

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) Hamersley Iron Pty Limited (ACN: 004 558 276)
152 – 158 St Georges Terrace
PERTH WA 6000

PROPOSAL TO WHICH THIS NOTICE RELATES:

Greater Paraburdoo Iron Ore Hub
Assessment No. 2189

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 proposed changes:

- A reduction in the amount of surplus water to be managed (reduced from 6 gegalitres per annum (GL/a) to 1.7 GL/a).
- Removal of the option to manage surplus water via aquifer reinjection.
- Changes to the conceptual footprint design to include low-grade ore stockpiles at Eastern Range with no net increase to clearing area.
- Correction of authorised clearing areas from 220 hectares (ha) to 251.4 ha to correctly reflect existing approved clearing permits in the table of key characteristics of the proposal.
- Change the operational element 'dewatering' in the table of key characteristics of the proposal to 'dewatering and water supply'.


Table 1 presents the changes to the proposal. Figure 1 presents the changed conceptual footprint.

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.



Robert Harvey
Delegate of the Environmental Protection Authority
DEPUTY CHAIRMAN

8 May 2020

Schedule 1

Change to Proposal

Table 1: Changes to the proposal key characteristics

Elements	Existing extent / approvals	Previously proposed extent (original referral)	Proposed extent (change)
Physical elements			
Mine and associated infrastructure	Existing disturbance footprint – 3,225 ha ¹ . Clearing of 1,446.4 ha is currently authorised under the following clearing permits: <ul style="list-style-type: none"> • CPS 4032 – 600 ha • CPS 4594 – 251.4 ha • CPS 5090 – 595 ha. 	Additional clearing of up to 4,300 ha within a 17,422 ha development envelope.	No change to the proposed extent. The minor change to the conceptual footprint can be achieved within the original proposed extent.
Operational elements			
Dewatering and water supply	Abstraction of up to 9 GL/a authorised under the <i>Rights in Water and Irrigation Act 1914</i> licence GWL109318.	Total abstraction estimated to not exceed 14 GL/a.	No change to the total abstraction. Change to the operational element title only.
Management of surplus water	Discharge of up to 0.8 GL/a from Joe's Crossing (Seven Mile Creek) authorised under the EP Act Part V licence L5275/1972.	Up to 6 GL/a managed via options including, but not limited to: <ul style="list-style-type: none"> • Controlled discharge of surplus water to watercourses. • Discharge to disused mine pits. • Aquifer reinjection. 	Up to 1.7 GL/a managed via options including: <ul style="list-style-type: none"> • Controlled discharge of surplus water to watercourses. • Discharge to disused mine pits.

Note 1: Historical clearing authorised under current and historical approvals.

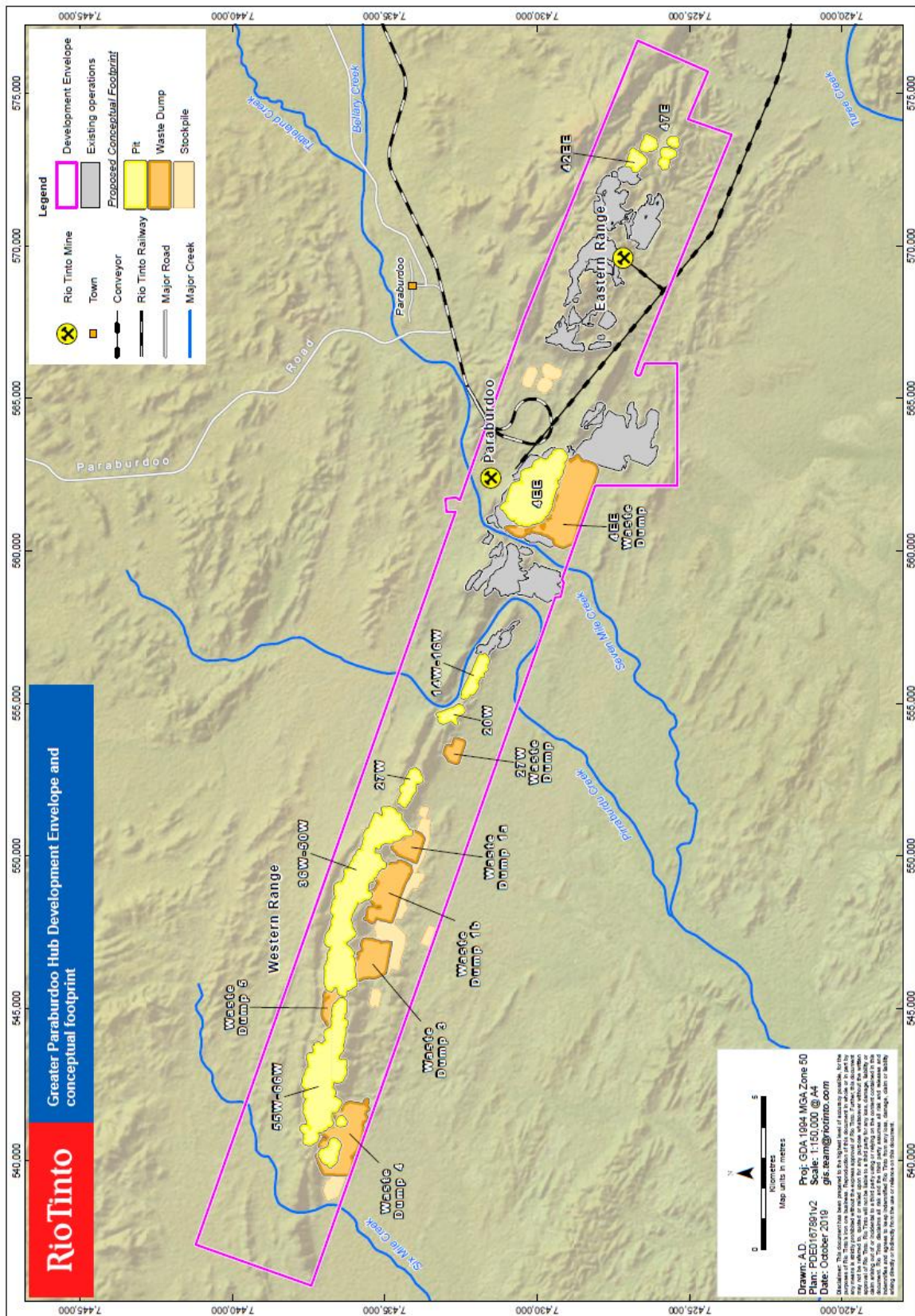


Figure 1: Changed conceptual footprint

Environmental Protection Act 1986

Section 43A

STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: Greater Paraburdoo Iron Ore Hub

Proponent: Hamersley Iron Pty Limited

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 5 November 2018, the proponent Hamersley Iron Pty Limited referred the proposal to the Environmental Protection Authority (EPA) under section 38 of the *Environmental Protection Act 1986* (EP Act). The proposal includes the development of a new mine at Western Range including above and below water table iron ore deposits, and an extension of existing operations at Paraburdoo and Eastern Range and associated infrastructure.

The EPA determined to assess the proposal at the level of public environmental review with a two-week public review period on 7 December 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 2020 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
- 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. Rio Tinto Greater Paraburdoo Iron Ore Hub Proposal – Section 43A Application – Assessment No: 2189, dated 1 May 2020.
2. Greater Paraburdoo Iron Ore Hub EPA Referral Form, dated 2 November 2018.
3. EPA guidance and procedures.

Consideration

1. Nature of the proposed change

Changes requested:

- A reduction in the amount of surplus water to be managed (reduced from 6 gegalitres per annum (GL/a) to 1.7 GL/a).
- Removal of the option to manage surplus water via aquifer reinjection.
- Changes to the conceptual footprint design to include low-grade ore stockpiles at Eastern Range with no net increase to clearing area.
- Correction of authorised clearing areas from 220 hectares (ha) to 251.4 ha to correctly reflect existing approved clearing permits in the table of key characteristics of the proposal.
- Change the operational element 'dewatering' in the table of key characteristics of the proposal to 'dewatering and water supply'.

The proposed change reduces the amount of surplus water to be managed by 4.3 GL/a. This change is the result of the proponent updating the water balance model for the proposal.

Aquifer reinjection was included in the proposal as one of three methods for managing surplus water. A reinjection trial was scheduled to be completed in 2019 with results of this trial submitted to inform the environmental impact assessment. Due to the postponement of the trial and no information being available for the assessment, the proponent has requested to remove this option. The two remaining options to manage surplus water for the proposal are controlled discharge to watercourses and discharge to disused mine pits.

The addition of low-grade ore stockpiles at Eastern Range will not increase the overall disturbance for the proposal (4,300 ha). This change is to provide the proponent with the option to stockpile low-grade ore at this location, to be fed as required to the Paraburdoo processing plant.

The referral document incorrectly stated the clearing limit for CPS 4594 as 220 ha. The clearing limit under CPS 4594 is 251.4 ha.

'Dewatering' was referred as a key characteristic of the proposal. The proponent is seeking the key characteristic to be amended to 'dewatering and water supply' to accurately represent the existing water supply network at Greater Paraburdoo. Existing abstraction is currently permitted under GWL 109318, which includes dewatering and water supply borefields. There is to be no change to abstraction requirements as a result of this change.

2. Stage of the assessment process

The proponent is currently preparing the draft environmental review document (ERD) for public review. The changes described above will be included in the draft ERD available for public review.

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

The EPA considers the currency, relevance and reliability of the information provided in the section 43A application to be satisfactory. The development envelope, and study area in which the environmental investigations have been undertaken remain relevant to the referral and requested changes subject to this s 43A application. All of the environmental studies for the proposal will be included in the revised ERD.

4. Community engagement

One public comment was received in relation to the proponent's referral documentation for the proposal during the 7-day public comment period (comment period 14 November 2018 to 20 November 2018).

The draft environmental scoping document was subject to review by the Department of Water and Environmental Regulation; Department of Agriculture, Water and Environment; Department of Mines, Industry Regulation and Safety; Department of Biodiversity, Conservation and Attractions; Department of Planning, Lands and Heritage; and the Department of Jobs, Tourism, Science and Innovation.

The public review of the ERD is for a two-week period and is expected to commence in May 2020. The changes described above will be included in the revised draft ERD released for public review.

5. Level of public concern

There has been limited public concern in relation to the Greater Paraburdoo Iron Ore Hub. One comment was received during the 7-day public comment period following the referral of the proposal

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 proposal is to sustain production from the Greater Paraburdoo Iron Ore Hub through the development of new deposits at Western Range, and the extension of existing operations at Paraburdoo and Eastern Range. As such, the Paraburdoo and Eastern Range areas have already undergone historical disturbance, whilst the Western Range area has had limited historical disturbance.

The EPA Deputy Chairman's determination identified the preliminary key environmental factors for the current proposal as:

- Flora and Vegetation
- Terrestrial Fauna
- Subterranean Fauna
- Inland Waters
- Social Surroundings.

The changes give no cause for additional environmental factors to be considered key environmental factors for the purposes of the assessment.

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

The proposed change includes a reduction in the amount of surplus water to be managed (from 6 GL/a to 1.7 GL/a). As such, the EPA considers that the change is unlikely to significantly increase any impact that the proposal may have on the environment.

The removal of aquifer reinjection as an option for managing surplus water is not expected to result in any significant new environmental impacts. The proposal referred includes two additional options to manage surplus water; discharge to surface water systems; and discharge to disused mine pits. The proponent maintains the commitment to manage surplus water within the boundary of the development envelope. As such, the EPA considers that the change is unlikely to significantly increase any impact that the proposal may have on the environment.

The addition of low-grade ore stockpiles at Eastern Range does not increase the area of clearing that was referred for the proposal (4,300 ha). As such, the EPA considers that the change is unlikely to significantly increase any impact that the proposal may have on the environment.

The details of the existing clearing permits approved under Part V of the EP Act have been updated to correct the information relating to CPS 4594. This clearing permit was amended on 18 October 2018 (from 220 ha to 251.4 ha) which had not been reflected

in the EPA referral form dated 2 November 2018. The EPA considers that this is an administrative change only.

The element 'dewatering' is to be changed to 'dewatering and water supply'. The 9 GL/a approved for abstraction under GWL109318 includes water sourced from borefields outside the development envelope. The EPA considers that this is an administrative change only.

c) Consequence of the likely impacts (or change)

The change to the proposal does not alter the types of impacts associated with the proposal. The consequence of the likely impacts on the environment are not expected to significantly increase as a result of the proposed change.

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

The EPA considers the resilience of the environment to cope with the change to the proposal remains unchanged from that of the proposal referred, should it be implemented.

e) Cumulative impacts with other projects

Cumulative impacts with other projects are not expected to increase as a result of the proposed change, the total additional clearing for the proposal (4,300 ha) remains unchanged. The proponent is to manage surplus water within the boundary of the development envelope. As such, the EPA considers that the change is unlikely to significantly increase any impact that the proposal may have on the environment. Cumulative impacts will be considered in the EPA's assessment of the proposal.

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

The impact to the environmental functions and values of the proposal area are unlikely to increase significantly as a result of the change to the proposal. A holistic assessment of the changed proposal will be undertaken during the EPA's assessment of the proposal.

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

The potential impacts are not expected to be significantly different to that for the proposal which was referred. A detailed assessment of the impacts and the proposed mitigation will be undertaken during the assessment of the proposal.

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

One comment was received during the 7-day public comment period following the referral of the proposal. The proposal is being assessed at the level of environmental

review – two-week public review. The public review period is expected to commence in May 2020.

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 amount of surplus water to be managed has been reduced.
- The proponent maintains the commitment to manage surplus water within the development envelope despite the removal of aquifer reinjection as a disposal method.
- Changes to the conceptual footprint do not result in a net increase to the clearing area.
- The correction of the already authorised clearing areas is only an administrative change.
- The change to the operational element 'dewatering' to 'dewatering and water supply' is only an administrative change.

Schedule 1

Change to Proposal

Table 1: Changes to the proposal key characteristics

Elements	Existing extent / approvals	Previously proposed extent (original referral)	Proposed extent (change)
Physical elements			
Mine and associated infrastructure	Existing disturbance footprint – 3,225 ha ¹ . Clearing of 1,446.4 ha is currently authorised under the following clearing permits: <ul style="list-style-type: none"> • CPS 4032 – 600 ha • CPS 4594 – 251.4 ha • CPS 5090 – 595 ha. 	Additional clearing of up to 4,300 ha within a 17,422 ha development envelope.	No change to the proposed extent. The minor change to the conceptual footprint can be achieved within the original proposed extent.
Operational elements			
Dewatering and water supply	Abstraction of up to 9 GL/a authorised under the <i>Rights in Water and Irrigation Act 1914</i> licence GWL109318.	Total abstraction estimated to not exceed 14 GL/a.	No change to the total abstraction. Change to the operational element title only.
Management of surplus water	Discharge of up to 0.8 GL/a from Joe's Crossing (Seven Mile Creek) authorised under the EP Act Part V licence L5275/1972.	Up to 6 GL/a managed via options including, but not limited to: <ul style="list-style-type: none"> • Controlled discharge of surplus water to watercourses. • Discharge to disused mine pits. • Aquifer reinjection. 	Up to 1.7 GL/a managed via options including: <ul style="list-style-type: none"> • Controlled discharge of surplus water to watercourses. • Discharge to disused mine pits.

Note 1: Historical clearing authorised under current and historical approvals.

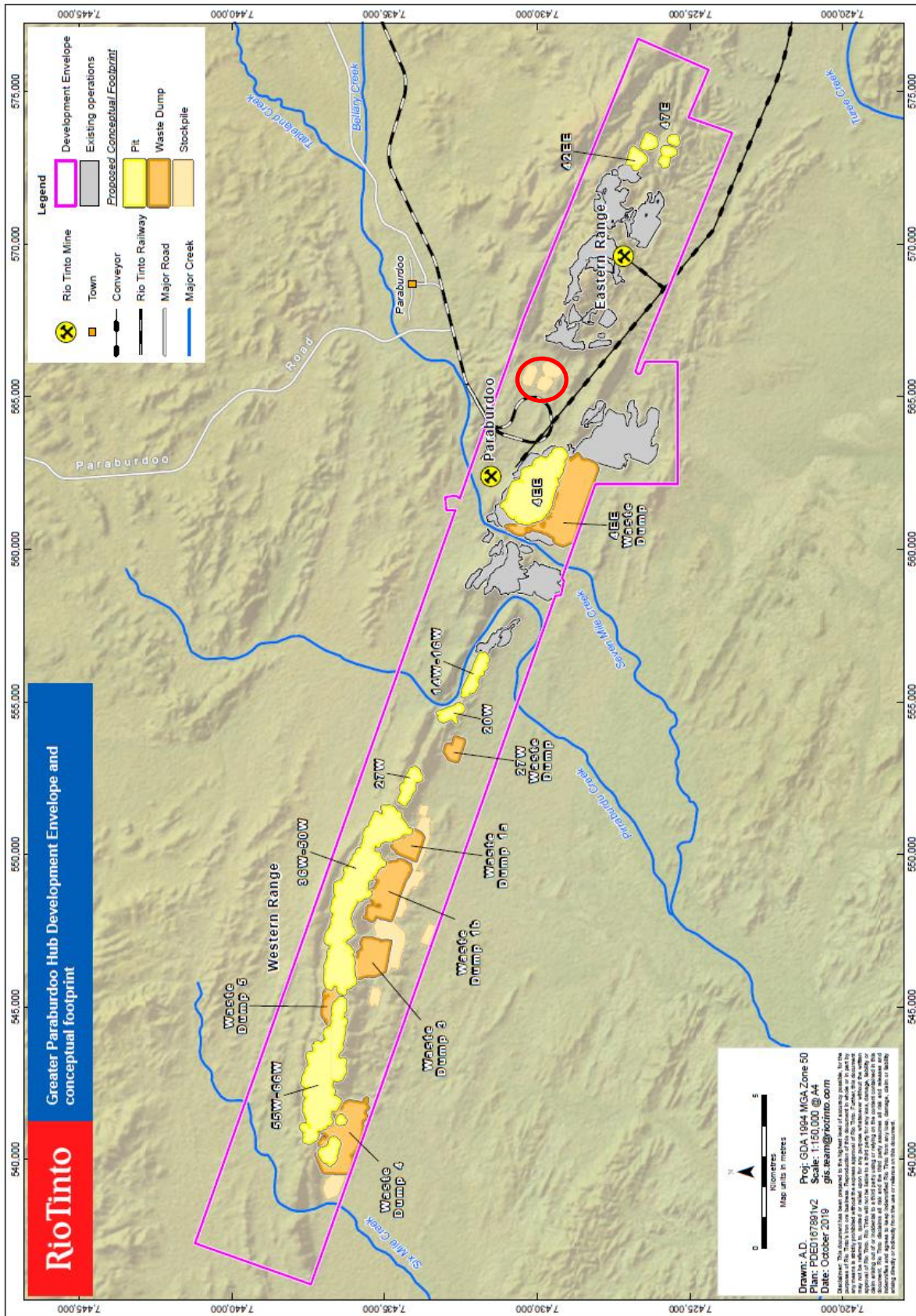


Figure 1: Changed conceptual footprint

Note: The red circle denotes the change to the conceptual footprint for additional stockpiles.