

## NOTICE OF INTERIM IMPLEMENTATION CONDITIONS

Section 46A  
*Environmental Protection Act 1986*

**Proposal:** Hamersley Agriculture Project

**Proponent:** Hamersley Iron Pty. Limited  
Australian Company Number 004558276

**Proponent Address:** 152-158 St Georges Terrace PERTH WA 6000

**Statement to which this notice relates:** Statement 883 dated 5 December 2011

Pursuant to section 46A(1) of the *Environmental Protection Act 1986*, the following interim implementation conditions in this Notice are to have effect instead of implementation conditions 5 and 6 of Statement 883 dated 5 December 2011.

These Interim Implementation Conditions are to be read in conjunction with Statement 883 and are to have effect until a further statement is published under section 45(5) as applied by section 46(8) of the *Environmental Protection Act 1986*. All other conditions of Statement 883 continue to have effect.

### **5 Flora (Spread of Weeds), Water Quality and Quantity**

5-1 The proponent shall prepare and submit a Condition Environmental Management Plan to the satisfaction of the CEO. This plan shall demonstrate that the following environmental outcomes will be met:

- (1) No crop species, selected as per condition 5-1(1)(a), shall extend beyond the HAP Development Envelope as shown in Figure 1.
  - (a) The proponent shall select crop species in accordance with the *Hamersley Agriculture Project – Crop Species Selection Procedure and Endorsed Species List for Cultivation of Crop Species at HAP* (RTIO-HSE-0267878, June 2016), or subsequent approved revisions.
  - (b) Any revisions of the *Hamersley Agriculture Project – Crop Species Selection Procedure and Endorsed Species List for Cultivation of Crop Species at HAP* required by condition 5-1(1)(a) shall be undertaken in consultation with the Department of Parks and Wildlife, to the requirements of the CEO.

- (2) The run-off from the HAP Development Envelope does not cause the quality of surface water leaving the HAP Development Envelope to exceed trigger values established by the proponent in accordance with ANZECC/ARMCANZ guidelines, taking into consideration natural background water quality, protecting existing and potential users, including ecosystem maintenance, to the requirements of the CEO; and
- (3) Changes to the hydrological regime, specifically soil saturation, related to the establishment of irrigated pivot cells do not adversely affect the surrounding environment beyond the HAP Development Envelope shown in Figure 1.

5-2 The Condition Environmental Management Plan shall:

- (1) specify the environmental outcomes to be achieved, as specified in conditions 5-1;
- (2) specify trigger criteria that must provide an early warning that the threshold criteria identified in condition 5-2(3) may not be met;
- (3) specify threshold criteria to demonstrate compliance with the environmental outcomes specified in conditions 5-1. Exceedance of the threshold criteria represents non-compliance with these conditions;
- (4) specify monitoring to determine if trigger criteria and threshold criteria are exceeded;
- (5) specify trigger level actions to be implemented in the event that trigger criteria have been exceeded;
- (6) specify threshold contingency actions to be implemented in the event that threshold criteria are exceeded; and
- (7) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that condition 5-1 has been met over the reporting period in the Compliance Assessment Report required by condition 3-6.

5-3 After receiving notice in writing from the CEO that the Condition Environmental Management Plan satisfies the requirements of condition 5-2 the proponent shall:

- (1) implement the provisions of the Condition Environmental Management Plan; and
- (2) continue to implement the Condition Environmental Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated the outcomes specified in condition 5-1 has been met.

5-4 In the event that monitoring indicates exceedance of threshold criteria specified in the Condition Environmental Management Plan, the proponent shall:

- (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified;
- (2) implement the threshold contingency actions specified in the Condition Environmental Management Plan within 24 hours and continue

implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the trigger and threshold criteria are being met and the implementation of the threshold contingency actions is no longer required;

- (3) investigate to determine the cause of the threshold criteria being exceeded;
- (4) investigate to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; and
- (5) provide a report to the CEO within 21 days of the exceedance being reported as required by condition 5-4(1). The report shall include:
  - (a) details of threshold contingency actions implemented;
  - (b) the effectiveness of the threshold contingency actions implemented, against the threshold criteria;
  - (c) the findings of the investigations required by condition 5-4(3) and 5-4(4);
  - (d) measures to prevent the threshold criteria being exceeded in the future; and
  - (e) measures to prevent, control or abate the environmental harm which may have occurred.

5-5 The proponent:

- (1) may review and revise the Condition Environmental Management Plan, or
- (2) shall review and revise the Condition Environmental Management Plan as and when directed by the CEO.

5-6 The proponent shall implement the latest revision of the Condition Environmental Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 5-2.

5-7 The proponent shall continue to implement the version most recently approved by the CEO of the Hamersley Agriculture Project Environmental Management Plan (RTIO-HSE-0240250, March 2016), until the CEO, in consultation with the Department of Parks and Wildlife, has confirmed by notice in writing that the plan/s required by condition 5-1 satisfies the requirements of condition 5-2 to meet the outcomes required by condition 5-1.

[Signed 24 August 2016]

**HON ALBERT JACOB MLA  
MINISTER FOR ENVIRONMENT; HERITAGE**