GOVERNMENT OF WESTERN AUSTRALIA

Environmental Protection Authority

Environmental Protection Act 1986

Section 43A

NOTICE OF DECISION TO CONSENT TO AMEND A REFERRED PROPOSAL DURING ASSESSMENT

PERSON TO WHOM THIS NOTICE IS GIVEN

(a) Jarrod Pittson
The Pilbara Infrastructure Pty Ltd (ACN 103 096 340)
256 St Georges Terrace
PERTH WA 6000

PROPOSAL TO WHICH THIS NOTICE RELATES:

Proposal Title: East Hamersley Railway Project
Assessment No. 2375

Pursuant to s. 43A of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority (EPA) gives approval to the assessment of the proposal being completed in respect of the proposal as amended in accordance with the proponent's request:

- an increase to the development envelope of 13,337 hectares (ha), consisting of an extension to the south-east of the referred development envelope to the Mindy South Iron Ore Mine and a widening of the development envelope to the north of Fortescue Marsh
- a net decrease in the conceptual footprint of 196 ha
- an increase in power generation from 5 mega watts (MW) to 10MW and the addition of biofuel powered generators
- an increase in the Scope 1 greenhouse gas emissions of approximately 49,532 tonnes of carbon dioxide equivalent (tCO_2-e) per annum to 122,689 tCO_2-e per annum during the ~2 year construction phase and 33,636 tCO_2-e per annum to 120,471 tCO_2-e per annum during operations (~26 years).
- removal of the disposal of 50 gigalitres per annum (GL/a) of surplus groundwater, and limit disposal of surplus water to emergency stormwater discharge
- the addition of rail electrical infrastructure, construction camp, turkey nests, water supply bores and water transfer pipelines
- the removal of the 5-metre height constraint applied to the railway

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- permanent stockpiling of cut material instead of temporary.

The amended proposal content document and figures are attached.

SUMMARY OF REASONS:

- The expansion of the development envelope and reduction in conceptual footprint will reduce impacts to flora and vegetation, particularly to priority flora.
- The expansion of the development envelope is likely to have greater impacts on terrestrial fauna overall, however 1,797 ha of critical habitat for the night parrot has been avoided.
- No changes in impacts to subterranean fauna are expected from the amendment.
- The removal of 50 GL/a surplus water discharge is expected to reduce impacts to riparian vegetation and changes to creeks.
- Amendments have included the avoidance of some Aboriginal heritage places.
- The amended proposal will lead to an increased risk of impacts to terrestrial environmental quality due to an increase in the volume of material moved and risk of disturbing acid sulphate soils, and an increased geographical area over which contamination can occur. However, the requirements set out in the ESD are sufficient to capture these changes.
- Due to the expansion there is likely to be an increase in impacts to several environmental factors, however the detailed assessment of the significance of the impacts including any proposed mitigation actions will be outlined in the proponent's environmental review document (ERD) which is yet to be submitted.
- The proponent is required to provide a detailed assessment of the flora and vegetation, terrestrial fauna, subterranean fauna, inland waters, greenhouse gas emissions, terrestrial environmental quality, social surroundings, and landforms environmental factors in accordance with the environmental scoping document.
- A 10-week public environmental review will take place following the submission of an adequate ERD, which will include the changes outlined in the amendment.
- As there are no new environmental factors identified as a result of the amendments, there are no additional EPA functions that need to be performed to assess the amended proposal.
- The amended proposal will still be substantially the same character as the existing referred proposal.

- The Proposal Content Document has been amended to reflect the proposed changes.

EFFECT OF THIS NOTICE:

1. The assessment of the proposal is to be completed in respect of the proposal as amended in accordance with the decision set out in this notice.

2. The proposal as amended in accordance with this notice is taken to have been referred to the EPA under s. 38 of the EP Act.

RIGHTS OF APPEAL:

There are no rights of appeal under the EP Act in respect of this decision.

Darren Walsh
Delegate of the Environmental Protection Authority
CHAIR

27 March 2025

Attachment 1- Figure showing the new approved proposal

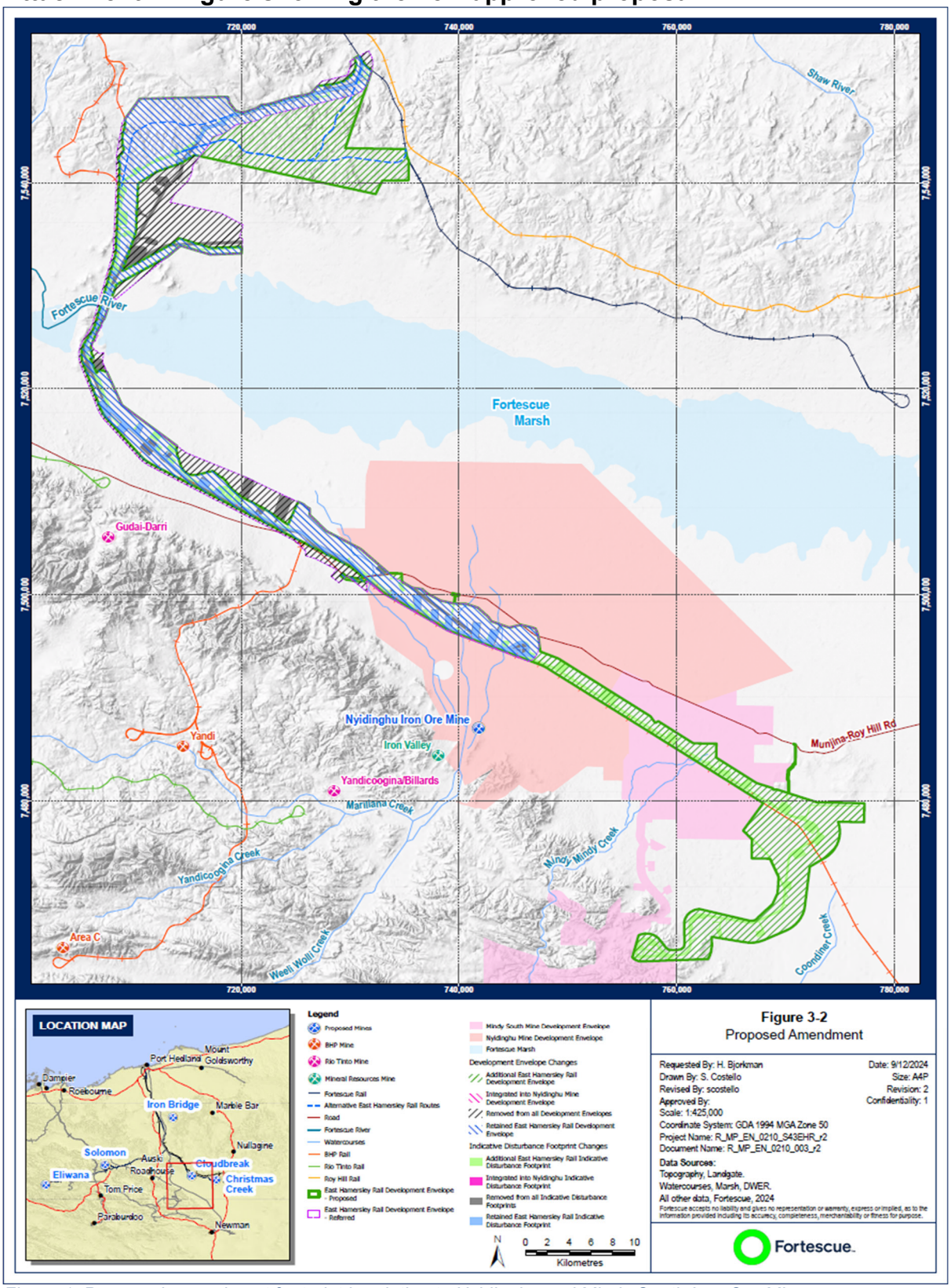


Figure 1: Proposed amendment footprint in relation to Nyidinghu and Mindy South Iron Ore Mines

Table 1: General proposal content description

Proposal title	East Hamersley Railway Project
Proponent name	The Pilbara Infrastructure Pty Ltd
Original Description	**Amended Proposal Description**
The Proposal is to construct and operate a dedicated railway line approximately 106 km in length linking the proposed Nyidinghu Iron Ore Mine (the subject of a separate referral) with the Fortescue main railway line to allow for the transport of ore to Port Hedland. The Proposal also includes a water pipeline corridor from the Nyidinghu Iron Ore Mine to the Chichester Operations. The proposed East Hamersley Railway may also be utilised for the transport of ore to Port Hedland from other future mining operations within Fortescue's Eastern Hamersley prospects. The Proposal includes: • The development of a railway line (approximately 106 km) including rail maintenance track. • Key railway infrastructure includes rail loop, train loadout, crossing/passing loops, banker sidings, railway overpass, conveyor, roads, stockyards, laydowns. • Communications (including towers and fibre optic cables) and signalling infrastructure. • An ore loading facility. • Abstraction of groundwater from groundwater borefields, pipelines or turkey nests, for use during construction.	The Proposal is to construct and operate a dedicated railway line approximately 160 km in length linking the proposed Nyidinghu and Mindy South Iron Ore Mines (the subject of separate referrals) with the Fortescue main railway line to allow for the transport of ore to Port Hedland. The Proposal also includes a water pipeline corridor from the Nyidinghu Iron Ore Mine to the Chichester Operations and to the Mindy South Iron Ore Mine. The proposed East Hamersley Railway may also be utilised for the transport of ore to Port Hedland from other future mining operations within Fortescue's Eastern Hamersley prospects. The Proposal includes: • The development of a railway line (approximately 160 km), including rail maintenance track. • Key railway infrastructure includes rail loops, train load-outs, crossing/passing loops, banker sidings, railway overpass, conveyor, active and passive level crossings, spoil sites, bad order spurs, locomotive charging facilities roads, stockyards, laydowns. • Communications (including towers and fibre optic cables) and signalling infrastructure. • Ore loading facilities. • Abstraction of groundwater from groundwater borefields, pipelines or turkey nests, for use during construction.

• Development of borrow pits and ballast quarries to obtain suitable construction materials. • Infrastructure to manage surface water, including bridges, culverts and diversion drains, levees, flood response storage dams and associated water storage facilities and pump station. • Linear infrastructure (water pipelines, power transmission lines, access tracks, communications). • Temporary ancillary infrastructure to support construction (workshops, accommodation camps, laydowns, wastewater treatment plants, landfills, borrow pits, bulk storage of fuel, turkeys nest, pipelines). • Power generation requirements for the proposal will come from solar, hydrogen, ammonia, transmission lines and temporary diesel generators. • Pipelines crossing the RDE to connect Nyidinghu Iron Ore Mine pit dewatering to a reinjection borefield. • Pipelines and discharge points crossing the RDE or within the RDE to facilitate the discharge of surplus mine dewatering from the Nyidinghu Iron Ore Mine to creeks. The Proposal is located within an 31,507 hectare Rail Development Envelope (RDE) and will require clearing of up to 4,837 hectares of native vegetation.	• Development of borrow pits and ballast quarries to obtain suitable construction materials. • Infrastructure to manage surface water, including bridges, culverts and diversion drains, levees, flood response storage dams and associated water storage facilities and pump stations. • Linear infrastructure (water pipelines, power transmission lines, access tracks, communications). • Temporary ancillary infrastructure to support construction (workshops, accommodation camps, laydowns, wastewater treatment plants, landfills, borrow pits, bulk storage of fuel, turkeys nests, pipelines). • Power generation requirements for the proposal will come from solar, hydrogen, ammonia, transmission lines and temporary diesel generators. • Pipelines, powerlines, access roads and other infrastructure crossing the RDE to connect Nyidinghu Iron Ore Mine pit dewatering to a reinjection borefield. • Pipelines and discharge points crossing the RDE or within the RDE to facilitate the emergency discharge of stormwater from the Nyidinghu Iron Ore Mine to creeks. The Proposal is located within a 44844 hectare Rail Development Envelope (RDE) and will require clearing of up to 4,641 hectares of native vegetation.

Table 2: Proposal content elements

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Physical elements				
Physical elements, including: • Rail line. • Train load-out. • Conveyor. • Stockyards, laydowns. • Rail crossing / passing loops. • Banker sidings. • Bridges. • Railway overpass. • Maintenance track. • Signals. • Access tracks. • Borrow Pits. • Topsoil stockpiles	**Figure 2**	Up to 4,837 ha of total disturbance, within a 31,507 ha Rail Development Envelope.	Decrease in disturbance of 196 ha. Net increase in rail development envelope of 13,337 ha. Addition of rail electrical infrastructure as a physical element. No changes to the proposal extent are required for this change. Change to dewatering infrastructure element to clarify that surplus water disposal is no longer a standard management measure. Element should read: *Pipelines and discharge points crossing the RDE or within the RDE to facilitate the discharge of surplus water under emergency conditions.* No changes to the proposal extent are required for this change.	Up to 4,641 ha of total disturbance, within a 44,844 ha Rail development Envelope.
Infrastructure elements, including: • Ancillary buildings. • Communication towers. • Fibre optic cables. • Roads. • Surface water drainage infrastructure. • Bores and/or borefields.	**Figure 2**			

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
• Water pipelines and water pipeline to the Chichester operations, including water storage facilities, pump stations. • Power transmission line and supporting electrical infrastructure (including transmission lines, substations, poles, pads, battery storage). • Tunnel for pipelines and cables. • Road bridge. • Pipelines crossing the RDE to connect Nyidinghu Iron Ore Mine pit dewatering to a reinjection borefield. • Pipelines and discharge points crossing the RDE or within the RDE to facilitate the discharge of surplus mine dewatering from the Nyidinghu Iron Ore Mine to creeks.				

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Construction elements				
Bulk Earthworks	**Figure 2**	2 million cubic metres of material will be required to construct the rail formation.	Removal of constraint to allow extension of the railway.	Element removed.
Power Generation	**Figure 2**	Nominal 5 MW of temporary diesel-powered generators and power from solar, hydrogen, ammonia and other forms of renewable energy.	Increase by 5 MW. Addition of biofuel powered generators	Nominal 10 MW of temporary diesel-powered generators and power from solar, hydrogen, ammonia and other forms of renewable energy.
Borrow pits and ballast quarries	**Figure 2**	A number of borrow pits will be established to source borrow material for construction and ongoing operations. Stockpiles of quarried and/or borrow material may be temporarily located within borrow pits and/or laydowns.	Additional borrow pits will be required on the extended rail alignment. Addition of permanent storage of material within borrow pit footprints.	A number of borrow pits will be established to source borrow material for construction and ongoing operations. Stockpiles of quarried and/or borrow material may be temporarily located within borrow pits and/or laydowns or permanently located within borrow pits.
Rail formation	**Figure 2**	Final landform will be no higher than 5 m above ground level.	Removal of 5 m constraint to allow design flexibility to achieve best practical option.	Element removed.

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Construction camp	**Figure 2**	Two construction camps (600-person total)	The addition of a third rail construction camp. Decrease in camp capacity from 600 to 500 personnel.	Three, 500-person, construction camps.
Groundwater Abstraction Water pipelines	**Figure 2**	Water supply from groundwater bore abstraction of up to 5 GL per annum for construction purposes. Water pipelines, turkeys nests, pump stations will be required to support water supply.	No change to the 5 GL/annum abstraction limit required Clarification that standpipes will also be included. Additional water supply bores, turkeys nests and pump stations required along extended rail alignment. No change to existing proposal extent required to capture this change. Clarification that some abstraction may be required beyond the initial 2-year construction period for construction of additional loops and spurs, maintenance and dust suppression. No change to the existing proposal extent required to capture this amendment.	Water supply from groundwater bore abstraction of up to 5 GL per annum for construction purposes. Water pipelines, turkeys nests, pump stations and standpipes will be required to support water supply.

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Operational elements				
Power Generation	**Figure 2**	Nominal 3 MW for pumps along the water pipeline. Power source diesel, solar, hydrogen, ammonia and/or other forms of renewable energy.	Addition of biofuels.	Nominal 3 MW for pumps along the water pipeline. Power source diesel, solar, hydrogen, ammonia and/or other forms of renewable energy.
Water pipelines	**Figure 2**	A water pipeline will transfer water from the Nyidinghu Iron Ore Mine site to the Chichester Hub (Christmas Creek and Cloudbreak). Associated infrastructure will include water storage facilities and pump stations.	Addition of water transfer pipeline between Nyidinghu Iron Ore Mine, Mindy South borefields and Mindy South Iron Ore Mine. Transfer to not be limited to specific mine sites.	Water pipeline will transfer water between Nyidinghu Iron Ore Mine, Mindy South Iron Ore Mine and other users/suppliers. Associated infrastructure will include access tracks, water storage facilities and pump stations.

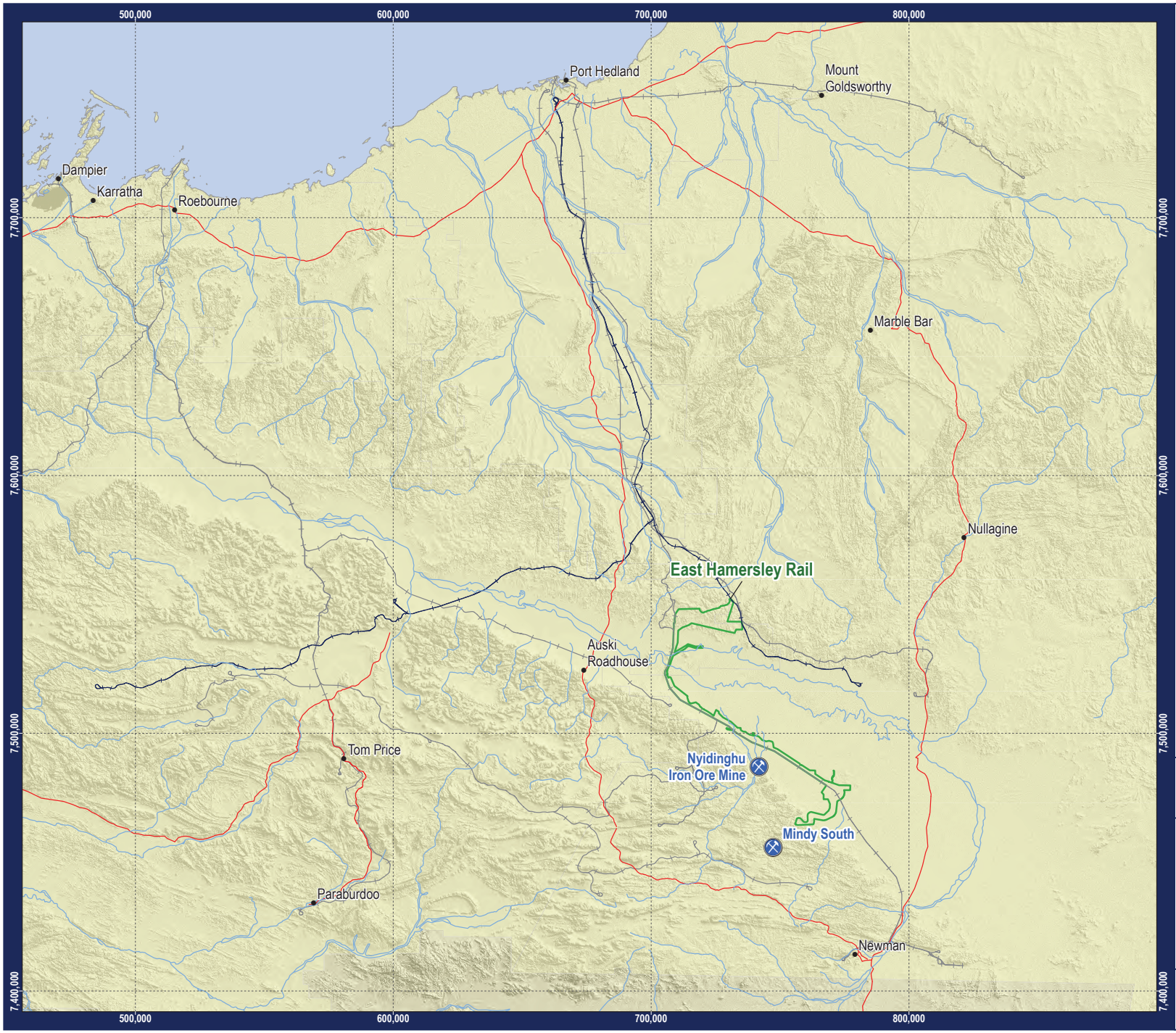
Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Surplus water management	**Figure 2**	Pipelines crossing the RDE to connect Nyidinghu Iron Ore Mine pit dewatering borefield to a reinjection borefield. Pipelines crossing the RDE and/or within the RDE to facilitate the discharge of surplus mine dewatering from the Nyidinghu Iron Ore Mine to creeks in the RDE (up to 50 GL/a).	Removal of discharge of up to 50 GL/a of surplus water to creeks in the RDE.	Pipelines crossing the RDE to connect Nyidinghu Iron Ore Mine pit dewatering borefield to a reinjection borefield. Pipelines crossing the RDE and/or within the RDE to facilitate the discharge of surplus mine dewatering from the Nyidinghu Iron Ore Mine to creeks in the RDE for emergency discharge only. No discharge to creeks as a standard management measure.
Transmission line	**Figure 2**	A transmission line will be constructed and operated to provide power to the Nyidinghu Iron Ore Mine from the existing Fortescue power transmission network.	Extension of transmission line along extended rail alignment between the Nyidinghu Iron Ore Mine and Mindy South Iron Ore Mine.	A transmission line will be constructed and operated to connect the Nyidinghu Iron Ore Mine and Mindy South Iron Ore Mine to the existing Fortescue power transmission network.

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Borrow pits	**Figure 2**	A number of borrow pits will be developed within the RDE to source material for the construction of the rail.	Borrow pit search area footprints optimised. Additional borrow pits required along extension between Nyidinghu Iron Ore Mine and Mindy South Iron Ore Mine. No change to authorised extent required.	A number of borrow pits will be developed within the RDE to source material for the construction of the rail.
Water storage facilities	**Figure 2**	A number of water storage facilities along the rail corridor will be constructed to supply water for construction and operational purposes including but not limited to dust suppression and potable water.	Additional water storage facilities will be required to support the extension between Nyidinghu Iron Ore Mine and Mindy South Iron Ore Mine. No change in existing proposal extent required to capture these changes.	A number of water storage facilities along the rail corridor will be constructed to supply water for construction and operational purposes, including but not limited to dust suppression and potable water
Proposal elements with greenhouse gas emissions				
Construction elements:				
Scope 1	Land use change 16,905 tCO_2-e per annum Approximately 56,252 tCO_2-e per annum		Increase of approximately 49,532 tCO_2-e per annum	Approximately 122,689 tCO_2-e per annum
Scope 2	None		No change	None

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Operation elements:				
Scope 1 (Base case)	86,835 tCO_2-e per annum		Increase of 33,636 tCO_2-e per annum	120,471 tCO_2-e per annum
Scope 2 (Base case)	826 tCO_2-e per annum		No change	826 tCO_2-e per annum
Rehabilitation				
All temporary works required to construct the East Hamersley Rail Spur will be rehabilitated at the conclusion of the construction phase. Temporary construction areas such as borrow pits will be progressively rehabilitated as the work front moves away from the area. The rail maintenance track, turkeys nests and piping may be required for operational activities and may be maintained for the life of the project. At the cessation of mining, the rail line will be managed consistent with the requirements of the *Railway and Port (The Pilbara Infrastructure Pty Ltd) Agreement Act 2004*.				
Commissioning				
Energising and commissioning of the East Hamersley Railway line integration with the Fortescue main railway line will be undertaken prior to its operation. Energising and commissioning of water infrastructure within the RDE between the Nyidinghu Iron Ore Mine, Mindy South Iron Ore Mine and the Chichester Operations will be undertaken prior to its operation. Energising and commissioning of the transmission line within the RDE to the Nyidinghu Iron Ore Mine and Mindy South Iron Ore Mine with the existing Fortescue power transmission network will be undertaken prior to its operation.				
Decommissioning				
Decommissioning of rail and supporting infrastructure will be in line with the requirements of the *Railway and Port (The Pilbara Infrastructure Pty Ltd) Agreement Act 2004.*				

Proposal element	Location / description	Existing proposal extent, capacity or range	Proposed amendment (Content of section 43A amendment)	Combined extent capacity or range (total of existing approval + proposed change)
Other elements which affect extent of effects on the environment				
Proposal time*	Maximum project life	33 years	No Change	33 years
	Construction phase	Approximately 2 years	No Change	Approximately 2 years
	Operations phase	26 years	No Change	26 years
	Decommissioning phase	5 years	No Change	5 years

** Proponents should only provide realistic timeframes to avoid unnecessary change to proposal applications at referral (section 38C), assessment (section 43A) or post assessment (section 45C).*



LEGEND

- Proposed Mines
- Towns
- Major Rivers
- Highways
- Fortescue Rail
- Other Rail
- East Hamersley Rail Development Envelope

Data Source(s):
Topography, Landgate
All other data, Fortescue, 2024

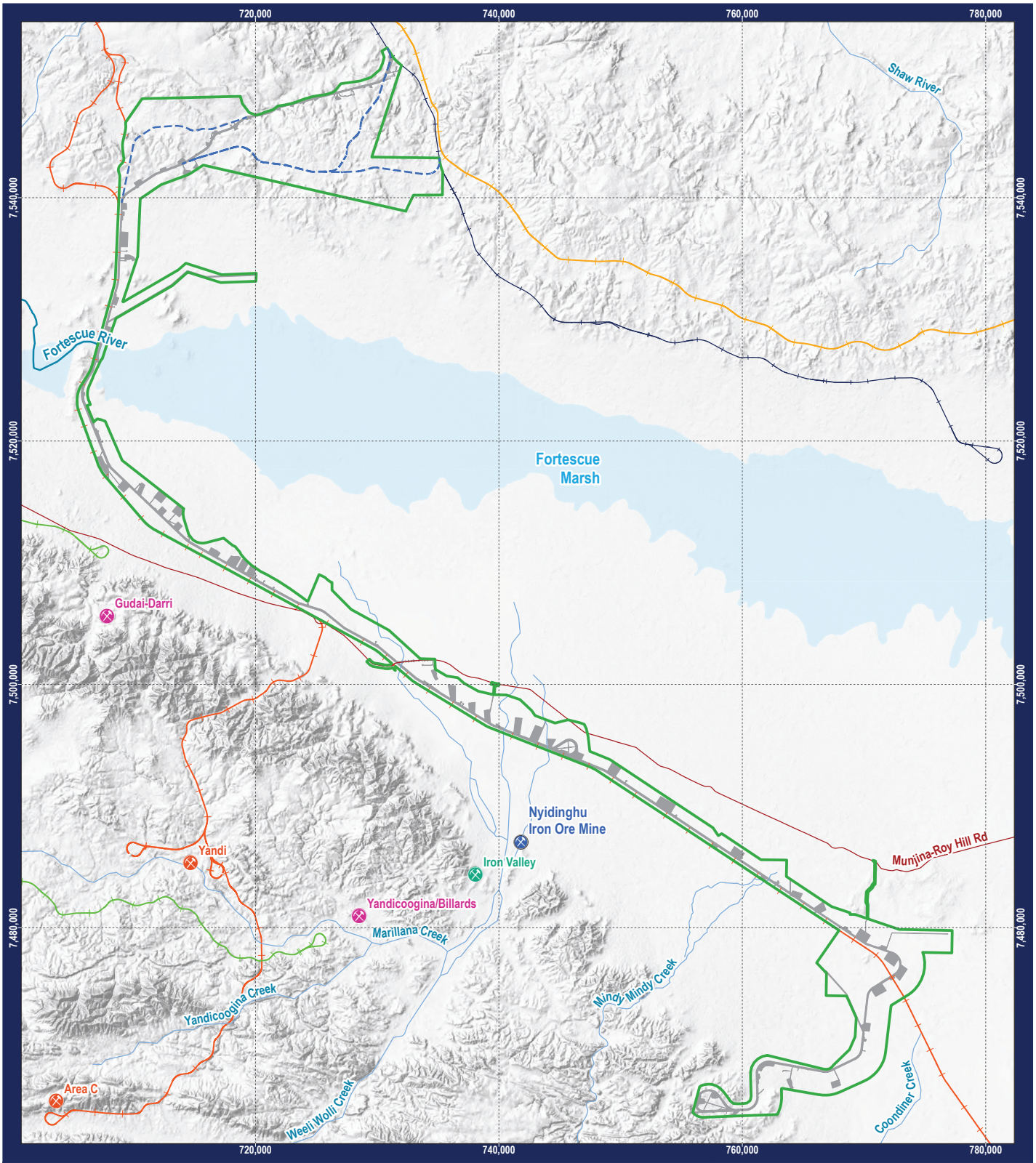
N

0 20 40 60 80 100
Kilometres

Figure 1
East Hamersley Rail

Requested By: H. Bjorkman	Date: 9/12/2024
Drawn By: S. Costello	Size: A4L
Revised By: scostello	Revision: 2
Approved By:	Confidentiality: 0
Scale: 1:2,000,000	
Coordinate System: GDA2020 MGA Zone 50	
Project Name: R_MP_EN_0210_S43EHR_r2	
Document Name: R_MP_EN_0210_001_r2	

Fortescue



LOCATION MAP

Legend

- Proposed Mines
- BHP Mine
- Rio Tinto Mine
- Mineral Resources Mine
- Fortescue Rail
- Alternative East Hamersley Rail Routes
- Road
- Fortescue River
- Watercourses
- BHP Rail
- Rio Tinto Rail
- Roy Hill Rail
- East Hamersley Rail Development Envelope - Proposed
- East Hamersley Rail Indicative Disturbance Footprint - Proposed
- Fortescue Marsh

N

0 2 4 6 8 10
Kilometres

Figure 2
Amended Proposal

Requested By: H. Bjorkman
Drawn By: S. Costello
Revised By: scostello
Approved By:
Scale: 1:425,000
Coordinate System: GDA 1994 MGA Zone 50
Project Name: R_MP_EN_0210_S43EHR_r2
Document Name: R_MP_EN_0210_004_r2

Date: 9/12/2024
Size: A4P
Revision: 2
Confidentiality: 1

Data Sources:
Topography, Landgate.
Watercourses, Marsh, DWER.
All other data, Fortescue, 2024

Fortescue