43a application (GHD Pty Ltd, August 2018)

## **Consideration**

### **1. Nature of the proposed change**

During referral, the proponent was considering several options for the pipeline alignment, and the proponent has now determined the most suitable route.

The proposed change would reduce the amount of clearing required for the pipeline from 1500 hectares (ha) to 600 ha, and the size of the development envelope from 383,850 ha to 76,800.5 ha. Figure 1 shows the original pipeline and Figure 2 shows the proposed pipeline alignment.

The change is expected to result in a reduction in potential environmental impacts as that predicted in the Referral Document.

### **2. Stage of the assessment process**

The proposal is currently at the draft environmental scoping document (ESD) stage of the assessment process. The proponent's PER document would be subject to a six week public review period.

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

The final ESD would include the revised pipeline route to ensure the scope of works are relevant. The PER document would be prepared based on the requirements outlined in the ESD.

### **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 PER document would also be subject to a six week public review period, and include details of the new pipeline route and associated environmental impacts.

### **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 proposed change would address one of the issues raised by the community by reducing the disturbance footprint and development envelope of the proposal.

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:

- a) 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 Document. The values, sensitivity and quality of the environment would be further described in the PER document.

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

The proposed change would reduce the amount of clearing required for the pipeline from 1500 ha to 600 ha, and the size of the pipeline development envelope from 383,850 ha to 76,800.5 ha.

- c) Consequence of the likely impacts (or change)

The proposed change would reduce clearing by 900 ha and the size of the pipeline development envelope by 307,049.5 ha. The environmental impacts from the proposal are likely to be reduced from the change to proposal.

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

The resilience of the environment to cope with the proposed change 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

The pipeline development envelope has been designed to avoid any Nature Reserves. 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 ESD outlining the scope of works required for the proposal has not yet been finalised. 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

Public interest in the proposal is unlikely to change from realignment of the pipeline. The proposal was advertised for a seven day public comment period and a total of four public comments were received.

**Schedule 1**

**Change to Proposal**

Element	Current Proposal	Changed Proposal (s43a)
Magnetite Slurry Pipeline, Water Pipeline and Gas Pipeline	Clearing of no more than 1500 ha within 383,850 ha Pipeline Development Envelope	Clearing of no more than 600 ha within 76,800.5 ha Pipeline Development Envelope

\* A new table will be developed to align the changed proposal description with Instruction: Key Proposal Characteristics. The Key Characteristics table derived from the proponents s43a request has been used to illustrate the changes as compared to the proposal as described in the referral document.

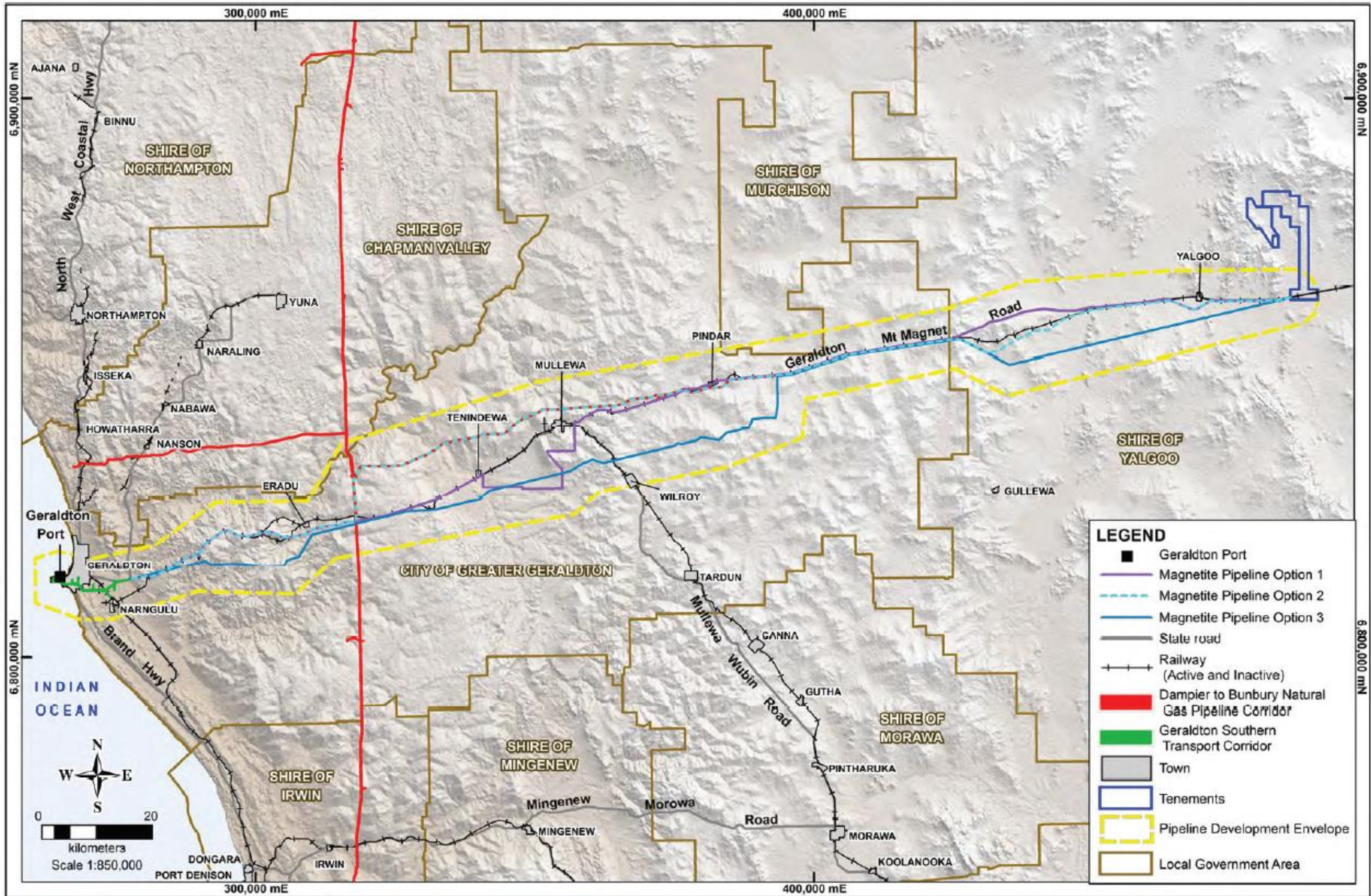


Figure 1: Original pipeline development envelope

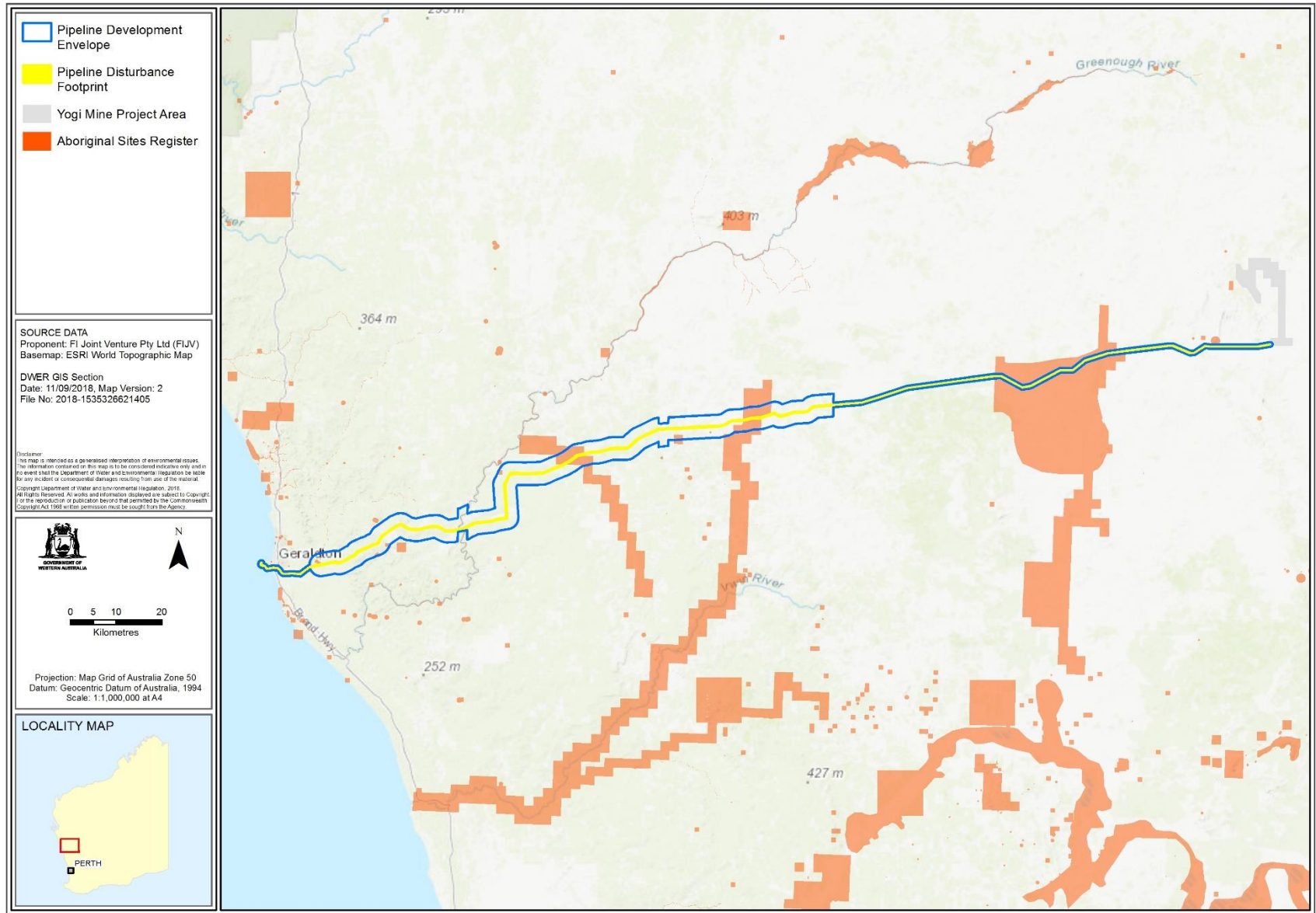


Figure 2: Section 43a pipeline development envelope