

21 October 2024

Dear [REDACTED],

RE: YOGI MAGNETITE PROJECT - EPBC NUMBER: 2017/8124 - VARIATION TO THE PROPOSAL TO TAKE ACTION

FI Joint Venture Pty Ltd (FIJV) (the Proponent) proposes to construct and operate the Yogi Magnetite Project (the Proposal), with mining, processing and associated infrastructure proposed approximately 225 km east-northeast of Geraldton and 15 km northeast of Yalgoo. The Proposal also includes 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 Proposal is being assessed (EPBC 2017/8124) by accredited assessment under the *Environmental Protection Act 1986* (EP Act) (Assessment Number 2154). In consultation with the Department of Climate Change, Energy, Environment and Water (the Department), it was identified during review of the draft conditions that limitations would be imposed on the Proposal activities being strictly confined to the Development Envelope (DE). As FIJV has identified minor activities are planned to occur within existing Mining tenements (L59/194 and L59/206) held by FIJV that are outside of the current DE the Department advised to submit a variation to the Proposal.

Based on the above, FIJV are seeking a variation to the Proposal in accordance with subsection 156A (1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and division 5.4 of the *Environment Protection and Biodiversity Conservation Regulations 2000* (Section 5.08).

This variation request does not introduce any additional environmental impacts to protected matters and is proposed to ensure all activities associated with the Proposal are captured within the Development Envelope. On this basis we request that proposed amendments are accepted as not environmentally significant.

Sections **a-f** below address the required information for a Request to Vary a Proposal in accordance with Section 5.08 of the *Environment Protection and Biodiversity Conservation Regulations 2000*.

If you require any further information in order to progress the assessment of the variation, please do not hesitate to contact [REDACTED].

Regards,

[REDACTED]

Managing Director - FI Joint Venture Pty Ltd

a) The reasons for the proposed variation and details of the proposed variation to the action

The variation proposes to amend the Mine Development Envelope (MDE) of the Proposal by expanding to include activities on miscellaneous licences L59/194 and L59/206 (Figure A).

This variation is proposed following the review of the draft conditions provided by the Department of Climate Change, Energy, Environment and Water (the Department), in particular condition 1 draft of statement 2017/8124, that would restrict all construction and clearing activities to “within the Development Envelopes only”.

As tenements L59/194 and L59/206 are known to be outside of the current MDE and planned to be utilised by the Proposal, in discussion with the Department it was decided to submit a variation to the action prior to completion of the decision.

Tenement L59/194 contains an existing pastoral track to access the Proposal (Figure A) and is connected to the Yalgoo North Road (Yalgoo, Western Australia). Minor realignment and improvements are proposed to the existing pastoral track to ensure safe access to the Proposal during early works and throughout the life of the mine.

Tenement L59/206 contains existing pastoral tracks and it is proposed to install six groundwater monitoring bores and associated infrastructure (Figure A). The groundwater monitoring bore locations were decided through consultation during the Proposal assessment between FIJV, Department of Water and Environmental Regulation and the Water Corporation as they are located between the MDE and the Yalgoo Water Reserve. These groundwater monitoring bores will provide an early indication of occurrence of groundwater drawdown propagating towards the Yalgoo Borefield and are required for the groundwater abstraction licence under the *Rights in Water and Irrigation Act 1914* associated with the Proposal.

The variation therefore proposes to adjust the MDE to reflect the addition of the total area within the Mining Tenements L59/194 and L59/206 resulting in an increase from 8,230 ha to 8,402 ha (Table 1). Spatial data aligned to the proposed variation and Table 1 is provided as Appendix A.

Table 1 - Variations to the Proposal

Current extent	Proposed variation
8,230 ha Mine Development Envelope	8,402 ha Mine Development Envelope

b) Information in relation to the proposed changes including but not limited to survey information, habitat features for the protected matters, any critical/sensitive environmental matters

The Yogi Magnetite Mine - Public Environmental Review Environmental Review Document (GHD 2020a) (ERD) and Yogi Magnetite Project, Fauna Assessment (GHD 2020b) were prepared to support the assessment of the Proposal. The proposed variation has been reviewed against the protected matters habitats described within the ERD for Western Spiny-tailed Skink (*Egernia stokesii badia*) (Low granite outcrop habitat) and Malleefowl (*Leipoa ocellata*) (Mallee over mixed shrubland on sandplain and mixed shrubland on sandplain). The habitats within the proposed variation areas consist predominately of Yalgoo Banded Iron Formation Priority Ecological Community and Mixed Acacia Plan. No Western Spiny-tailed Skink or Malleefowl habitat types described and assessed as being a significant impact for these species within the ERD are present. Therefore, the species likelihood of occurrence of being present within the variation areas is unlikely and there is no additional increase in impacts to protected matters due to this

variation. Additionally, the areas proposed contain existing disturbance with minimal new disturbance required for the activity types proposed.

Figure B (Terrestrial fauna habitats of the mine development envelope) and Figure C (Yogi Malleefowl habitats available outside the PDE) presents habitats identified in relation the proposed variation and protected matters, and the existing and proposed disturbance within the proposed variation area to the Proposal.

c) Summary as to why the character of the varied proposal is substantially the same as the character of the original proposal

No additional impacts to protected matters are proposed due to this variation as detailed in Section b. The changes associated with this variation are to allow for low impact activities to support the Proposal, and as such the varied proposal is substantially the same as the character of the original proposal. The activities associated with this variation are described in the original proposal as they are associated with mining activities.

d) Impact analysis on Matters of National Environmental Significance (MNES) as a result of the proposed changes

The increase to the MDE does not increase or introduce any additional environmental impacts to protected matters. Figure B and Figure C presents the identified MNES or protected matters habitat in relation to the variation to Proposal. The likelihood of occurrence of the protected matters within the variation areas is unlikely and aligns with assessment presented within the ERD. Therefore, it is not anticipated the increase of the MDE as detailed in Table 1 and Appendix A will increase or alter the identified potential impacts on protected matters from the original Proposal.

e) Evidence that these activities have been approved under the Western Australian legislation

Evidence for activities approved under the Western Australian *Mining Act 1978* upon Mining tenements L59/194 and L59/206 is attached as Appendix B.

Clause 2(2) of Schedule 1 of the Environment Protection (Clearing of Native Vegetation) Regulations 2004, allows for clearing authorised under the *Mining Act 1978* of up to 10 ha of vegetation per tenement per year.

f) Supporting maps and figures

Figure A, B and C outline the variation to the MDE and protected matters habitats.



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Figure A - Variation to the Mine Development Envelope

- Mine development envelope (MDE)
- Proposed addition to mine development envelope

Data sources
 Terrestrial: DMIRS Data and Software Centre
 ESRI: BaseMap: Esri, TomTom, Garmin,
 Foursquare, METI/NASA, USGS, Esri, Geoscience
 Australia, NASA, NOAA, USGS



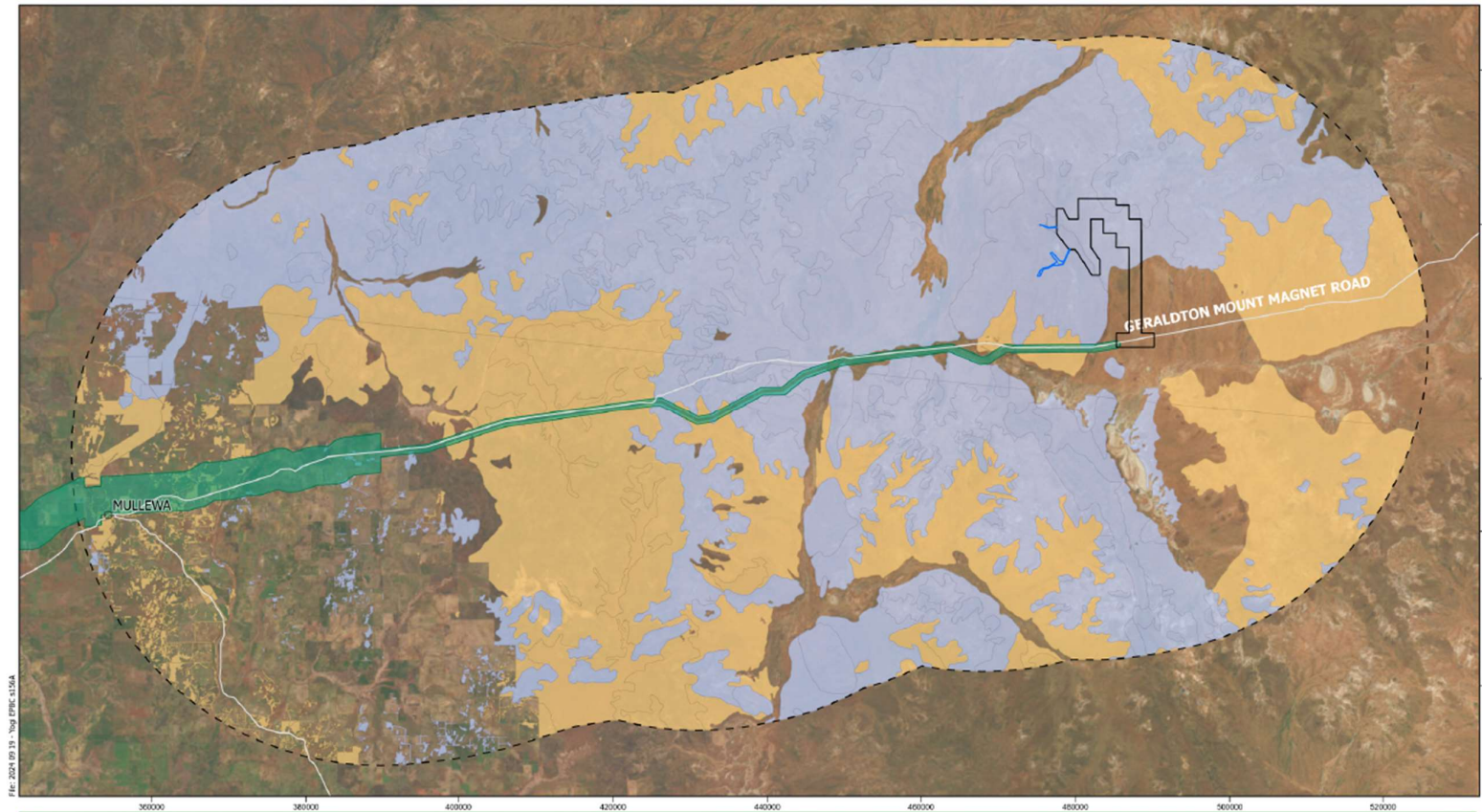
Date: 19/09/2024 Rev: A
 Project: 220011
 Author: R. Houltham; Drawn: L. Weggelaar
 Print: © AA



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Data sources:
 Terrain: SRTM3 Data and Software Centre
 Base Image: Earthstar Geographics
 Roads (Localities: GEODATA (2006): GEODATA TOPO 250K Series
 3 (Shape file format) dataset.
 HTTP://pds.geoscience.gov.au/dataset/ge14058
 Malleefowl habitat: GHD, derived from Department of Primary
 Industries and Regional Development Pre-European Vegetation
 DPRD-066 and Native Vegetation Extend DPRD-005

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Figure C - Yogi
Malleefowl habitats available
outside the PDE

-  Proposed addition to mine development envelope
-  EPA mine development envelope (MDE)
-  Pipeline development envelope (PDE) east
-  Major road
-  PDE 40km buffer
-  Malleefowl habitat (GHD, 2020a)
-  Potential suitable breeding habitat
-  Potential supportive habitat


 0 10 20
 Kilometres
 GDA 1994 MGA Zone 50
 Date: 21/10/2024 Rev: A
 Project: 220011
 Author: J. Baker; Drawn: L. Weggelaar
 Print @ A3



Appendices

Appendix A – Revised Mine Development Envelope Spatial Data

Appendix B – *Mining Act 1978* approval evidence

References

GHD Pty Ltd (GHD). 2020a. Yogi Magnetite Mine - Public Environmental Review. Unpublished report prepared for FIJV Pty Ltd.

GHD Pty Ltd (GHD). 2020b. Yogi Magnetite Project, Fauna Assessment. Unpublished report prepared for FIJV Pty Ltd.