

*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) FI Joint Venture Pty Ltd (ACN: 611 846 023)  
Level 14, Forrest Centre  
221 St Georges Terrace  
PERTH WA 6000

**PROPOSAL TO WHICH THIS NOTICE RELATES:**

Yogi Magnetite Project  
Assessment No. 2154

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 -

*Modify the extent of the Mine Development Envelope (MDE) to reflect the total area available within the Mining Tenements. This results in a small increase since the initial referral from 8,228 ha to 8,230 ha.*

*The proponent has revised the proposal to minimise the required clearing. The required clearing within the MDE has reduced from 3,100 ha to 1,530 ha. The required clearing within the Pipeline Development Envelope (PDE) has reduced from 600 ha to 200 ha.*

*Furthermore, the proponent has revised the management of wet processing waste. The proposal as initially referred identified the potential for up to 40 million cubic metres (m<sup>3</sup>) of wet processing waste. The proposal no longer includes the storage of wet process tailings.*

**EFFECT OF THIS NOTICE:**

1. 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 black ink, appearing to read 'R Harvey'.

**Robert Harvey**  
**Delegate of the Environmental Protection Authority**  
Deputy Chairman

24 July 2019

***Environmental Protection Act 1986***

**Section 43A**

**STATEMENT OF REASONS**

**CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT**

**Proposal:** Yogi Magnetite Project  
**Proponent:** FI Joint Venture Pty Ltd (FIJV)

**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 19 December 2017, FI Joint Venture 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 construction and operation of a magnetite iron ore mine and associated infrastructure, located approximately 225 kilometres east-northeast of Geraldton. The Proposal also includes the development of a magnetite slurry pipeline and a water pipeline to Geraldton Port and a gas supply pipeline from the Dampier to Bunbury Natural Gas Pipeline network.

The EPA determined to assess the Proposal at the level of Public Environmental Review (PER) on 26 February 2018.

At referral, the Proponent advised that it was currently investigating the most appropriate route for the pipelines. A preferred pipeline route had since been identified. Pursuant to section 43A of the EP Act, the EPA consented on the 12 November 2018 to the modified pipeline route.

In advance of the EPA preparing a report on the outcome of its assessment of the Proposal, the Proponent has sought the EPAs consent to allow the Proponent to make additional changes to 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 a proposal during assessment.

In considering the request for consent, the EPA has considered the:

- 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. Referral supporting document (EnviroWorks Consulting, December 2017)
2. Yogi – Magnetite Project Environmental Scoping Document (GHD, 2019)
3. Yogi Magnetite Mine – Public Environmental Review. Environmental Review Document (GHD, draft Rev 0, 2019)
4. Section 43A Notice (EPA, 12 November 2018)
5. Section 43A Application (GHD, 17 July 2019)

### **Consideration**

#### 1. Nature of the proposed change

The proposed change to the size of the Mine Development Envelope (MDE) is minor. The proposed reduction in clearing extent, from 3,100 hectares (ha) to 1,530 ha in the MDE; and from 600 ha to 200 ha in the Pipeline Development Envelope (PDE), is expected to result in a reduction in potential environmental impacts than those predicted in the Referral Document.

Furthermore, the proposal as initially referred identified the potential for up to 40 million cubic metres (m<sup>3</sup>) of wet processing waste. This aspect has been removed from the Proposal and the storage of wet process tailings will no longer be required.

#### 2. Stage of the assessment process

The proposal is currently at the draft environmental review document (ERD) stage of the assessment process. The proponents ERD will be subject to a six week public review period.

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

The proponent's ERD will be prepared based on the requirements outlined in the ESD, which will be updated to reflect the changes proposed. It is not expected that these changes will alter any of the required work as outlined in the ESD.

#### 4. Community engagement

The referral was advertised for a seven-day public comment period, and comments received were considered in determining the appropriate level of assessment. The ERD will be subject to a six-week public review period, and will include details of the proposed changes and any associated environmental impacts.

#### 5. Level of public concern

The proposal received four comments during the seven-day public comment period at referral. The key issues raised included the adequacy of the proponent's survey

reports, the requirements for further community consultation, and the size and scale of the proposal. The EPA notes the size and scale of the proposal has been reduced since the original referral, as detailed in the Section 43A notice, dated 12 November 2018.

The EPA does not consider there to be an increased level of public interest in the proposal as a result of the change.

### **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 change will not introduce new environmental factors and does not increase the level of impact as described in the Referral Document. The reduction in clearing would result in an overall reduction of environmental impact than that described in the initial Referral Document.

Furthermore, as the Proposal no longer includes the storage of wet process tailings, the potential impact to factors such as Inland Waters are also reduced, as tailings storage presented risks to the environment such as leachate discharge and stormwater runoff after being in contact with tailings.

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

The proposed change reduces the amount of clearing required for the mining development envelope from 3,100 ha to 1,530 ha and from 600 ha to 200 ha for the proposed pipeline route.

c) Consequence of the likely impacts (or change)

The proposed change reduces the total clearing required by 1,970 ha. This change will result in a reduction in potential environmental impacts.

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

The resilience of the environment to cope remains unchanged from that of the original proposal. The change would result in a reduction in potential environmental impacts.

e) Cumulative impacts with other projects

There would be no additional cumulative impacts with other projects. The change would result in a reduction in potential environmental impacts.

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

There is no change to the potential connections and interactions of the environment due to the change from the original proposal.

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

The change to clearing would result in a reduction in potential environmental impacts. This reduction in clearing increases the level of confidence in the predicted impacts and the success of proposed mitigation.

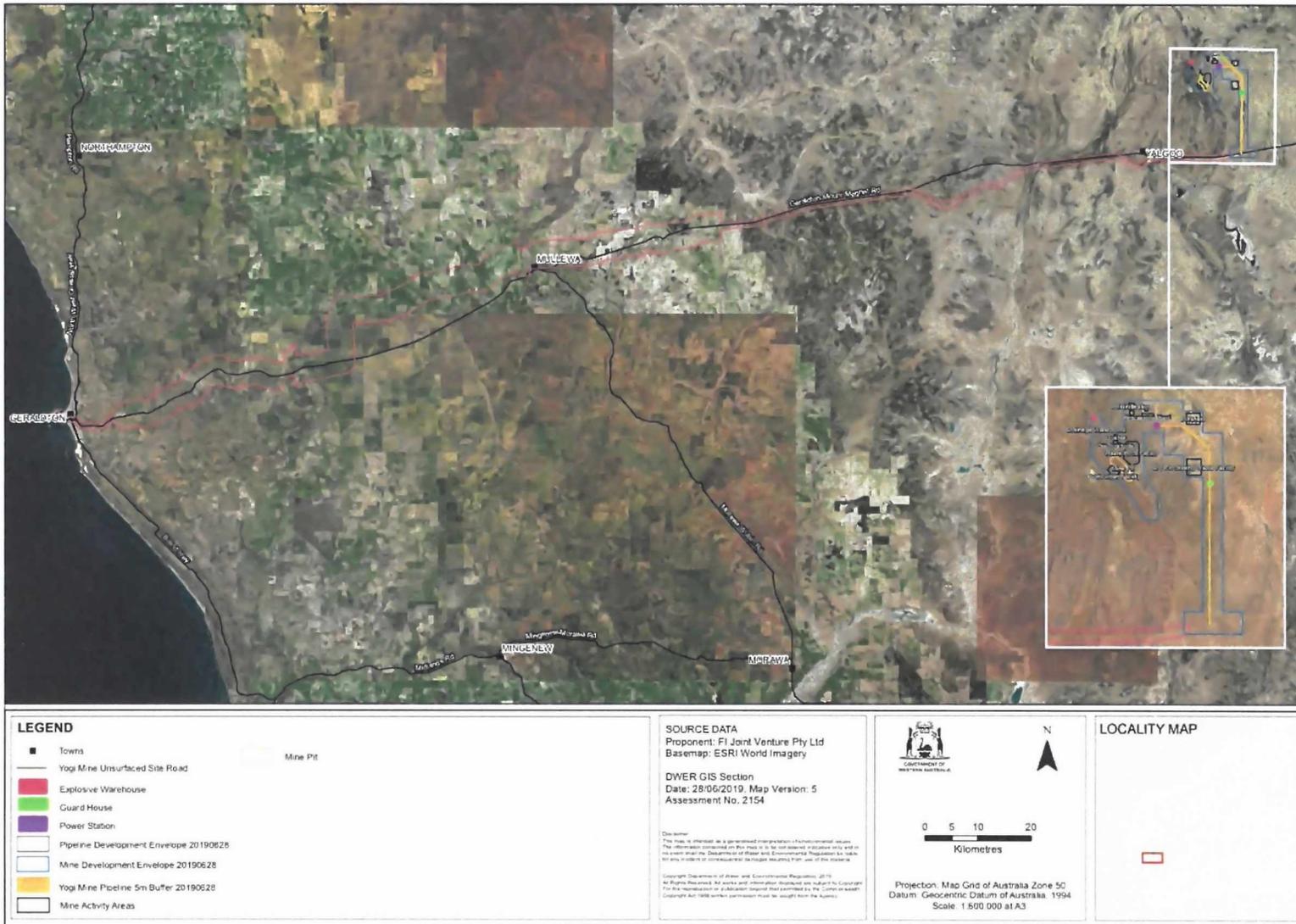
- h) Public interest about the likely effect of the proposal, if implemented, on the environment, and public information that informs the EPA's assessment

Public interest in the proposal is unlikely to change from the changes to the proposal.

### Schedule 1

#### Change to Proposal

Element	Current Proposal	Changed Proposal (s43a)
Mine Development Envelope	Clearing of no more than 3,100 ha within 8,228 ha Mine Development Envelope.	Clearing of no more than 1,530 ha within 8,230 ha Mine Development Envelope.
Pipeline Development Envelope	Clearing of no more than 600 ha within 76,800.5 ha Pipeline Development Envelope.	Clearing of no more than 200 ha within 76,800.5 ha Pipeline Development Envelope.
Wet processing waste	Disposal of up to 40 million m <sup>3</sup> of wet processing waste.	The Proposal no longer includes the storage of wet process tailings.



**Figure 1. Revised Mine development envelope, pipeline development envelope and conceptual layout**

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