

**Summary of reasons for decision – request to amend a referred proposal
under s. 38C of the *Environmental Protection Act 1986***

Proposal title: Die Hardy Project

Date request to amend referred proposal under s. 38C received: 30-03-2022

Proponent: Marda Operations Pty Ltd

Proposal referral date: 16-12-2021

Existing referred proposal:

The proposal is to develop a gold mining project, approximately 140 kilometres (km) north of the town of Southern Cross within the Shire of Yilgarn.

The proposal will include mining below the groundwater table by conventional open cut methods and ore will be transported offsite for processing. The proposal also includes a waste rock landform, mine ore pad, topsoil and low grade stockpiles and supporting infrastructure.

The proposal is adjacent to the proposed Die Hardy Range National Park, Mt Manning Conservation Park and the Helena Aurora Range. The proposal would include a total disturbance of 90 hectares of native vegetation and mining would be undertaken for 18 months.

Short description of amendment sought:

The proposed amendment includes the addition of an existing approved water bore and an above ground pipeline. The 0.63 km double skinned pipeline will connect the bore to the Die Hardy Project and utilise an existing cleared track. No clearing of native vegetation is proposed.

Decision:

Amendment to proposal as set out in attachment 1 is approved.

Environmental factors relevant to amendment(s):

- Flora and vegetation – potential indirect impacts to flora and vegetation through leakage of pipeline
- Terrestrial fauna – potential indirect impacts to conservation significant fauna habitat through leakage of pipeline.

Summary of likely changes to environmental impacts from proposed amendment

Amendment sought	Changes to environmental impacts
Modification to the development envelope:	The proposed change does not alter the key environmental factors likely to be impacted by the proposal, which will be

<ul style="list-style-type: none"> • Addition of approved bore and above ground pipeline <p>Proposed changes to the Development Envelope are depicted in Figure 1.</p>	<p>considered in the EPA’s decision on whether to assess the proposal or not.</p> <p>The proposed changes are to supply water to the proposal from an approved bore. The proponent has incorporated appropriate measures to protect against discharge.</p> <p>Overall, the impacts from the amended proposal would not change the impact from the original referred proposal, given there is no additional disturbance required.</p>
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Summary of consultation

The proponent has advised that they have consulted with the Department of Biodiversity, Conservation and Attractions (DBCA) regarding the proposed changes and specifically regarding using a DBCA managed access track. The proponent has advised that they have ‘in principle’ approval from the DBCA. Details of consultation for the amended proposal are provided in Table 4-2 of the s. 38C amended referral.

The original referral was advertised for 7 day public comment and 10 comments were received. Given the nature of the change and the comments previously received it is not proposed that a further 7 day public comment period is necessary.

Summary of consideration of amendment

The EPA has considered whether, if the proposal were already approved, the amendment would be a significant amendment. This has included considering the likely significance of:

- Effects of the proposed amendment on its own
- Effects of the proposed amendment in the context of the existing referred proposal
- Cumulative environmental impacts
- Holistic impacts.

The EPA has considered whether it has sufficient information about the proposed amendment to be able to make a decision whether to assess the proposal as amended, and if so, to decide the level of assessment.

The EPA has considered whether the amended proposal will still be substantially the same character as the existing referred proposal.

Approval – not a significant amendment

The EPA considers the amended proposal to be substantially the same character as the existing referred proposal and does not consider that the amendment would be a significant amendment if the proposal were already approved. The EPA considers it has enough information to reasonably proceed to make decisions about assessment, without a new referral being submitted.

Attachments

- Attachment 1 - Amended proposal content document
- Attachment 2 - Figure 1 – Amended proposal development envelope

Appeals: Decision not appealable.

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

Prof. Matthew Tonts

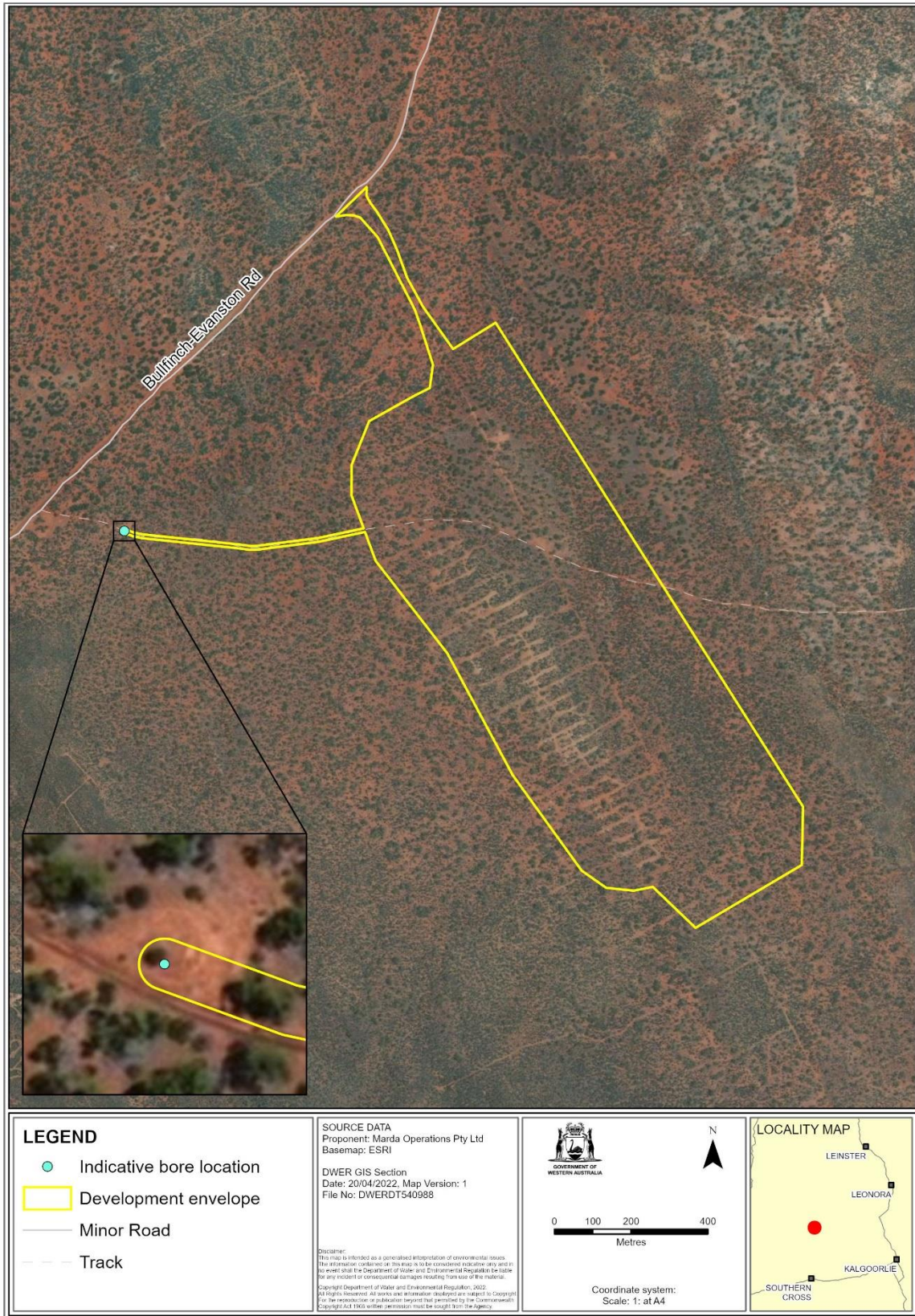
CHAIR

Delegate of the Environmental Protection Authority

Date: 27 May 2022

Attachment 2

Figure 1 – Amended proposal development envelope



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