

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) Alcoa of Australia Limited (ABN: 93 004 879 298)
181-205 Davy Street
BOORAGOON WA 6154

PROPOSAL TO WHICH THIS NOTICE RELATES:

Pinjarra Alumina Refinery Revised Proposal
Assessment No. 2253

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:

- *Increasing the total disturbance area within the Pinjarra Refinery envelope from an additional 10 ha of native vegetation clearing to 89 ha of native vegetation clearing (within a broader 299 ha disturbance footprint) (Figure 1).*
- *Reducing the clearing of native vegetation associated with mining by 79 ha (from 6700 ha to 6621 ha) to counterbalance the increased clearing at the Pinjarra Refinery.*
- *The Holyoake mining development envelope has been reduced from 10,170 ha to 9,158 ha (reduction of 1,012 ha) (Figure 2). This represents a reduction of the total development envelope for mining from 42,415 ha to 41,403 ha (Figure 3).*


See Schedule 1, Figure 1, Figure 2 and Figure 3 attached.

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.

A handwritten signature in blue ink, appearing to read 'Matt Tonts', with a stylized flourish extending to the right.

Professor Matthew Tonts
Delegate of the Environmental Protection Authority
CHAIR

30 March 2021

Schedule 1

Change to Proposal

Element	Referral	Proposed Change	Revised Proposal
Development envelope refinery	Incorporate existing disturbance and additional clearing (10 ha) within the 3241 ha development envelope.	Increasing the native vegetation clearing requirements by 79 ha (to a total of 89 ha within a broader 299 ha disturbance footprint).	Disturbance of no more than 1695 ha ¹ within the 3241 ha development envelope.
Development envelope mining	Clearing of no more than 6700 ha within the 42,415 ha development envelope.	Reducing the Holyoake development envelope by 1012 ha. Reducing the clearing of native vegetation associated with mining by 79 ha.	Clearing of no more than 6621 ha within the 41,403 ha development envelope.

¹ Incorporating historical disturbance (Previous clearing approved under Part IV (Ministerial Statement 646) and Part V of the EP Act) and an additional 299 ha of disturbance



Figure 1. Refinery development envelope and proposed disturbance

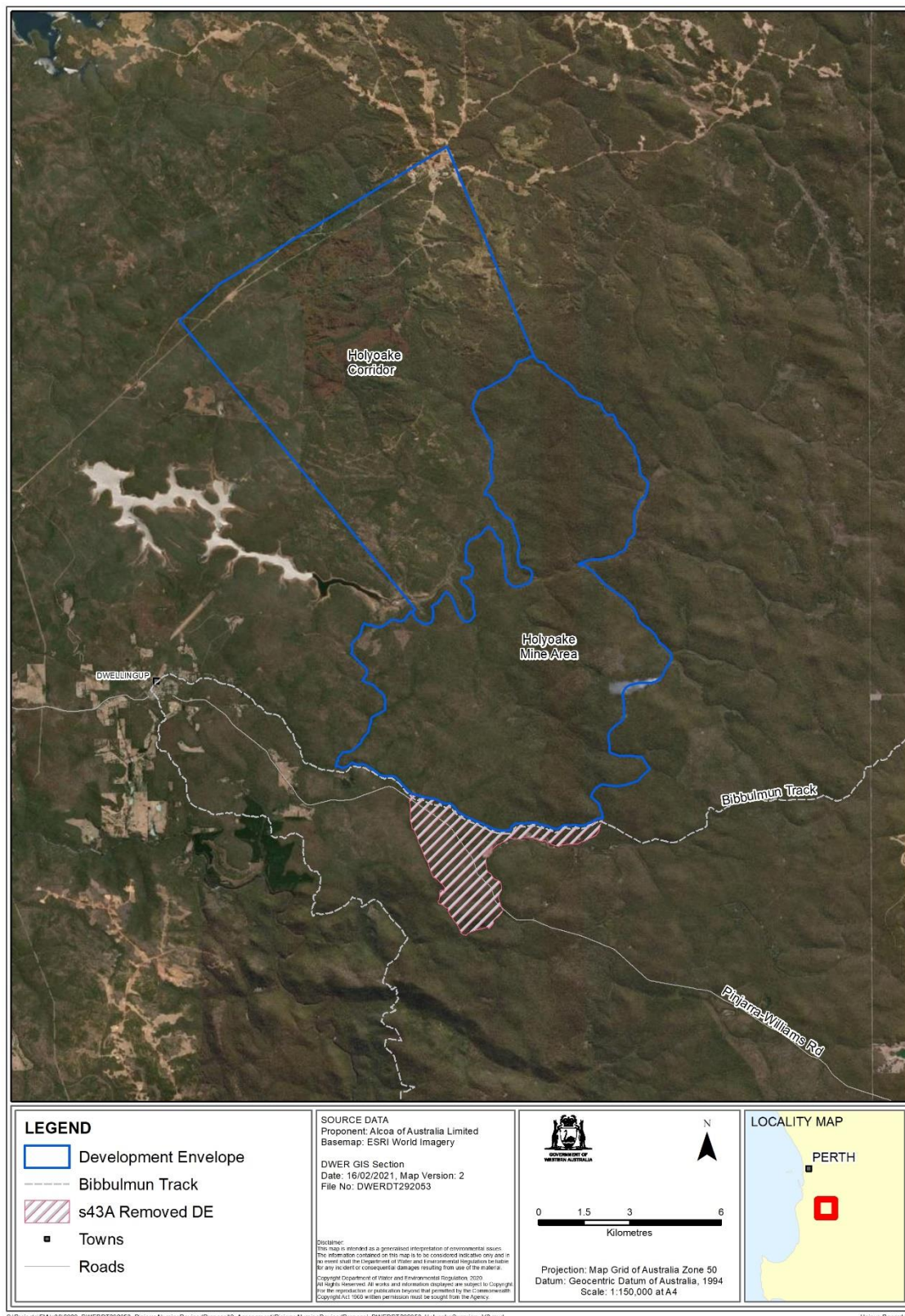


Figure 2. Holyoake Mining development envelope

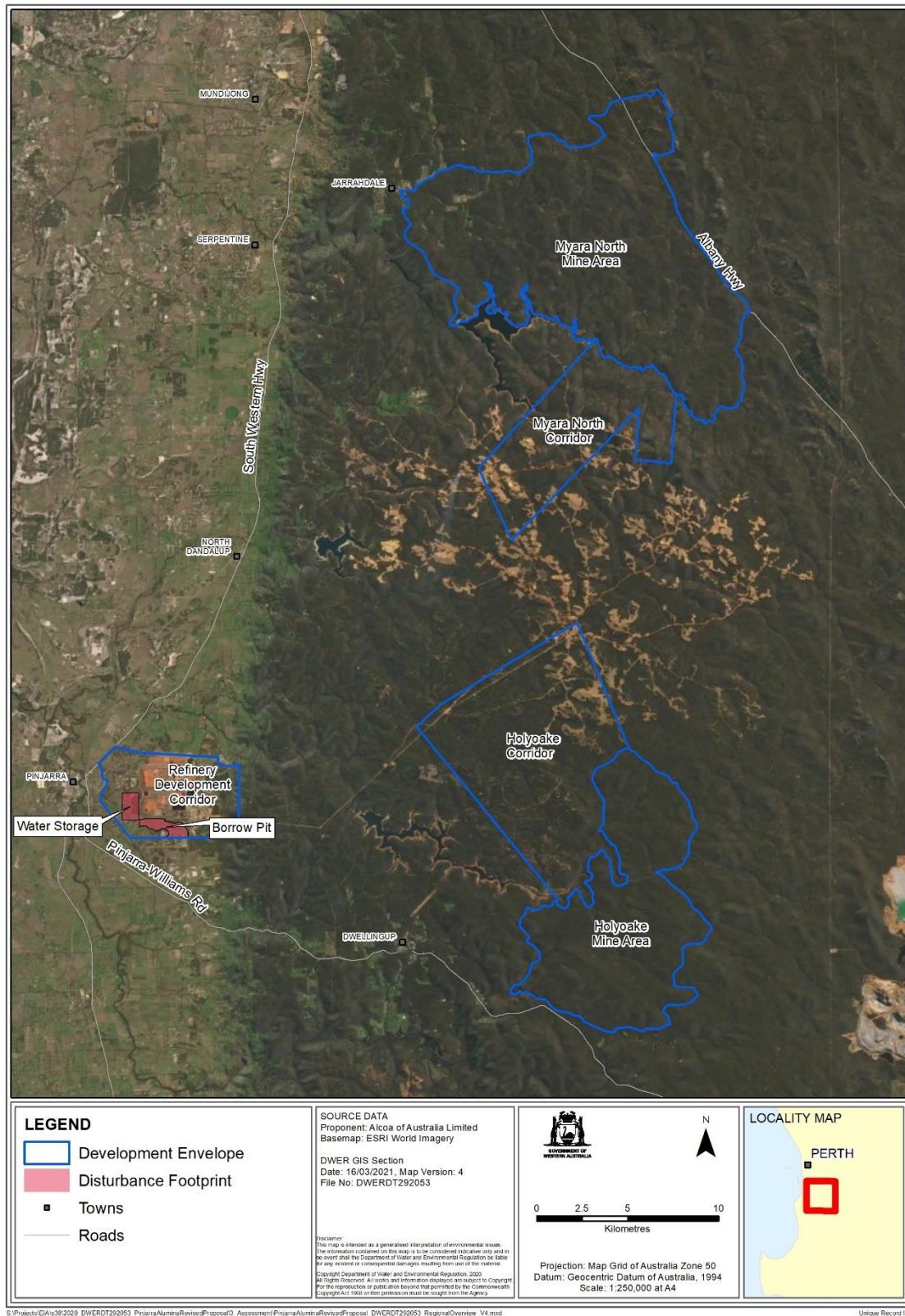


Figure 3. Proposal overview map

Environmental Protection Act 1986

Section 43A

STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: Pinjarra Alumina Refinery Revised Proposal

Proponent: Alcoa of Australia 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 June 2020, the Proponent (Alcoa of Australia Limited) referred the proposal to the Environmental Protection Authority (EPA) under section 38 of the *Environmental Protection Act 1986* (EP Act). The proposal included an increase in alumina production at the refinery by 5 percent, from 5.0 Million tonnes per annum (Mtpa) to 5.25 Mtpa, a transition of the Huntly mine into the Myara North and Holyoake regions and an increase in the rate of mining within ML1SA to supply up to 2.5 Mtpa of bauxite for export.

The EPA determined to assess the proposal at the level of Public Environmental Review, 8 weeks on 1 July 2020.

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. Pinjarra Alumina Refinery Revised Proposal – Section 43A request to change Proposal during assessment (2 February 2021)
2. Environmental Referral Supporting Document (Alcoa, June 2020)
3. Public comments (7-day public comment period on referral supporting document)
4. Additional information provided by the proponent to amend the section 43A request (dated 12 March 2021)
5. Approval of the variation to the proposal in accordance with section 156B of the EPBC Act (date of decision 16 March 2021)
6. The current stage of assessment
7. EPA Guidance and procedures.

Consideration

1. Nature of the proposed change

The two changes proposed are different in nature, given one represents a potential increase to impacts (increase in disturbance at the refinery), and the other represents a potential decrease to impacts (decreased mining envelope for the Holyoake region and decreased clearing for mining). The consideration of each are discussed in more detail below.

Disturbance at the refinery

As part of the initial referral to the EPA, the Proponent had only quantified the amount of native vegetation clearing thought to be required for the borrow pit (10 hectares (ha)) but did not quantify the broader disturbance footprint (e.g. utilising cleared lands). As part of this change to proposal, the Proponent has now incorporated both native vegetation clearing and clearing of disturbed land to quantify the total disturbance footprint. The proposed change includes an increase in disturbance at the refinery from the clearing of 10 ha of native vegetation to the clearing of 89 ha of native vegetation within a 299 ha disturbance footprint.

The proposed change requires clearing additional vegetation not part of the original disturbance footprint identified in referral documentation. However, the Proponent has prioritised disturbance on cleared land and vegetation that is in degraded condition. Within the broader 299 ha disturbance footprint, 89 ha of vegetation will be cleared (10 ha associated with the borrow pit and 79 ha for water storage), with the remaining disturbance occurring on already disturbed land (see Figure 1).

Reduction to the Holyoake mining area and associated clearing

Although the proponent is increasing disturbance at the refinery, to counterbalance this, the proponent is reducing the development envelope for the Holyoake mining area and reducing the total clearing required for mining by 79 ha (see Table 1). This reduction avoids vegetation in better condition than that found at the refinery. Therefore, the potential impacts will remain comparable to that referred.

The proposed change will result in a reduction to the impacts on the Social Surroundings environmental factor. The original referral included a development envelope that intersected the Bibbulmun Track, Pinjarra-Williams Road, a historic railway line, and rural properties in Inglehope. The original referral development envelope was also directly adjacent to Lane Pool Reserve. The reduction avoids crossing of the Bibbulmun Track, the Pinjarra-Williams Road and the historic railway line (see Figure 2). This will reduce potential amenity and recreation impacts. In addition, the revised development envelope avoids the rural properties at Inglehope and increases the distance between the development envelope and Lane Pool reserve.

Table 1. Proposed changes to development envelopes and clearing

Element	Site	Original Development Envelope (ha)	Varied Development Envelope (ha)	Original Clearing (ha)	Varied Clearing (ha)
Mining	Myara North	17,449	17,449	6700	6621 (reduction of 79 ha)
	Holyoake	10,170	9,158		
Mining conveyor	Myara North	5,254	5,254		
	Holyoake	9,542	9,542		
Total Mining		42,415	41,403	6700	6621 (reduction 79 ha)
Refinery	Pinjarra	3,241	3,241	10	89 ¹ (increase of 79 ha)
Total (mining and refinery)		45,656	44,644	6710	6710 (no change in vegetation clearing)

¹ Total of 89 ha of native vegetation clearing within a broader 299 ha disturbance footprint (e.g. utilising existing disturbed lands).

2. Stage of the assessment process

The proposal is currently at the draft Environmental Scoping Document (ESD) stage. The changes to this proposal will need to be addressed in the required work outlined in the final ESD. The ESD will require endorsement by the EPA and will be made publicly available on the EPA website.

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

The Proponent has amended the disturbance area within the Pinjarra Refinery to accommodate development of water storage ponds to the west of the Residue Storage Areas (RSAs) and borrow pits to the south of the RSAs to supply pond construction materials. The proposed water storage ponds are required for current operations and ongoing operations up to 5.25 Mtpa. The change in site layout at the refinery has been based on recent consultation with the Department of Water and Environmental Regulation and the Commonwealth Department of Agriculture, Water and the Environment.

The Proponent has also amended the Holyoake mine area development envelope to remove an approximate 1012 ha portion from the southern end. Alcoa has made the amendment based on public submissions and feedback to reduce the potential impacts to Social Surroundings (for example, reductions in impacts to recreation for users of the Bibbulmun Track). To counterbalance the increased disturbance at the Pinjarra Refinery, the proponent has also reduced the clearing associated with mining by 79 ha.

4. Community engagement

The referral document was released for 7 day public comment from 17 June 2020 to 23 June 2020. The Environmental Review Document for the proposal will be released for an 8-week public review period.

The EPA Services Division understands that the proponent has undertaken additional community consultation in relation to the proposal and will continue to do so during the assessment process.

5. Level of public concern

The proposal received 1732 public comments during the 7 day public comment period. A large proportion requested an “Assess – Public environmental review” level of assessment. Comments raised several areas of potential concern including the scale of the proposal and the potential impacts to tourism and recreation near the town of Dwellingup.

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

Although the proponent is increasing the disturbance footprint at the refinery, a large portion of the disturbance has been allocated to existing cleared areas. Disturbance comprises largely of fragmented patches of native vegetation and plantations in degraded condition. The refinery disturbance footprint does not contain Threatened or Priority Ecological Communities (TECs/PECs) and the change is unlikely to indirectly impact TECs or PECs that are known to or may exist within the refinery development envelope. There are also no known populations of Threatened or Priority flora species within the proposed refinery disturbance footprint.

The increase in clearing at the refinery does have the potential to impact on Terrestrial Fauna as the vegetation being cleared represents potential foraging habitat for black-cockatoo species. Three black-cockatoo species (Carnaby's cockatoo, Baudin's cockatoo, and Forest red-tailed black cockatoo) were identified as potentially impacted species in the referral supporting document. Based on the quality of the vegetation and fauna habitat at the refinery, the

change to the proposal is not likely to lead to significantly different impacts to those from the original referral. The proposed avoidance and mitigation for these species will be quantified by the Proponent as part of the Environmental Review Document.

Potential impacts to other factors as a result of the disturbance at the refinery, such as Inland Waters and Social Surroundings, are also not likely to be significantly increased from the referral. The water storage ponds at the refinery will be designed to manage accumulated wet season run off to prevent discharge into the Oakley Brook and Murray River. In addition, the ponds will be designed to prevent seepage into groundwater. The area disturbed for the proposed borrow pit will be contoured and rehabilitated post-disturbance, to support the pre-disturbance land use (i.e. agriculture). Whilst construction of the water storage ponds may result in dust and noise emissions, when compared to the original referral, these would be temporary and not contribute to the cumulative emissions in a significant manner. The potential impacts to sensitive receptors in proximity to the refinery and subsequent proposed avoidance and mitigation can be adequately considered under the Preliminary Key Environmental Factors identified during the level of assessment determination.

The reduction to the Holyoake mining development envelope avoids areas of value, particularly those relating to Social Surroundings. The reduced development envelope ensures the proposal avoids crossing of the Bibbulmun Track, the Pinjarra-Williams Road and the historic railway line. In addition, the revised development envelope avoids the rural properties at Inglehope and increases the distance between the development envelope and Lane Pool Reserve.

In addition, to counterbalance the increased clearing at the refinery, the proponent has reduced the overall clearing requirements associated with mining by 79 ha. The vegetation within the mining footprint is likely to be higher condition and quality than the vegetation at the refinery, and as such may represent a potential decrease in impacts as a result of the change.

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

The change to the proposal will not alter the duration of the operation or life of mine. The change represents an increase in disturbance (geographic footprint) at the refinery. As noted above, the Proponent has preferentially allocated disturbance to existing cleared/disturbed areas and areas of degraded native vegetation. The water storage ponds will have an embankment of approximately 18 metres (m) in height, adjacent to the existing 40 – 50 m high residue storage areas. Existing visual screening vegetation is in place at the refinery boundary to minimise amenity impacts for the residue storage areas.

The decrease in the mining development envelope represents a decrease in the extent of the impacts (particularly for Social Surroundings as discussed above). The intensity and magnitude of operations will likely remain comparable

to those referred, as the total vegetation clearing associated with mining has also been reduced by 79 ha.

- Consequence of the likely impacts (or change)

The change to the proposal does not alter the key environmental factors associated with the proposal, however, it is expected the change will decrease the likely impacts on Social Surroundings.

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

The EPA Services Division considers that the resilience of the environment to cope with the impacts from the change would remain comparable with the original referral, should it be implemented.

- Cumulative impacts with other projects

The reduction in the development envelope away from the Dwellingup townsite would likely reduce the potential cumulative impacts with other development within the broader Dwellingup region. The increased clearing at the refinery has the potential to increase the cumulative impact within the broader Pinjarra region.

The Proponent will be required to address cumulative impacts as part of the public environmental review process, including discussing other existing or reasonably foreseeable development in the vicinity of the proposal, such as mining operations, timber harvesting, and potential impacts from climate change.

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

Based on the scale of the proposed changes, the connections and interactions of the environment are likely to be comparable to those identified in the original referral. A holistic assessment of the impacts of the proposal on the whole environment will be undertaken during the EPA's assessment of the proposal. This will describe the connections and interactions between the parts of the environment (environmental factors) and discuss predicted outcomes in relation to the environmental principles and the EPA's environmental objectives.

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

The change to the proposal is based on the most recently available information provided by the Proponent. The decrease in the Holyoake mining development envelope and the prioritisation for degraded and cleared areas at the refinery, in turn provide a high level of confidence that the potential impacts remain comparable with the original referral. The potential impacts and proposed

avoidance and mitigation for all key environmental factors will be further quantified by the Proponent as part of the Environmental Review Document.

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

Submissions received during the public comment period indicates that the scale of the proposal and the potential impacts to tourism and recreation near the town of Dwellingup were of concern. The reduction in the Holyoake mining development envelope may therefore decrease the level of public concern, however, the EPA Services division considers that the level of public interest in the proposal will likely remain the same as the original referral.

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 the level of impacts will not substantially differ to those described in the referral supporting document. Importantly, as a result of public submissions and feedback to reduce the potential impacts to Social Surroundings (for example, reductions in impacts to recreation for users of the Bibbulmun Track), the Proponent has reduced the Holyoake mining development envelope to avoid areas of high value to the community.

Schedule 1

Change to Proposal

Element	Referral	Proposed Change	Revised Proposal
Development envelope refinery	Incorporate existing disturbance and additional clearing (10 ha) within the 3241 ha development envelope.	Increasing the native vegetation clearing requirements by 79 ha (to a total of 89 ha within a broader 299 ha disturbance footprint).	Disturbance of no more than 1695 ha ¹ within the 3241 ha development envelope.
Development envelope mining	Clearing of no more than 6700 ha within the 42,415 ha development envelope.	Reducing the Holyoake development envelope by 1012 ha. Reducing the clearing of native vegetation associated with mining by 79 ha.	Clearing of no more than 6621 ha within the 41,403 ha development envelope.

¹ Incorporating historical disturbance (Previous clearing approved under Part IV (Ministerial Statement 646) and Part V of the EP Act) and an additional 299 ha of disturbance

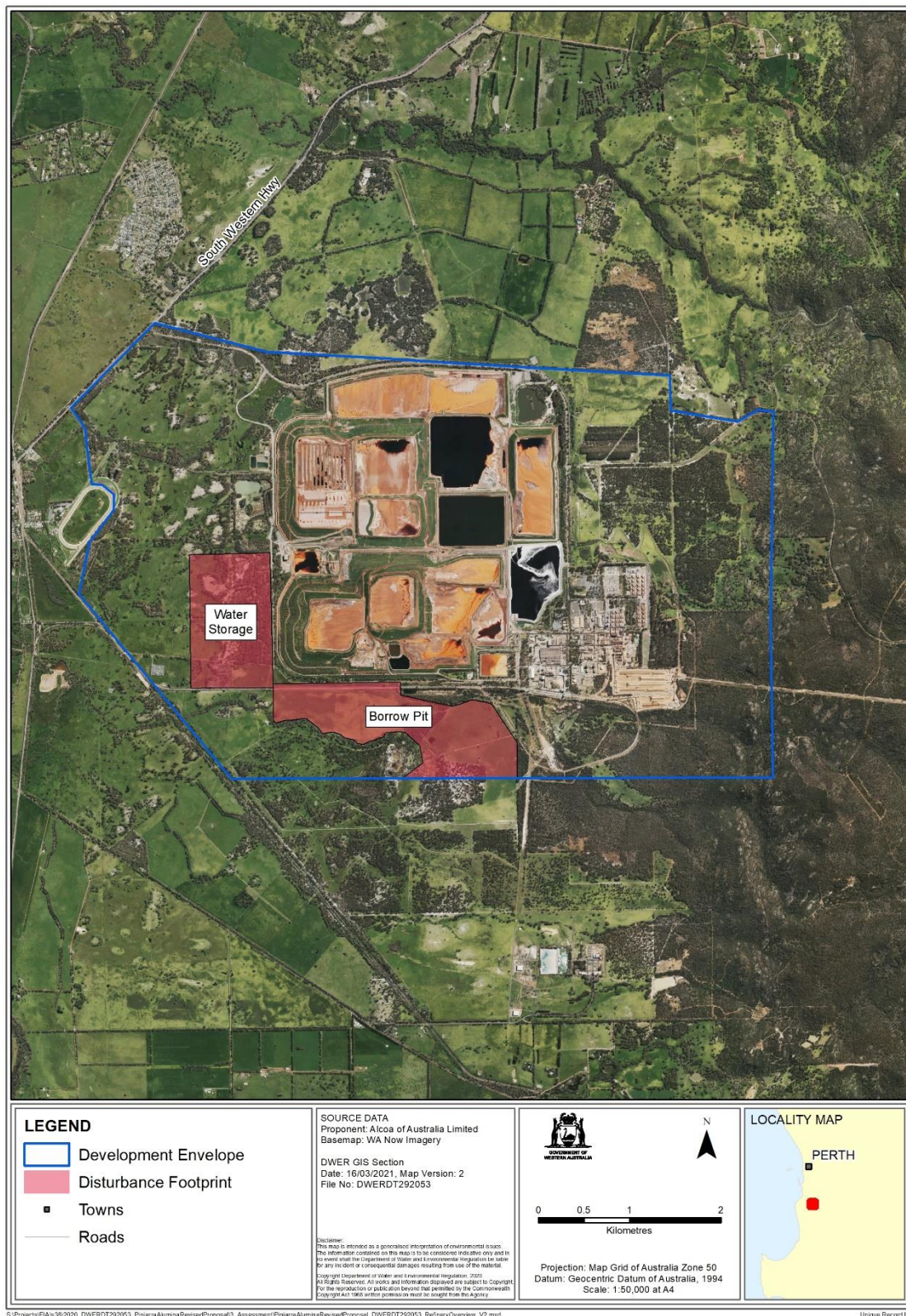


Figure 1. Refinery development envelope and proposed disturbance

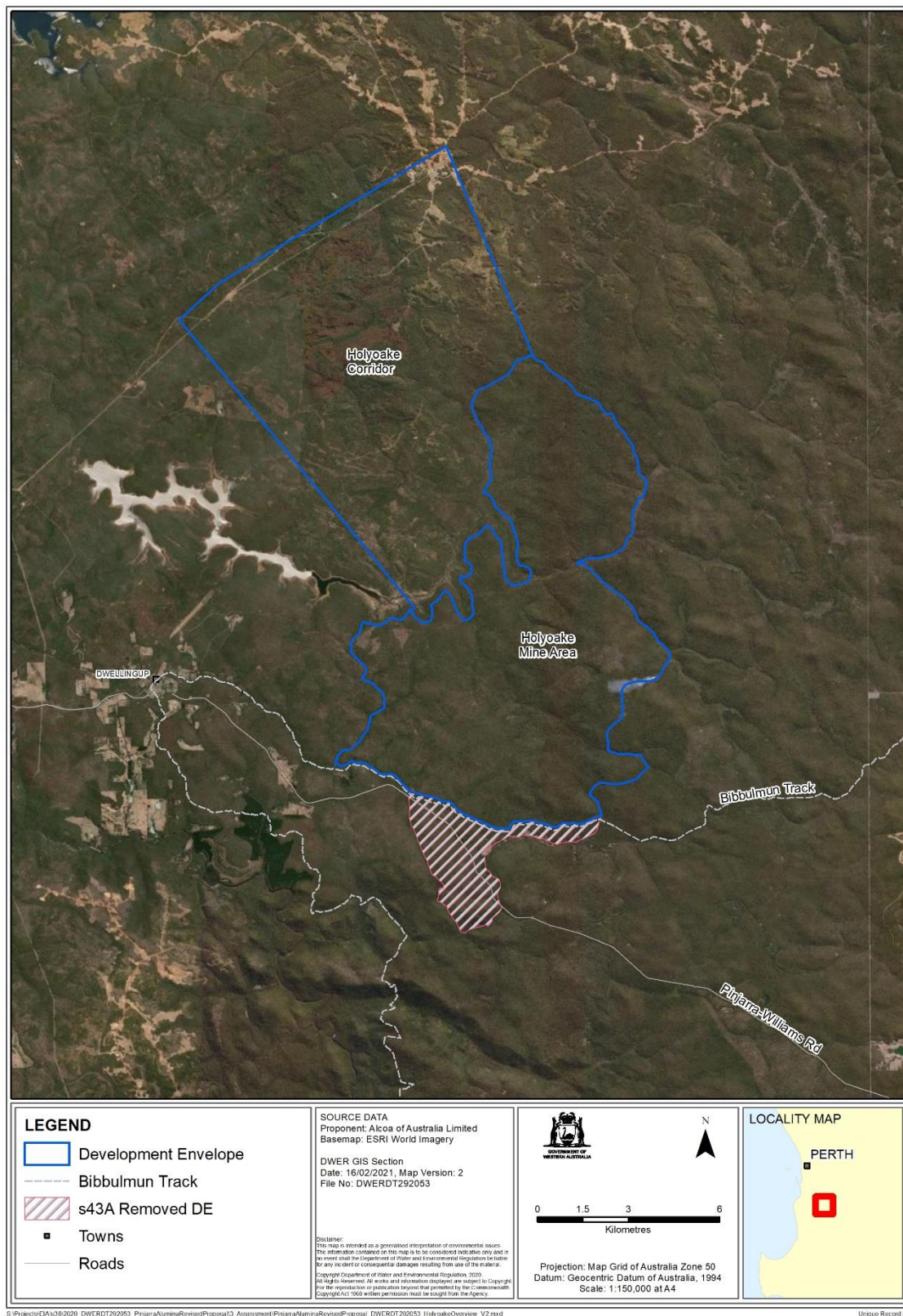


Figure 2. Holyoake Mining development envelope

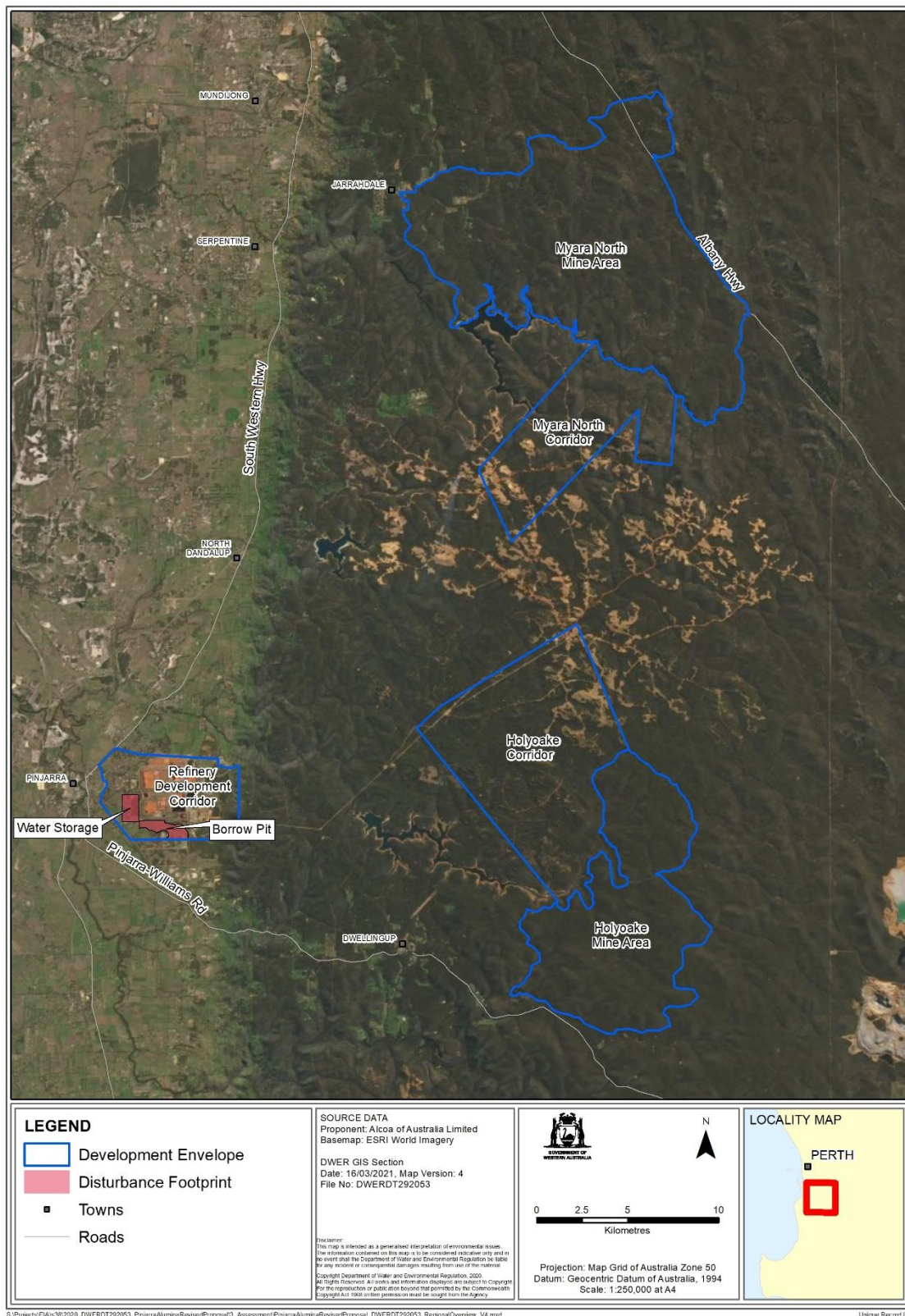


Figure 3. Proposal overview map