

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) Atlas Iron Pty Ltd (ACN: 110 396 168)
Raine Square, Level 17
300 Murray Street
PERTH WA 6000

PROPOSAL TO WHICH THIS NOTICE RELATES:

Miralga Creek DSO Project
Assessment No. 2246

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 -

The proposed changes relate to:

- Relocation of the Miralga West waste rock dump (WRD)
- Addition of an accommodation camp and associated infrastructure.
- Removal of potential stockyard areas.

Table 1 presents the changes to the proposal. Figures 1 to 4 presents the changes to the proposed development envelope and indicative disturbance 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.



Dr Tom Hatton
Delegate of the Environmental Protection Authority
CHAIRMAN

30 June 2020

Schedule 1

Change to Proposal

Table 1: Summary of the proposal

Proposal title	Miralga Creek DSO Project
Short description	<p>The proposal is to develop above water table mining of iron ore from three areas referred to as Sandtrax, Miralga West and Miralga East, approximately 100 km southeast of Port Hedland, along the Marble Bar Road.</p> <p>The proposal includes the development of mine pits and associated infrastructure including but not limited to processing facilities, waste landforms and access roads.</p> <p>The proposal will include an accommodation camp and utilise some existing ancillary infrastructure from the nearby Abydos DSO Project.</p>

Table 2: Location and proposed

Element	Location	Current proposal extent	Proposed change to the proposal extent
<i>Physical elements</i>			
Pits	Three at Miralga East One at Miralga West One at Sandtrax	Clearing of no more than 284.9 ha of native vegetation within 621.1 ha	Clearing of no more than 284.9 ha 219.8 ha of native vegetation within the 621.1 ha
Waste dumps	Miralga East Miralga West Sandtrax	Development Envelope.	556.8 ha Development Envelope.
Supporting infrastructure: <ul style="list-style-type: none"> • Access roads • Mine Operation Centre • Laydown areas • Administration areas • Explosives magazine • Fuel storage area • Haulage route • ROM stockyard 	Various locations		

<ul style="list-style-type: none"> • Accommodation camp • Wastewater treatment plant • Irrigation sprayfield • Landfill 	Within tenement L45/562		
<i>Operational elements</i>			
Groundwater abstraction	Existing borefields	Abstraction of no more than 0.9 GLpa of groundwater.	Abstraction of no more than 0.9 GLpa of groundwater.
Processing of ore (mobile crushing and screening plant)	Within the Development Envelope	Crushing and screening throughput of 2 Mtpa.	Crushing and screening throughput of 2 Mtpa.

Attachment 1: Changes to the proposal – Miralga West

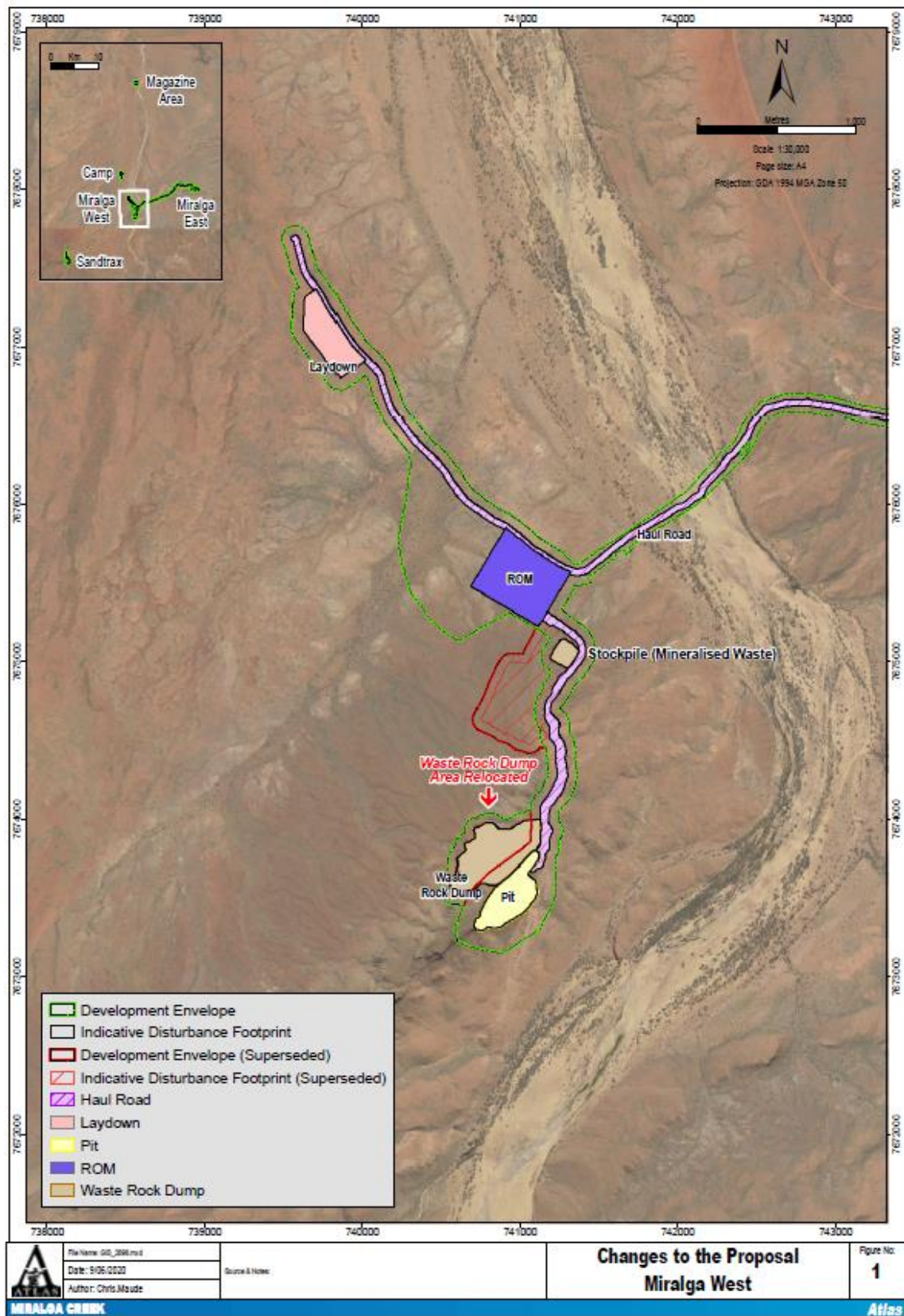
Attachment 2: Changes to the proposal – Accommodation Camp

Attachment 3: Changes to the proposal – Stockyards

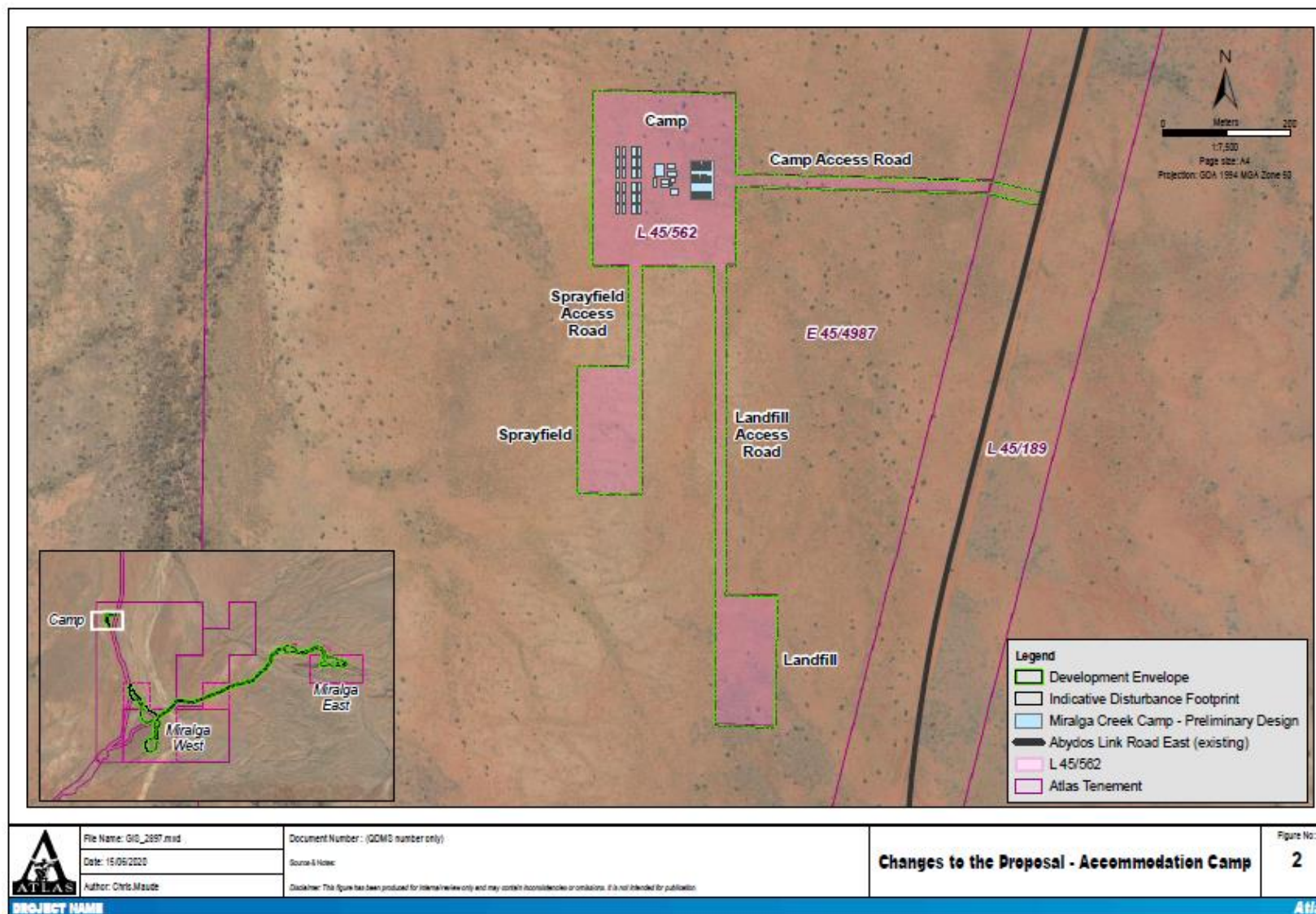
Attachment 4: Changes to the proposal – Development envelope and indicative disturbance footprint

Attachment 5: Changes to the proposal – Caves

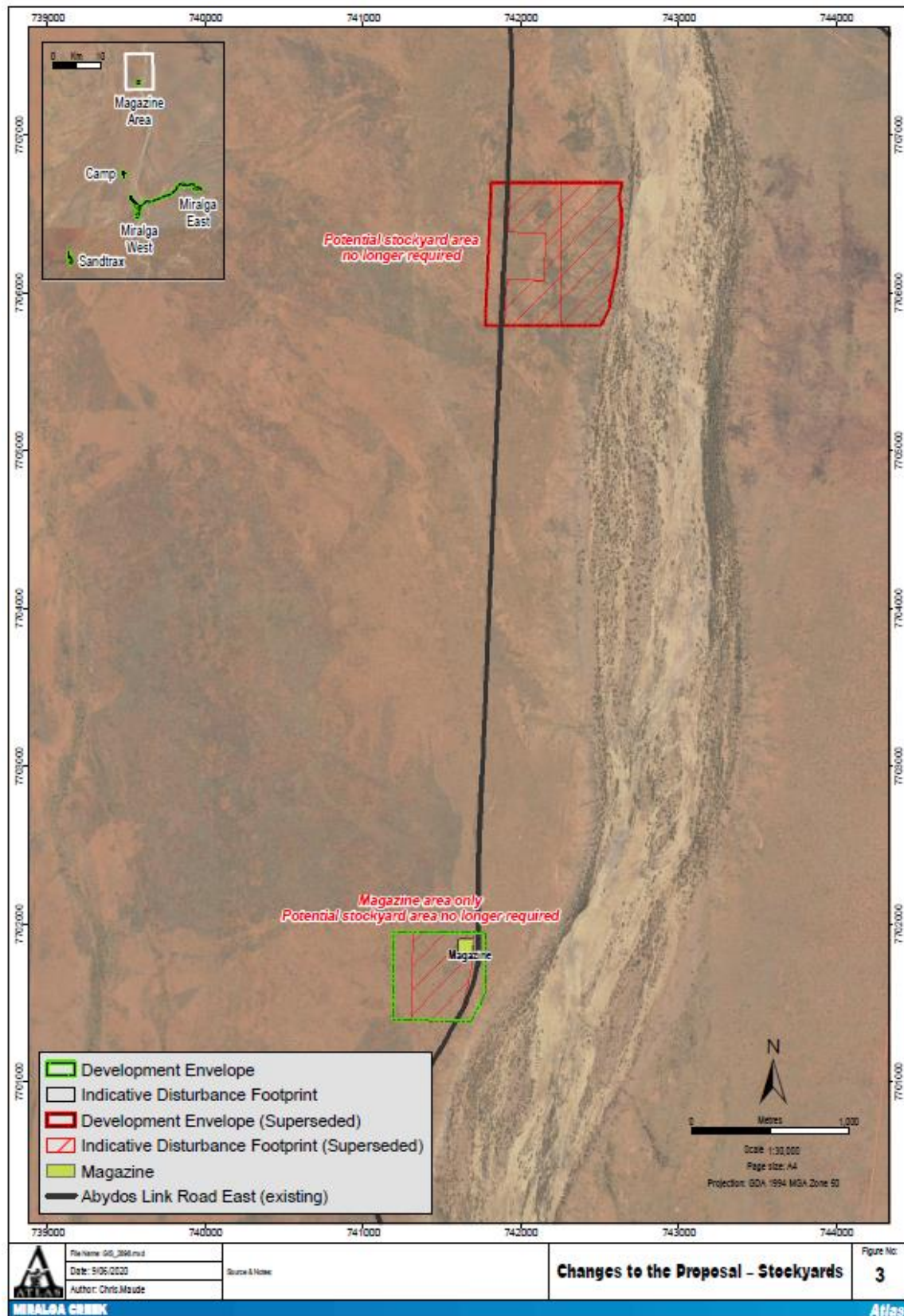
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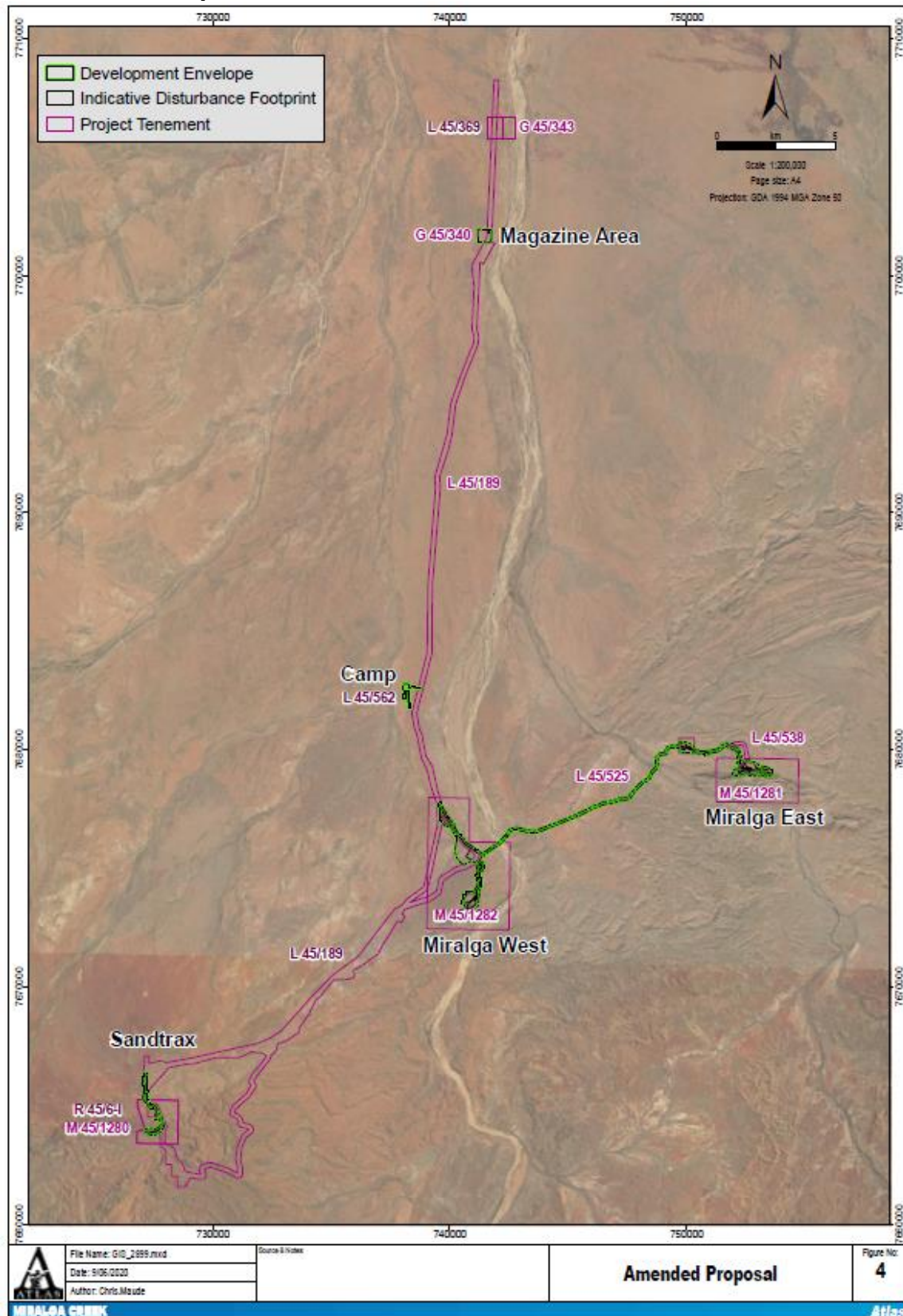
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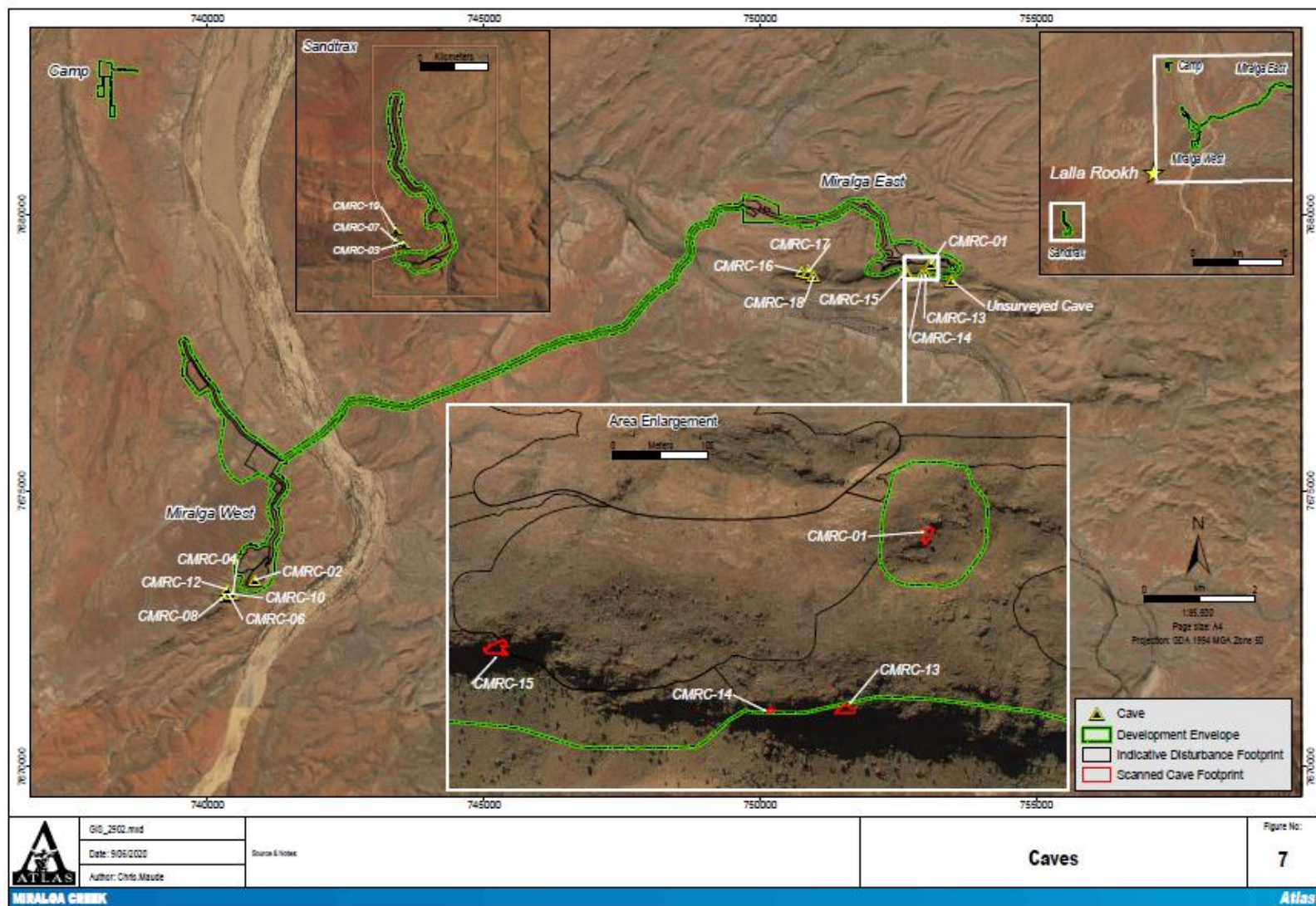
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Attachment 4: Changes to the proposal – Development envelope and indicative disturbance footprint



Attachment 5: Changes to the proposal – Caves



Environmental Protection Act 1986

Section 43A

STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: Miralga Creek DSO Project

Proponent: Atlas Iron 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.

I have also determined that no consultation or public review is necessary when considering the request to consent to the change. This is due to the nature of the changes, which would result in a decrease in the extent of the Proposal from that as described in the proponent's referral documentation.

Background

On 7 April 2020, the Atlas Iron 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 development of five open pits using conventional drill and blast, load and haul methods. 8 million tonnes of iron ore will be mined above the watertable over an approximate timeframe of four to five years. Associated infrastructure will include waste rock dumps. The existing borefield and accommodation camp from the nearby Abydos DSO Project was proposed to be utilised.

The proposal as referred included clearing of no more than 284.9 hectares (ha) of native vegetation within the 621.1 ha development envelope.

On 11 May 2020 the EPA determined to assess the Proposal at the level of Referral Information (with additional information required under section 40(2)(a) of the *Environmental Protection Act 1986*). Additional information was published on the EPA website for a 2 week public review, required for: EPA's assessment of Terrestrial Fauna (ghost bat and northern quoll).

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. The s43A change would result in a 64.3 ha decrease in the development envelope from 621.1 ha to 556.8 ha. The change adds an accommodation camp and associated infrastructure.

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. Atlas Iron Pty Ltd Miralga Creek DSO Project – Section S43A Application – Assessment No: 2246, dated 14 June 2020.
2. Atlas Iron Pty Ltd Miralga Creek DSO Project EPA Referral Document, dated 6 April 2020.
3. EPA Guidance and procedures.

Consideration

1. Nature of the proposed change

The proposed changes are:

- **Relocation of the Miralga West waste rock dump (WRD).**
 - The change was made to eliminate the need to haul waste rock over 1 km from the open pit at the top of the ridge to the WRD at the bottom of the ridge. The change is expected to increase the efficiency of operations by reducing vehicle emissions and costs.
- **Addition of an accommodation camp and associated infrastructure.**
 - The proponent has reviewed the original proposal and the use of the existing Abydos camp site and has found that the camp may not be the most suitable option for the proposal, due to its distance (over 40 km from Miralga East), existing arrangements for use of third parties and the potential for the Mt Dove camp infrastructure to become available in the near future.
 - The new camp proposed will be located 7 km north of the Miralga West ROM pad and west of the Abydos Link Road East. The camp will accommodate up to 80 people and include wet/dry messes, offices, gym, laundries, maintenance yard and diesel power generation.
 - It will require the following facilities:
 - potable water treatment and storage,
 - wastewater treatment plant (WWTP) and irrigation spray field
 - landfill.
 - The proposal will abstract groundwater from existing groundwater production bores under an existing licence. The original proposal was expected to use approximately 900 MLpa (0.9 GLpa) which is within the

licences ALRE borefield allocation of 1,198 MLpa. The camp will require a further 7 MLpa, which will not materially change the overall water requirement from 0.9 GLpa.

- **Removal of potential stockyard areas.**

- Changes to the proposed operations mean these stockyards are no longer required. Product stockpiling will instead occur at Miralga West.
- The northern (larger) stockyard has been removed from the indicative disturbance footprint and development envelope. The southern (smaller) stockyard has been removed from the indicative disturbance footprint, however the explosives magazine has been retained and the development envelope is unchanged in this location as it aligns with the proponents underlying general purpose tenement G45/340.

2. Stage of the assessment process

The EPA set level of assessment of Referral Information with additional information on 22 May 2020. The EPA is also conducting an accredited assessment under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) on behalf of the Commonwealth Department of Agriculture, Water and the Environment (DAWE). Additional information on Matters of National Environmental Significance was advertised for a two week public comment period in June and received no comments.

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 s43A application.

4. Community engagement

The proponent has engaged widely with the community in relation to the original proposal, including engagement with government agencies, key stakeholders and targeted landholders through 2019 and 2020. The EPA is unaware whether the community has been engaged with regard to the proposed changes. The EPA intends to publish information on the proposed changes for public information as part of the assessment process.

The referral document was sent for advice 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. The advice received by the above departments on referral information has been sent to the proponent to make changes to the Significant Species Management Plan.

5. Level of public concern

There has been limited public concern in relation to the Miralga Creek DSO Project. No public comment received in relation to the proponent's referral documentation for the proposal during the 7-day public comment period (comment period 20 to 26 April 2020). The public review of the additional information on Matters of National Environmental Significance for a two-week period commenced 28 May to 11 June 2020 and received no comments

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

- Flora and Vegetation
- Terrestrial Fauna

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

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

The proposed changes will result in an overall decrease in total area of the development envelope from 621.1 ha to 556.8 ha, compared to the original proposal this is a 64.3 ha (10 %) reduction. A reduction of clearing in the inductive disturbance footprint from 284.9 ha to 219.8 ha, compared to the original proposal this is a 65.1 (22 %).

The relocation of Miralga West WRD to a new location adjacent to the pit. It is not expected to result in any significant new environmental impacts. Reduction in haul distances, increase in efficiency and reduced vehicle costs and greenhouse gas emissions.

Addition of the accommodation camp will require clearing of 12.2 ha, but this is offset by the 72.5 ha decrease in clearing with the removal of stockyards. There are no records of conservation significant flora in the areas added to the development envelop and inductive disturbance footprint. Impacts to Groundwater Dependent Vegetation (GDV) from drawdown as presented in the original proposal were calculated on the extent of Vegetation Type 5 (VT5) within the 0.5 m drawdown contours. As the additional water requirement for the camp represents a 0.8 % increase in the proposals total water requirement, the change to drawdown contours would be negligible and the change in predicted impact of groundwater drawdown on GDV is considered negligible.

Impacts to most fauna habitat types will reduce or remain the same under the amended proposal except for major drainage and hillcrest/hillslope. Impacts to major drainage will increase from 19.6 ha to 19.8 ha (increase by 0.3 %). Impacts to hillcrest/hillslope will increase from 58.9 ha to 66.2 ha due to the relocation of the Miralga West WRD. This represents 15.4 % of the mapped area of hillcrest/hillslope habitat, up from 13.7 % in the original proposal. While this is an increase in impact to significant habitat used by conservation significant species, it is not likely to significantly increase the impact of the proposal on the environment after mitigations (including offsets) are applied.

The EPA considers that the change is unlikely to significantly increase any impact that the proposal may have on the environment.

- Consequence of the likely impacts (or change)

The change to the proposal of the addition of an accommodation camp and associated infrastructure does alter the types of impacts associated with the proposal. However, the consequence of the likely impacts on the environment are not expected to significantly increase as a result of the proposed change.

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

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

- Cumulative impacts with other projects

The change represents a decrease in total clearing of native vegetation required for the proposal, which will decrease the potential for cumulative development pressures from the proposal but it is unlikely to significantly change the cumulative impact at a local or regional scale. Cumulative impacts will be considered in the assessment of the changed proposal as they were to be considered during the assessment of the original proposal.

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

A holistic assessment of the changed proposal will be undertaken during the assessment stage of the proposal. The change to the proposal is not expected to alter any connections or interactions with the receiving environment different to the original proposal.

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

There is no significant change to the level of confidence in the predicted impacts and the success of proposed mitigation as a result of the changes.

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

There have been no comments received during the seven day public comment period and the two week public comment period. The level of public interest is not expected to change given the nature of the proposed changes (non-significant) to the proposal.

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 proposed changes do not alter the type of impacts likely to be caused by the proposal and will be considered during the assessment;
- The proposed changes have reduced the indicative disturbance footprint by 65.1 ha (22 %).
- The impact to Hillcrest/Hillslope habitat increasing by 7.3 ha is considered to be small compared to the original proposal and not significant after the application of mitigations are in place including a Significant Species Management Plan and offsets.

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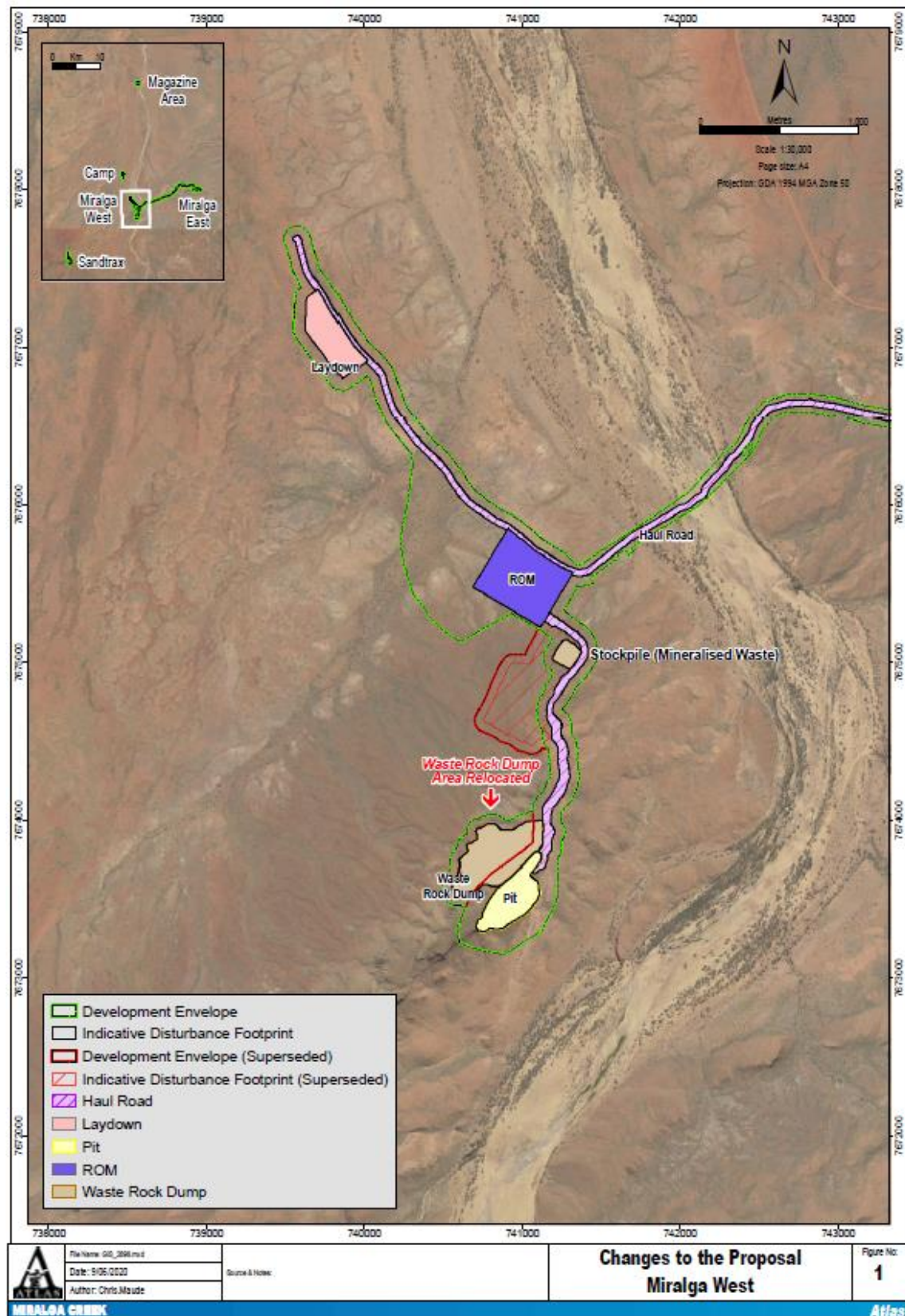
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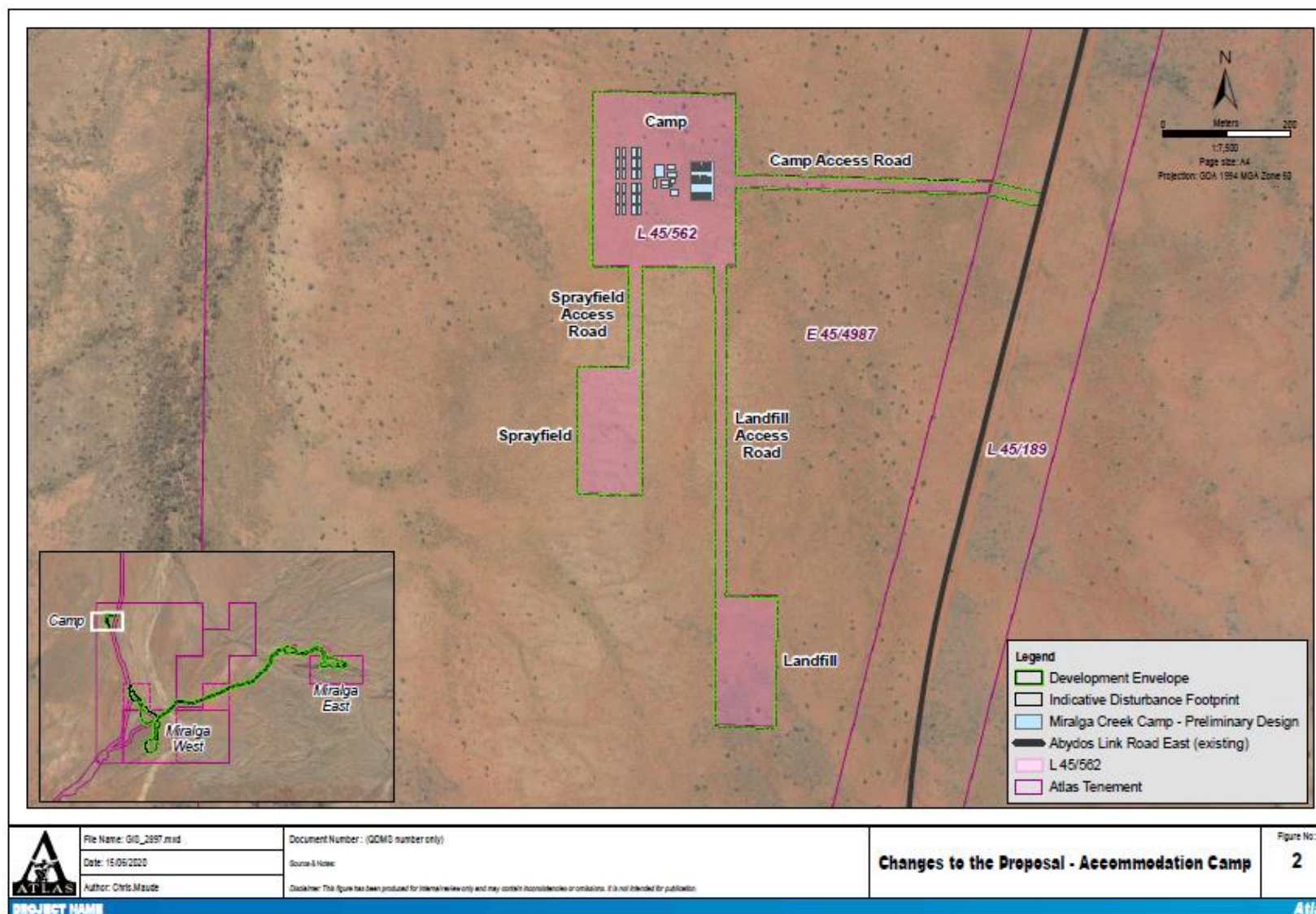
Attachment 6: Changes to the proposal – Vertebrate fauna habitats

Attachment 7: Changes to the proposal – Caves

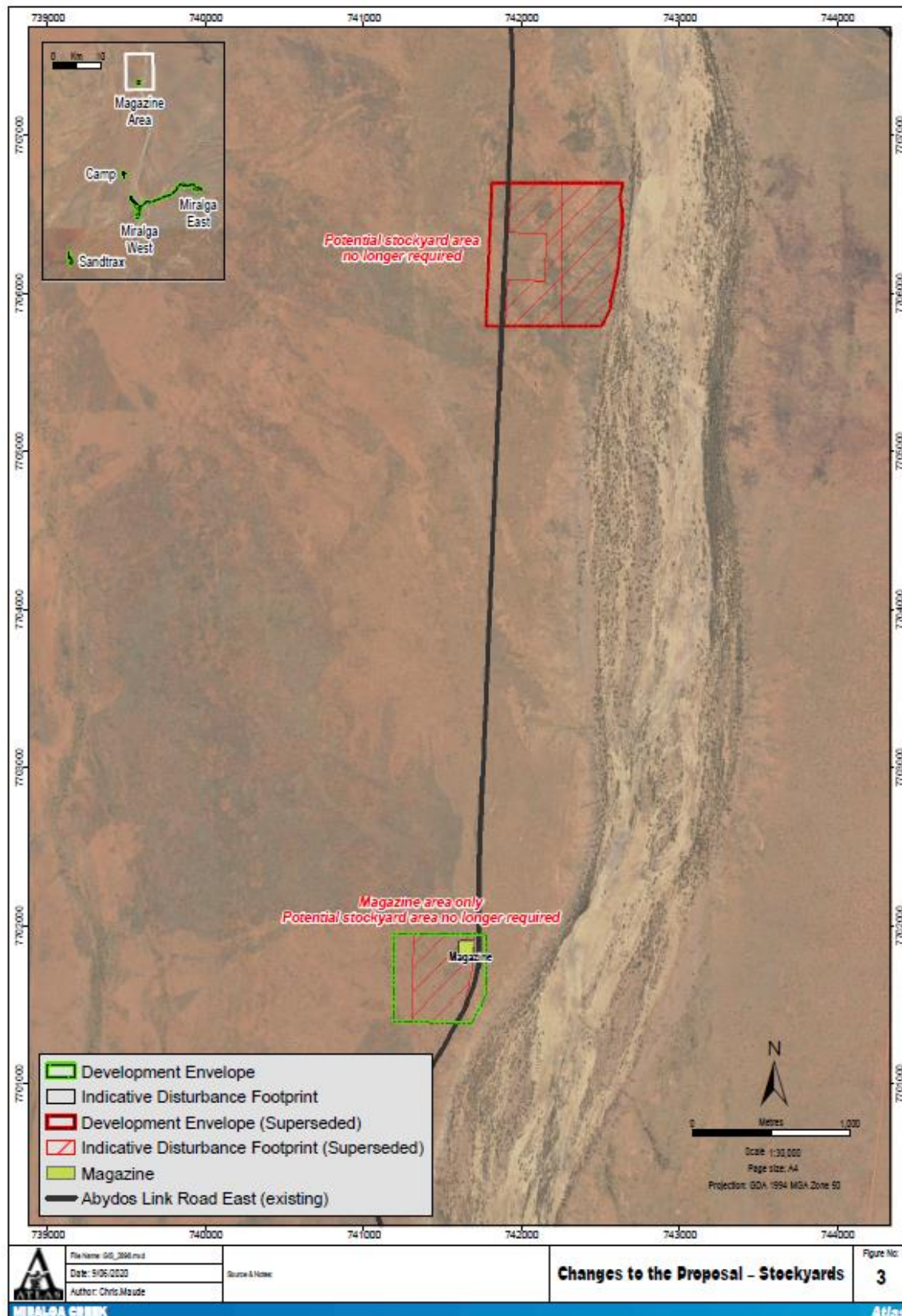
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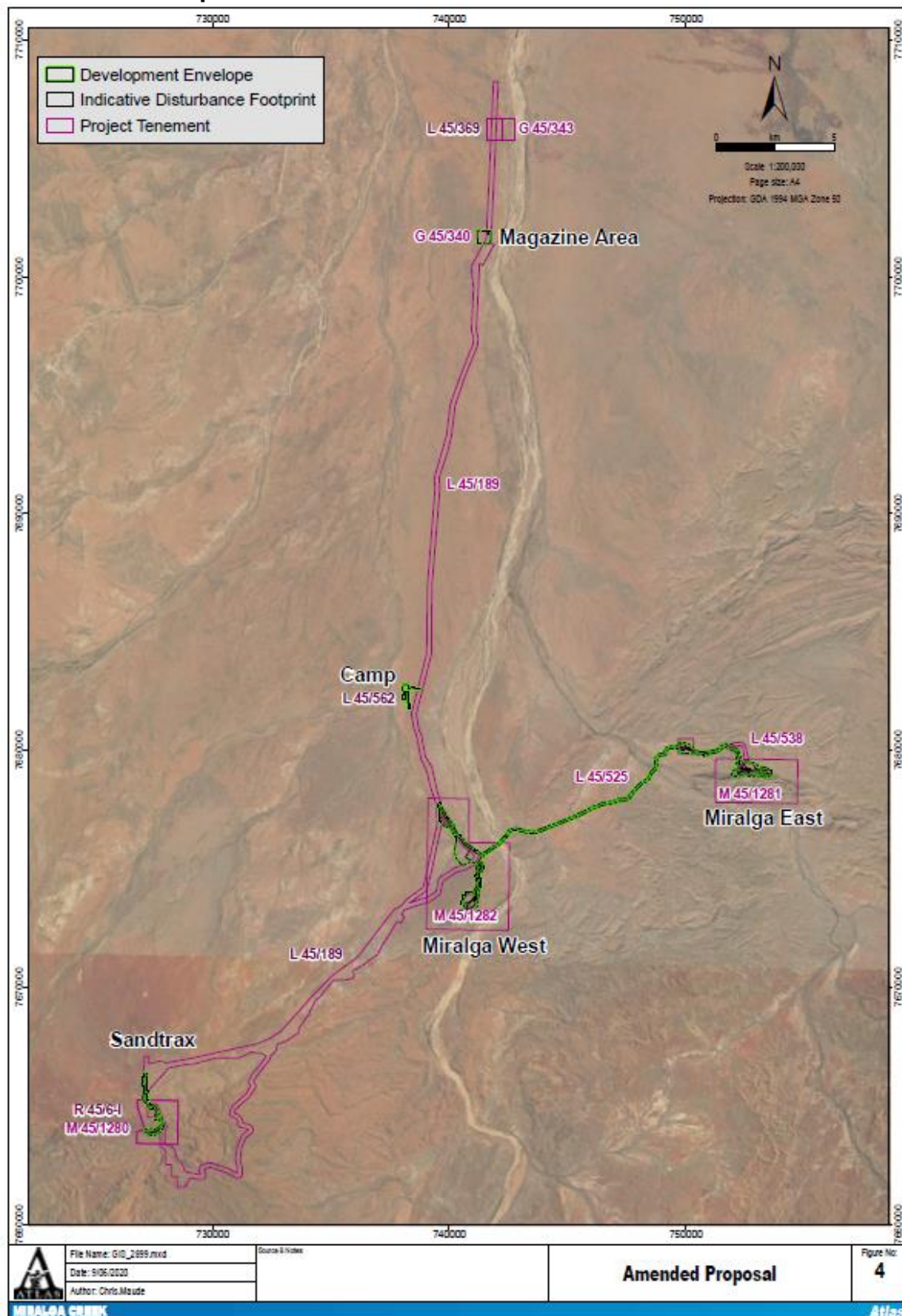
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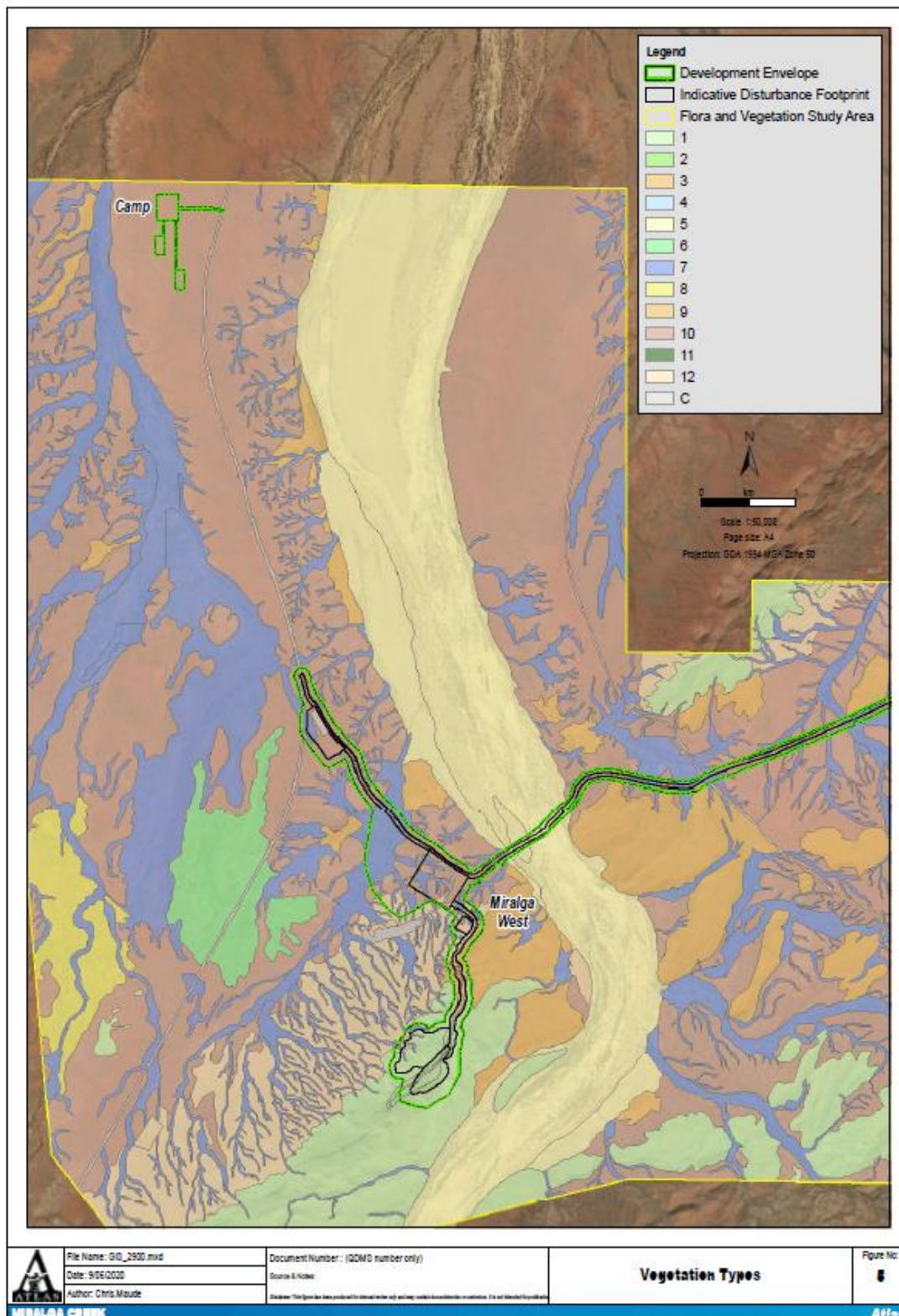
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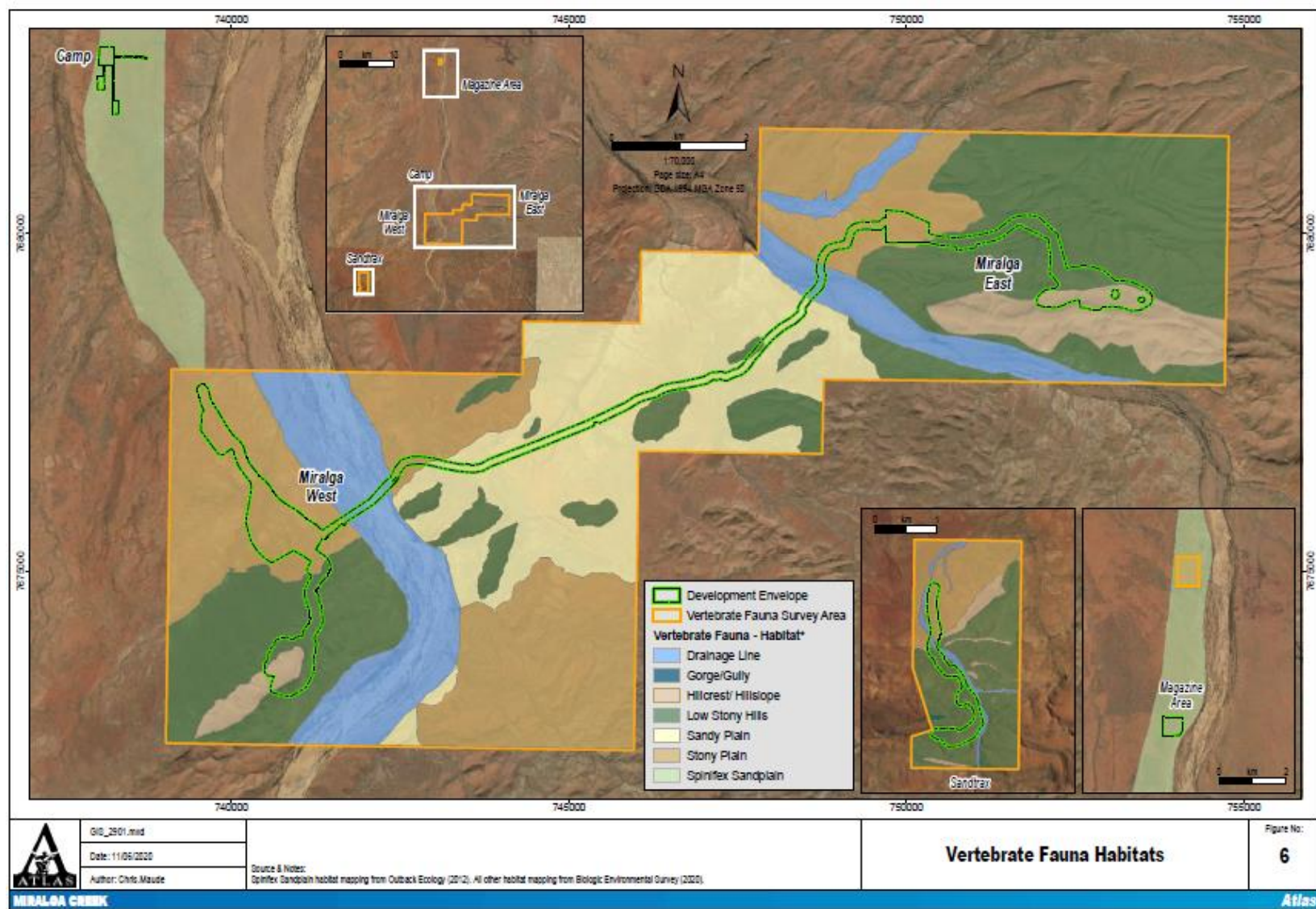
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