



Government of Western Australia  
Department of Water and Environmental Regulation

Our ref: CMS17164  
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Mr Brett McGuire  
Group Manager, Environment  
Fortescue Metals Group Limited  
PO Box 6915  
**EAST PERTH WA 6892**

Dear Mr McGuire

**NOTICE OF DECISION TO CONSENT TO MINOR AND PRELIMINARY WORKS –  
ELIWANA RAILWAY PROJECT – ASSESSMENT NO.2129**

Pursuant to Section 41A(3) of the *Environmental Protection Act 1986*. Please find attached a Notice of Decision to Consent to Minor and Preliminary Works for the Eliwana Railway Project from the Environmental Protection Authority.

Please note that no response to this correspondence is required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Sutton'.

Anthony Sutton  
**Executive Director**  
**EPA Services**

17 August 2018

Encl. Notice of Decision to Consent to Minor and Preliminary Works

**Relevant Decision Making Authorities**

Minister for Environment  
Minister for Water  
Minister for State Development  
Minister for Lands  
Minister for Aboriginal Affairs  
Director General, Department of Water and Environment Regulation  
Chief Executive Officer, Shire of Ashburton



## Environmental Protection Authority

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### *Environmental Protection Act 1986*

#### Section 41A(3)

#### NOTICE OF DECISION TO CONSENT TO MINOR OR PRELIMINARY WORKS

#### PERSON TO WHOM THIS NOTICE IS GIVEN:

(a) Proponent:

Fortescue Metals Group Limited  
Level 2, 87 Adelaide Terrace  
EAST PERTH WA 6004

(b) Relevant Decision-Making Authorities, see Attachment 1

#### PROPOSAL TO WHICH THIS NOTICE RELATES:

Eliwana Rail Project  
Assessment No. 2129

Pursuant to section 41A(3) of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority consents to the proponent undertaking the minor or preliminary works detailed in Schedule 1.

#### EFFECT OF THIS NOTICE:

1. The prohibition provided by sections 41(2), 41(3) and 41A(1) of the EP Act do not apply to implementing the minor or preliminary works consented to in this Notice.
2. It is an offence under s41A(1) of the EP Act, with a maximum penalty of \$125,000 for a body corporate and \$62,500 for an individual, to do anything to implement the proposal other than the minor or preliminary works consented to in this Notice.
3. Relevant decision-making authorities may make decisions that would cause or allow the doing of the minor or preliminary works listed in Schedule 1 of this Notice.

#### RIGHTS OF APPEAL:

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

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

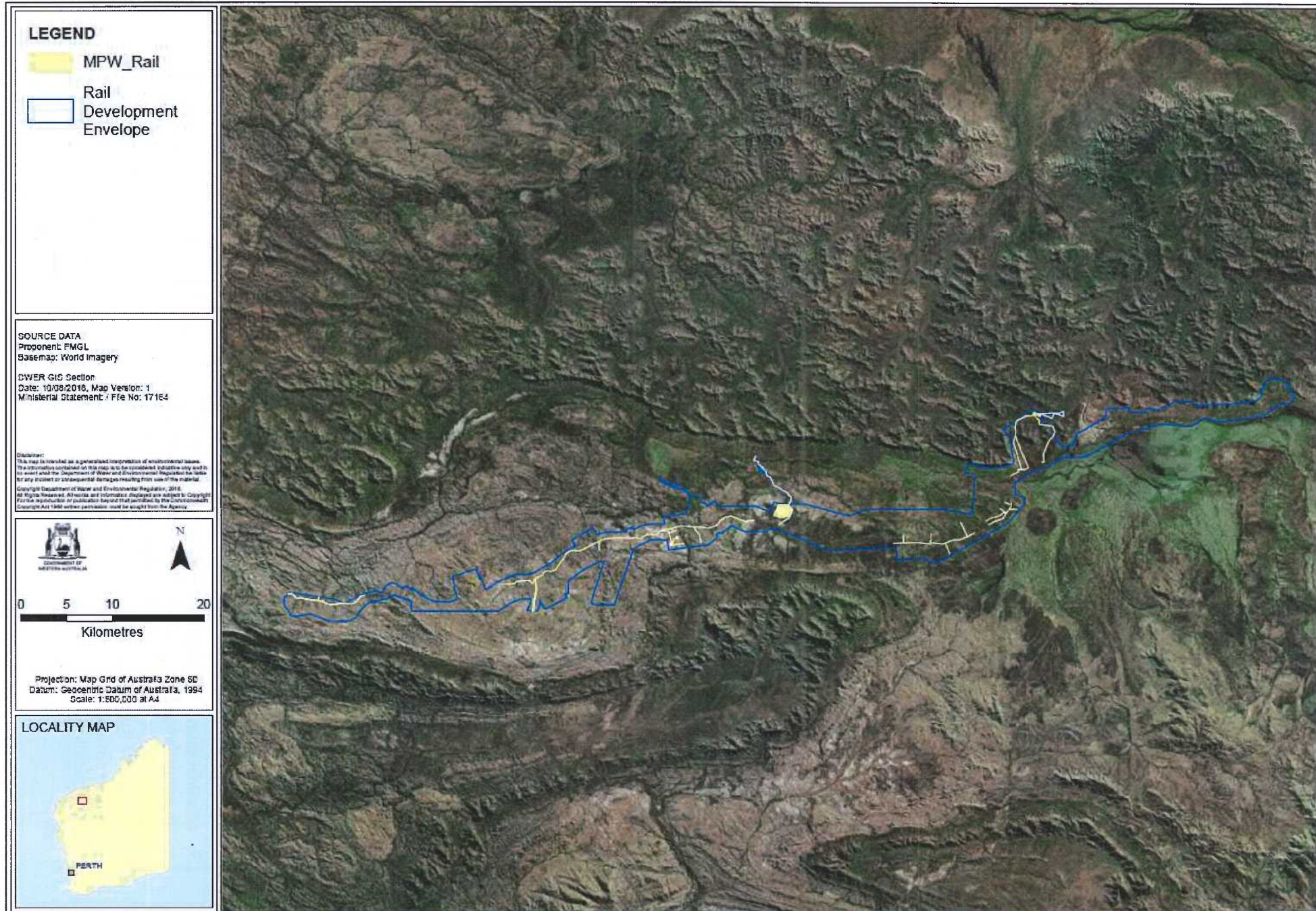
17 August 2018

**Schedule 1**  
**Authorised Minor or Preliminary Implementation Works**

Authorised Work(s)	Location	Authorised extent
<p>The following works are authorised in their entirety:</p> <p>1. Construction, operation and maintenance of:</p> <ul style="list-style-type: none"> <li>• Two rail construction accommodation camps (Railway camp 50 and Railway camp 95), including waste water treatment plants and spray fields.</li> <li>• Ongoing operation of Eliwana Exploration camp</li> <li>• Linear infrastructure including access roads and water supply pipelines</li> <li>• Borrow pits for the supply of construction materials required for the accommodation camps, access roads and pipeline referred to in this schedule.</li> <li>• Topsoil stockpiles</li> <li>• Turkey nest dams</li> <li>• Minor bridge works for conveyor crossing.</li> </ul> <p>2. Abstraction of groundwater from existing and proposed production bores.</p> <p>up until such time as the later of one of the following occurs:</p> <ol style="list-style-type: none"> <li>a. notice issued under s 45(8) of the EP Act; or</li> <li>b. statement issued under s45(5) of the EP Act is final (that is, after period in which to lodge an appeal under s 100(3) has expired, or appeal decision under s109(3), in respect of an appeal lodged under s 100(3), is published).</li> </ol> <p>and;</p> <p>3. rehabilitation of the area/s identified in Figure 1 in accordance with current EPA rehabilitation guidance, or if an implementation statement is issued for the Proposal, in accordance with any implementation conditions relating to rehabilitation</p>	<p>Figure 1</p>	<p>Clearing of up to 30 hectares.</p> <p>Located within previously cleared areas.</p> <p>Clearing of up to 112 hectares.</p> <p>Clearing of up to 10 hectares.</p> <p>Clearing of up to 3.5 hectares.</p> <p>Clearing of up to 4.8 hectares.</p> <p>Clearing of up to 1.3 hectares.</p> <p>Up to 1 Gigalitre.</p>



Figure 1 – Location of Minor and Preliminary Works within Railway Development Envelope



**Relevant Decision Making Authorities**

1. Minister for Environment
2. Minister for Water
3. Minister for State Development
4. Minister for Lands
5. Minister for Aboriginal Affairs
6. Director General, Department of Water and Environment Regulation
7. Chief Executive Officer, Shire of Ashburton