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Published on: 8 August 2016

Statement No. 1033

**STATEMENT THAT A REVISED PROPOSAL MAY BE IMPLEMENTED**  
***(Environmental Protection Act 1986)***

**PILBARA IRON ORE AND INFRASTRUCTURE PROJECT (CHRISTMAS CREEK  
MINE, EAST-WEST RAILWAY AND MINDY MINDY MINE) - REVISED PROPOSAL**

**Proposal:** Proposal to revise Pilbara Iron Ore and Infrastructure Project: East-West Railway and Mine Sites Stage B, the subject of Statement No. 707 dated 16 December 2005 and Statement No. 871 dated 01 August 2011.

**Proponent:** Fortescue Metals Group Ltd  
Australian Company Number 002 594 872

**Proponent Address:** Level 2/87 Adelaide Terrace, East Perth WA 6004

**Assessment Number:** 1989

**Report of the Environmental Protection Authority:** 1567

**Previous Reports of the Environmental Protection Authority:** 1202 and 1402

**Previous Statement Numbers:** 707 and 871

Pursuant to section 45, read with section 45B of the *Environmental Protection Act 1986*, it has been agreed that:

1. the proposal described and documented in Table 2 of Schedule 1 may be implemented;
2. the implementation of the proposal, being the Pilbara Iron Ore and Infrastructure Project: East-West Railway and Mine Sites Stage B as amended by this proposal, is subject to the following implementation conditions; and
3. from the date of this Statement each of the implementation conditions in Statements 707 and 871 no longer apply in relation to the Proposal.

## **1 Proposal Implementation**

- 1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.

## **2 Contact Details**

- 2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

## **3 Compliance Reporting**

- 3-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 3-6, or prior to implementation, whichever is sooner.
- 3-2 The Compliance Assessment Plan shall indicate:
- (1) the frequency of compliance reporting;
  - (2) the approach and timing of compliance assessments;
  - (3) the retention of compliance assessments;
  - (4) the method of reporting of potential non-compliances and corrective actions taken;
  - (5) the table of contents of Compliance Assessment Reports; and
  - (6) public availability of Compliance Assessment Reports.
- 3-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 3-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 3-1.
- 3-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 3-1 and shall make those reports available when requested by the CEO.
- 3-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.

- 3-6 The proponent shall submit to the CEO Compliance Assessment Reports addressing compliance in the previous calendar year. Compliance Assessment Reports shall be submitted by the submission date defined in the Compliance Assessment Plan required by condition 3-1, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 3-1.

#### **4 Public Availability of Plans and Reports**

- 4-1 Subject to condition 4-2, within a reasonable time period approved in writing by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved in writing by the CEO, all environmental plans and reports required under this Statement.

- 4-2 If any parts of the plans and reports referred to in condition 4-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make those parts of the plans or reports publicly available. In making such a request, the proponent shall provide the CEO with an explanation and reasons why those parts of the plans or reports should not be made publicly available.

#### **5 Outcome-based Condition Environmental Management Plans**

- 5-1 The proponent shall prepare and submit Condition Environmental Management Plans:

- (1) within 6 months of issue of this Statement or as otherwise agreed in writing by the CEO, to demonstrate that the environmental outcomes in condition 7-1 for the Christmas Creek Iron Ore Mine will be met; and
- (2) prior to the commencement of ground disturbing activities, to demonstrate that the environmental outcome in condition 16-1 for the Mindy Mindy Iron Ore Mine will be met.

5-2 The Condition Environmental Management Plans shall:

- (1) specify the **environmental outcomes** to be achieved, as specified in conditions 7-1 and 16-1;
- (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 7-1 and 16-1. 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 conditions 7-1 and 16-1 have 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 Plans satisfy the requirements of condition 5-2 for conditions 7-1 and 16-1 the proponent shall:

- (1) implement the provisions of the Condition Environmental Management Plans; and
- (2) continue to implement the Condition Environmental Management Plans until the CEO has confirmed by notice in writing that the proponent has demonstrated the outcomes specified in conditions 7-1 and 16-1 have been met.

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

- (1) report the exceedance in writing to the CEO within 7 days of the exceedance being identified;
- (2) implement the threshold contingency actions specified in the Condition Environmental Management Plans 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 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 provide information for the CEO 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;
  - (e) measures to prevent, control or abate the environmental harm which may have occurred; and
  - (f) justification of the threshold remaining, or being adjusted based on better understanding, demonstrating that outcomes will continue to be met.

5-5 The proponent:

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

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

## **6 Management-based Condition Environmental Management Plans**

- 6-1 The proponent shall prepare and submit Condition Environmental Management Plans:

- (1) within 12 months of issue of this Statement or as otherwise agreed in writing by the CEO, to demonstrate that the **environmental objective** in condition 8-1 for the Christmas Creek Iron Ore Mine will be met;
- (2) if required by condition 9-6, to demonstrate that the environmental objective in condition 9-1 for the Christmas Creek Iron Ore Mine will be met;
- (3) within 24 months of issue of this Statement or as otherwise agreed in writing by the CEO, to demonstrate that the **environmental objectives** in conditions 12-1 and 13-1 for the East-West Railway will be met;
- (4) within 12 months of the Minister (for State Development) giving notice under Clause 32 (2)(a) of the TPI Agreement Act or as otherwise agreed in writing by the CEO, or at least 3 years prior to the planned cessation of Railway Operations by the proponent, whichever occurs first, to demonstrate that the **environmental objective** in condition 14-1 for the East-West Railway will be met; and
- (5) prior to the commencement of ground disturbing activities, to demonstrate that the **environmental objectives** in conditions 17-1, 18-1, 19-1 and 20-1 for the Mindy Mindy Iron Ore Mine will be met.

- 6-2 The Condition Environmental Management Plans shall:

- (1) specify the **environmental objectives** to be achieved, as specified in conditions 8-1, 9-1, 12-1, 13-1, 14-1, 17-1, 18-1, 19-1 and 20-1;
- (2) specify risk-based **management actions** that will be implemented to demonstrate compliance with the environmental objectives specified in 8-1, 9-1, 12-1, 13-1, 14-1, 17-1, 18-1, 19-1 and 20-1. Failure to implement one or more of the management actions represents non-compliance with these conditions;
- (3) specify measurable **management target(s)** to determine the effectiveness of the risk-based management actions;
- (4) specify **monitoring** to measure the effectiveness of management actions against management targets, including but not limited to, parameters to

be measured, baseline data, monitoring locations, and frequency and timing of monitoring;

- (5) specify a process for **revision** of management actions and changes to proposal activities, in the event that the management targets are not achieved. The process shall include an investigation to determine the cause of the management target(s) being exceeded;
- (6) provide the format and timing to demonstrate that 8-1, 9-1, 12-1, 13-1, 14-1, 17-1, 18-1, 19-1 and 20-1 have been met for the reporting period in the Compliance Assessment Report required by condition 3-6 including, but not limited to:
  - (a) verification of the implementation of management actions; and
  - (b) reporting on the effectiveness of management actions against management target(s).

6-3 After receiving notice in writing from the CEO that the Condition Environmental Management Plan(s) satisfies the requirements of condition 6-2 for conditions 8-1, 9-1, 12-1, 13-1, 14-1, 17-1, 18-1, 19-1 and 20-1, the proponent shall:

- (1) implement the provisions of the Condition Environmental Management Plan(s); and
- (2) continue to implement the Condition Environmental Management Plan(s) until the CEO has confirmed by notice in writing that the proponent has demonstrated the objectives specified in conditions 8-1, 9-1, 12-1, 13-1, 14-1, 17-1, 18-1, 19-1 and 20-1 have been met.

6-4 In the event that monitoring, tests, surveys or investigations indicate exceedance of management target(s) specified in the Condition Environmental Management Plan(s), the proponent shall:

- (1) report the exceedance in writing to the CEO within 21 days of the exceedance being identified;
- (2) investigate to determine the cause of the management targets being exceeded;
- (3) provide a report to the CEO within 90 days of the exceedance being reported as required by condition 6-4(1). The report shall include:
  - (a) cause of management targets being exceeded;
  - (b) the findings of the investigation required by conditions 6-4(2);
  - (c) details of revised and/or additional management actions to be implemented to prevent exceedance of the management target(s); and

(d) relevant changes to proposal activities.

6-5 In the event that monitoring, tests, surveys or investigations indicate that one or more management actions specified in the Condition Environmental Management Plan have not been implemented, the proponent shall:

- (1) report the failure to implement management action/s in writing to the CEO within 7 days of identification;
- (2) investigate to determine the cause of the management action(s) not being implemented;
- (3) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to the failure to implement management actions;
- (4) provide a report to the CEO within 21 days of the reporting required by condition 6-5(1). The report shall include:
  - (a) cause for failure to implement management actions;
  - (b) the findings of the investigation required by conditions 6-5(2) and 6-5(3);
  - (c) relevant changes to proposal activities; and
  - (d) measures to prevent, control or abate the environmental harm which may have occurred.

6-6 The proponent:

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

6-7 The proponent shall implement the latest revision of the Condition Environmental Management Plan(s), which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-2.

### **Christmas Creek Iron Ore Mine**

## **7 Flora and Vegetation – conservation significant flora species and vegetation**

7-1 The proponent shall manage the implementation of the proposal to meet the following **environmental outcomes**:



- (1) ensure there is no disturbance (direct and indirect impacts) within the buffers of the known records of the Priority 1 flora species *Calotis squamigera* and *Eremophila spongiorcarpa* within the Christmas Creek Mine Development Envelope, as delineated in Figure 2 of Schedule 1 and defined by the geographic coordinates in Schedule 2.
  - (2) maintain the health of Mulga, Samphire and Coolibah / River Red Gum vegetation as delineated in Figure 3 and defined by the geographic coordinates in Schedule 2, that is not authorised to be cleared in Schedule 1.
- 7-2 The proponent shall consult with Parks and Wildlife in the preparation of the plan/s required by condition 5-1 that satisfies the requirements of condition 5-2, to meet the outcomes required by condition 7-1.
- 7-3 The plan/s required by condition 5-1 shall include provisions required by condition 5-2 to address impacts on conservation significant flora and vegetation health including from, but not limited to: changes to groundwater levels and groundwater quality; changes to surface flows; dust; and weeds.
- 7-4 The proponent shall continue to implement the versions most recently approved by the CEO of the Christmas Creek Water Management Scheme, Vegetation Health Monitoring and Management Plan (CC-PL-EN-0004), the Significant Flora and Vegetation Management Plan (45-PL-EN-0017), the Fortescue Marshes Management Plan (45-PL-EN-0009) and the Surface Water Management Plan (100-PL-EN-1015) until the CEO has confirmed by notice in writing that the plan required by condition 5-1 satisfies the requirements of condition 5-2 to meet the outcomes required by condition 7-1.

## **8 Terrestrial Fauna – conservation significant fauna**

- 8-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:
- (1) minimise direct and indirect impacts on conservation significant fauna species and their habitat, including, but not limited to the Pilbara Olive Python, Northern Quoll, Greater Bilby, Night Parrot and migratory birds.
- 8-2 The plan/s required by condition 6-1 shall include provisions required by 6-2 to manage impacts on conservation significant fauna including from, but not limited to loss of habitat, changes in surface water flows and open trenches.
- 8-3 The proponent shall continue to implement the versions most recently approved by the CEO of the *Conservation Significant Fauna Management Plan* (100-PL-EN-0022), the *Fortescue Marshes Management Plan* (45-PL-EN-0009) and the *Surface Water Management Plan* (100-PL-EN-1015) until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the objective required by condition 8-1.

## 9 Subterranean Fauna

- 9-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:
- (1) minimise impacts to troglofauna species, including *Anajapygidae* sp B02, *Parajapygidae* sp B24, *Projapygidae* sp B12 and *Troglarmadillo* sp B30, and to stygofauna species including *Bathynella* sp. B02, *Goniocyclops* sp. B02 and *Canthocamptidae* sp. B02, which have been identified through baseline surveys to have potentially restricted distributions or potentially restricted habitat.
- 9-2 To verify that the requirements of condition 9-1 are met, the proponent shall prepare and submit a survey plan within 3 months of the issue of this Statement or as otherwise agreed in writing by the CEO.
- 9-3 The survey plan shall detail the proposed methodology for the targeted subterranean fauna and subterranean fauna habitat survey.
- 9-4 The proponent shall undertake the targeted survey required by condition 9-2 in accordance with the survey plan, within 3 months of receiving notice in writing from the CEO that the survey plan satisfies the requirements of condition 9-3 or as otherwise agreed by the CEO;
- 9-5 On completion of the targeted survey, the proponent shall report to the CEO on the following within 3 months of completion of the survey or as otherwise agreed in writing by the CEO:
- (1) completion of the targeted survey in accordance with the survey plan; and
  - (2) the results of the targeted survey, including maps which show:
    - (a) locations of all known records of the troglofauna species *Anajapygidae* sp B02, *Parajapygidae* sp B24, *Projapygidae* sp B12 and *Troglarmadillo* sp B30, and the stygofauna species *Bathynella* sp. B02, *Goniocyclops* sp. B02 and *Canthocamptidae* sp. B02; and
    - (b) likely suitable habitat for the troglofauna species *Anajapygidae* sp B02, *Parajapygidae* sp B24, *Projapygidae* sp B12 and *Troglarmadillo* sp B30, and the stygofauna species *Bathynella* sp. B02, *Goniocyclops* sp. B02 and *Canthocamptidae* sp. B02.
- 9-6 In the event that the CEO determines from the report required by 9-5 that one or more subterranean fauna species has a restricted distribution and / or a restricted habitat, the proponent shall within 3 months or as otherwise agreed in writing from the CEO, prepare and submit a Management-based Condition Environmental Management Plan to the CEO that satisfies the requirements of condition 6-2 to meet the objective required by condition 9-1.

9-7 The proponent shall continue to implement the version most recently approved by the CEO of the *Subterranean Fauna Survey Plan* (45-PL-EN-0010) until the CEO has confirmed by notice in writing that:

- (1) based on the results of the targeted survey required by 9-5, the objective required by condition 9-1(1) has been met; or
- (2) the plan required under condition 9-6 satisfies the requirements of condition 6-2 to meet the objective required by condition 9-1.

## **10 Rehabilitation and decommissioning**

10-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:

- (1) ensure that the proposal is rehabilitated and decommissioned in an ecologically sustainable manner.
- 10-2 Within six months of the issue of this Statement or as otherwise agreed in writing from the CEO, the proponent shall prepare and submit a Mine Closure Plan in accordance with the *Guidelines for Preparing Mine Closure Plans*, May 2015 (or any subsequent revisions of the guidelines), on advice of the DMP, Parks and Wildlife and the DoW.
- 10-3 The proponent shall continue to implement the *Conceptual Closure Plan; Pilbara Iron Ore and Infrastructure Project: East-West Railway and Mine Sites (Stage B)* (30-0086F, December 2004) until the CEO has confirmed by notice in writing that the Mine Closure Plan satisfies the requirements of condition 10-2 to meet the objective required by condition 10-1.
- 10-4 The plan shall include quantitative completion criteria for each domain of the mine to enable the proponent to demonstrate that closure objectives will be met, including, but not limited to rehabilitation (including revegetation) of Mulga and Coolibah / River Red Gum vegetation communities within the Christmas Creek Mine Development Envelope, as delineated in Figure 1 and defined by the geographic coordinates in Schedule 2.
- 10-5 The plan shall include a monitoring framework for the monitoring of groundwater levels and groundwater quality to enable the proponent to demonstrate that the cessation of groundwater dewatering and injection for the proposal will not have a detrimental impact on the Fortescue Marsh aquifers and aquifers that support the function of terrestrial and subterranean ecological communities, to demonstrate that the outcome in condition 7-1 and the objectives in conditions 8-1, 9-1 and 10-1 will be met.
- 10-6 The plan shall include a performance report for the period since the last revision of the plan, including, but is not limited to:

- (1) a gap analysis and risk assessment to determine what further information is required in relation to rehabilitation and decommissioning of each domain or feature;
  - (2) progress towards meeting information gaps, including results of research activities and rehabilitation trials;
  - (3) identification of actual progressive rehabilitation against schedule of progressive rehabilitation;
  - (4) progress against agreed completion criteria; and
  - (5) demonstration that the cessation of groundwater dewatering and injection for the proposal has not had a detrimental impact on the Fortescue Marsh aquifers.
- 10-7 The proponent shall review and revise the Mine Closure Plan required by condition 10-2 on advice of the DMP, the DoW and Parks and Wildlife, at intervals not exceeding three years, or as otherwise specified by the CEO, and submit the plan to the CEO at the agreed interval.
- 10-8 The proponent shall implement the latest revision of the Mine Closure Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 10-2.

## **11 Offsets**

- 11-1 The proponent shall provide direct funding to Parks and Wildlife for the following:
- (1) a contribution to a position within Parks and Wildlife of \$250,000 AUD (excluding GST) per annum (indexed to the Perth All Groups consumer price index (CPI)) from 2016 until the end of 2024, to manage a Fortescue Marsh conservation program;
  - (2) contribution to a Weed Management Extension Program of \$50,000 AUD (excluding GST) per annum (indexed to the Perth All Groups consumer price index (CPI)) until the end of 2024, to manage and reduce the weed populations within the Fortescue Marsh Management Area; and
  - (3) a one-off payment of \$100,000 AUD (excluding GST) within 6 months of the issue of this Statement, for a Fortescue Marsh conservation area management plan to be developed by Parks and Wildlife.
- 11-2 In view of the significant residual impacts and risks as a result of implementation of the proposal, the proponent shall contribute funds for the clearing of 'Good to Excellent' condition native vegetation in the Chichester and Fortescue IBRA subregions, the Fortescue Marsh Management Zone 1a and the proposed Fortescue Marsh Conservation Reserve, and calculated pursuant to condition 11-3. This funding shall be provided to a government-established conservation

offset fund or an alternative offset arrangement providing an equivalent outcome as determined by the Minister.

11-3 The proponent's contribution to the initiative identified in condition 11-2 shall be paid biennially, the first payment due on 31 May in the second year following the issue of this Statement. The amount of funding will be made on the following basis and in accordance with the approved Impact Reconciliation Procedure required by condition 11-4:

- (1) \$750 AUD (excluding GST) per hectare of 'Good to Excellent' condition native vegetation cleared within the Christmas Creek Mine Development Envelope (delineated in Figure 1 and defined by the geographic coordinates in Schedule 2) within the Chichester IBRA subregion;
- (2) \$1500 AUD (excluding GST) per hectare of 'Good to Excellent' condition native vegetation cleared within the Christmas Creek Mine Development Envelope (delineated in Figure 1 and defined by the geographic coordinates in Schedule 2) within the Fortescue IBRA subregion; and
- (3) \$3000 AUD (excluding GST) per hectare of native vegetation cleared within the Fortescue Marsh Management Zone 1a and the proposed Fortescue Marsh Conservation Reserve (delineated in Figure 4 and defined by the geographic coordinates in Schedule 2).

11-4 The 10,135.5 ha of clearing in the Christmas Creek Mine Development Envelope approved under Ministerial Statement 707 is exempt from the requirement to offset under condition 11-3.

11-5 Within twelve months of the date of this Statement, the proponent shall prepare an Impact Reconciliation Procedure to the satisfaction of the CEO.

11-6 The Impact Reconciliation Procedure required pursuant to condition 11-5 shall:

- (1) include a methodology to identify clearing of 'Good to Excellent' condition native vegetation in the Chichester and Fortescue IBRA subregions, and the Fortescue Marsh Management Zone 1a and the proposed Fortescue Marsh Conservation Reserve;
- (2) require the proponent to submit spatial data identifying areas of 'Good to Excellent' condition native vegetation that has been cleared;
- (3) include a methodology for calculating the amount of clearing undertaken during each biennial time period; and
- (4) state that the biennial time period commences on the 1 March prior to commencing ground disturbance. State that the due date for submitting the results of the Procedure for approval of the CEO is 31 March following the end of the first biennial period.

- 11-7 The real value of contributions described in condition 11-3 will be maintained through indexation to the Perth Consumer Price Index (CPI), with the first adjustment to be applied to the first contribution.

## **East-West Railway**

### **12 Hydrological Processes and Inland Waters Environmental Quality – surface water**

- 12-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:
- (1) minimise direct and indirect impacts on flora, vegetation and fauna from activities associated with the management of surface water, including, but not limited to, modifications to surface water drainage.
- 12-2 The proponent shall prepare a plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 12-1.
- 12-3 The proponent shall continue to implement the version most recently approved by the CEO of the *Surface Water Management Plan* (100-PL-EN-1015) until the CEO has confirmed by notice in writing that the plan/s required by condition 6-1 satisfies the requirements of condition 6-2 to meet the objective required by condition 12-1.

### **13 Flora and Vegetation – Vegetation health**

- 13-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:
- (1) minimise impacts to Mulga vegetation communities.
- 13-2 The proponent shall consult with Parks and Wildlife in the preparation of the plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 13-1.
- 13-3 The plan/s required by condition 6-1 shall include provisions required by condition 6-2 to address potential impacts on conservation significant flora and vegetation health including from, but not limited to, changes to surface flows and weeds.
- 13-4 The proponent shall continue to implement the version most recently approved by the CEO of the *Significant Flora and Vegetation Management Plan* (45-PL-EN-0017) until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the outcomes required by condition 13-1.

## **14 Rehabilitation and decommissioning**

- 14-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:
- (1) ensure that the proposal is decommissioned and rehabilitated consistent with the requirements of the TPI Agreement Act.
- 14-2 The proponent shall prepare a plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 14-1.

## **Mindy Mindy Iron Ore Mine**

## **15 Baseline Survey and Monitoring**

- 15-1 Prior commencement of ground disturbing activities, the proponent shall prepare and submit a Baseline Survey and Monitoring Plan/s to the CEO to demonstrate that conditions 16-1, 17-1, 18-1, 19-1 and 20-1 will be met.
- 15-2 The Baseline Survey and Monitoring Plan/s shall:
- (1) detail the proposed methodology for the baseline surveys and monitoring;
  - (2) identify and spatially define the proposed survey locations and monitoring/reference/control sites, and provide rationale for the location of the sites; and
  - (3) detail the proposed frequency and timing of the surveys and monitoring.
- 15-3 After receiving notice in writing from the CEO that the Baseline Survey and Monitoring Plan/s satisfies the requirements of condition 15-2, the proponent shall undertake the baseline surveys and monitoring in accordance with the requirements of the Baseline Survey and Monitoring Plan/s to CEO to demonstrate that conditions 16-1, 17-1, 18-1, 19-1 and 20-1 will be met.
- 15-4 On completion of the baseline surveys and monitoring the proponent shall report to the CEO on the following:
- (1) completion of the baseline surveys and monitoring in accordance with the Baseline Survey and Monitoring Plan/s; and
  - (2) the results of the baseline surveys and monitoring.

## **16 Hydrological Processes and Inland Waters Environmental Quality – groundwater levels and quality**

- 16-1 The proponent shall manage the abstraction of groundwater for dewatering and the disposal of surplus dewater to meet the following **environmental outcome**:
- (1) maintain groundwater levels and groundwater quality within a defined range, based on the results of the Baseline Survey required by condition 15-3 having regard for climatic trends and seasonal variation.

- 16-2 The proponent shall consult with the DoW in the preparation of the plan/s required by condition 5-1 that satisfies the requirements of condition 5-2, to meet the outcome required by condition 16-1.

**17 Hydrological Processes and Inland Waters Environmental Quality – surface water**

- 17-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:

- (1) minimise direct and indirect impacts flora, vegetation and fauna from surface water activities including from, but not limited to, modifications to surface water drainage.

- 17-2 The proponent shall prepare a plan/s required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 17-1.

**18 Flora and Vegetation – conservation significant flora and vegetation**

- 18-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:

- (1) minimise impacts to conservation significant flora species and vegetation communities.

- 18-2 In the event that the baseline survey and monitoring required by condition 15 records conservation significant flora and/or vegetation that may be impacted by the proposal, the proponent shall consult with Parks and Wildlife in the preparation of the plan/s required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 18-1.

- 18-3 The plan/s required by condition 6-1 shall include provisions required by condition 6-2, to address potential impacts on conservation significant flora and vegetation health including from, but not limited to: changes to groundwater levels; changes to surface flows; dust; and weeds.

**19 Terrestrial Fauna – conservation significant fauna**

- 19-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:

- (1) minimise direct and indirect impacts on conservation significant fauna species and their habitat.

- 19-2 In the event that the baseline survey and monitoring required by condition 15 records conservation significant terrestrial fauna that may be impacted by the proposal, the proponent shall consult with Parks and Wildlife in the preparation of the plan/s required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 19-1.



## **20 Subterranean Fauna**

20-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:

- (1) minimise impacts on subterranean fauna.

20-2 The proponent shall prepare a plan(s) required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 20-1.

## **21 Rehabilitation and Decommissioning**

21-1 The proponent shall manage the construction and operation of the proposal to meet the following **environmental objective**:

- (1) The proponent shall ensure that the proposal is decommissioned and rehabilitated in an ecologically sustainable manner.

21-2 Prior to the commencement of ground disturbing activities, the proponent shall prepare and submit a Mine Closure Plan in accordance with the *Guidelines for Preparing Mine Closure Plans*, May 2015 (or any subsequent revisions of the guidelines), to the requirements of the CEO on advice of the DMP.

21-3 The proponent shall review and revise the Mine Closure Plan required by condition 21-2 on advice of the DMP, at intervals not exceeding three years, or as otherwise specified by the CEO, and submit the plan to the CEO at the agreed interval.

21-4 The proponent shall implement the latest revision of the Mine Closure Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 21-2.

[Signed 8 August 2016]

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

Table 1: Summary of the Proposal

<b>Proposal Title</b>	Pilbara Iron Ore and Infrastructure Project (Christmas Creek Mine, East-West Railway and Mindy Mindy Mine) – Revised proposal
<b>Short Description</b>	<p>The proposal is to revise the existing Pilbara Iron Ore and Infrastructure Project: East-West Railway and Mine Sites Stage B located approximately 70 to 100 km north of Newman in the Pilbara region of Western Australia.</p> <p>The proposal includes mines and associated infrastructure at Christmas Creek and Mindy Mindy, and an east-west railway to link the Stage A north-south railway (to Port Hedland) to the Christmas Creek Mine.</p> <p>The revision includes modification/expansion or development of additional mine pits and associated infrastructure; processing facilities; water management infrastructure; and power station and associated infrastructure at the Christmas Creek Mine.</p>

Table 2: Location and authorised extent of physical and operational elements

<b>Element</b>	<b>Location</b>	<b>Authorised Extent</b>
<b>Christmas Creek Mine</b>		
Mine pits and associated infrastructure	Figure 1 and Figure 3	<p>Clearing of no more than 17,956 ha of vegetation within the 32,868 ha Christmas Creek Mine Development Envelope</p> <p>The total clearing of 17,956 ha of vegetation includes clearing of conservation-significant vegetation (direct and indirect impacts) of no more than:</p> <ul style="list-style-type: none"> <li>• 10,244 ha of Mulga vegetation</li> <li>• 0 ha of Samphire vegetation</li> <li>• 498 ha Coolibah/River Red Gum vegetation</li> </ul>
Dewatering		Abstraction of no more than 110 GL/a of groundwater
Surplus dewater management		Injection of no more than 110 GL/a of groundwater
Water supply		No more than 35 GL/a, supplied from mine dewatering, desalination, transfer from nearby mine sites and an external water supply borefield.

Element	Location	Authorised Extent
Backfilling of mine pits	Figure 1	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes.
<b>East-West Railway</b>		
Railway and associated infrastructure	Figure 1	Clearing of no more than 1,702 ha within the 2,218 ha East-West Rail Corridor Development Envelope.
<b>Mindy Mindy Mine</b>		
Mine pits and associated infrastructure	Figure 1	Clearing of no more than 852 ha within the 10,341 ha Mindy Mindy Mine Development Envelope.
Dewatering		Abstraction of up to 0.4 GL/a of groundwater.
Backfilling		Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes.

**Table 3: Abbreviations and Definitions**

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
Clearing	As defined in the <i>Environmental Protection Act 1986</i> .
Conservation significant fauna	Any terrestrial fauna species listed under the <i>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999</i> or the <i>Western Australia Wildlife Conservation Act 1950</i> .
Conservation significant flora	Any terrestrial flora species listed under the <i>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999</i> or the <i>Western Australia Wildlife Conservation Act 1950</i> or are considered by Parks and Wildlife to be Priority Species.
DoW	Department of Water or the Department of the Public Service of the State through which the <i>Rights in Water and Irrigation Act 1914</i> is administered.
Parks and Wildlife	Department of Parks and Wildlife or the Department of the Public Service of the State through which the <i>Conservation and Land Management Act 1984</i> is administered.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
Fortescue Marsh Management Area	As defined in <i>Environmental and water assessments relating to mining and mining-related activities in the Fortescue Marsh</i>

Acronym or Abbreviation	Definition or Term
	<i>management area: Advice of the Environmental Protection Authority to the Minister for Environment under Section 16(e) of the Environmental Protection Act 1986 (EPA Report 1484, July 2013)</i>
Ha	Hectare
OEPA	Office of the Environmental Protection Authority
TPI Agreement Act	Railway and Port (The Pilbara Infrastructure Pty Ltd) Agreement Act 2004

### Figures (attached):

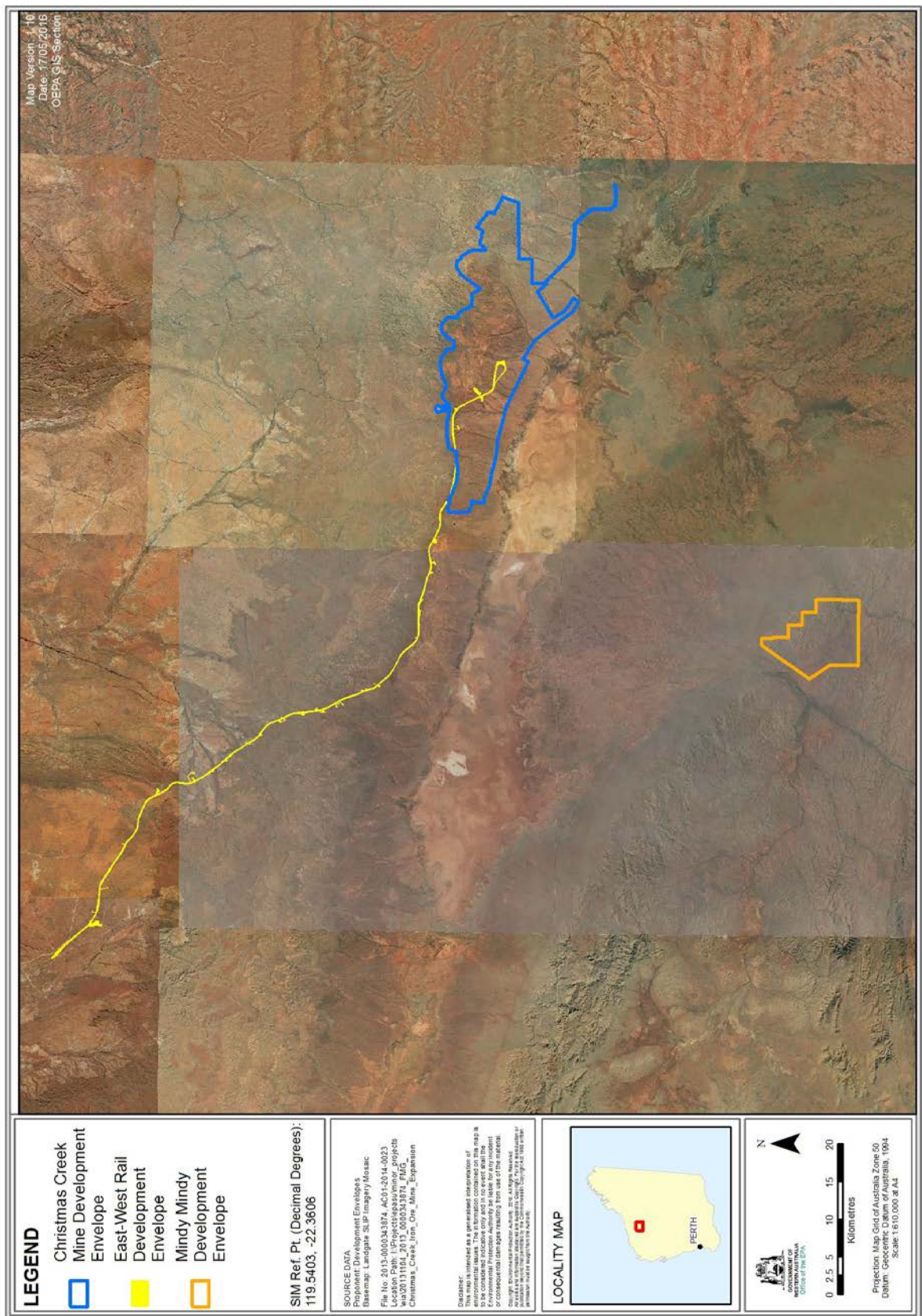
The following figures are representations of the co-ordinates in Schedule 2:

Figure 1 Christmas Creek Mine, East-West Rail Corridor and Mindy Mindy Mine development envelopes

Figure 2 *Calotis squamigera* and *Eremophila spongiocarpa* records and buffers within the Christmas Creek Development Envelope

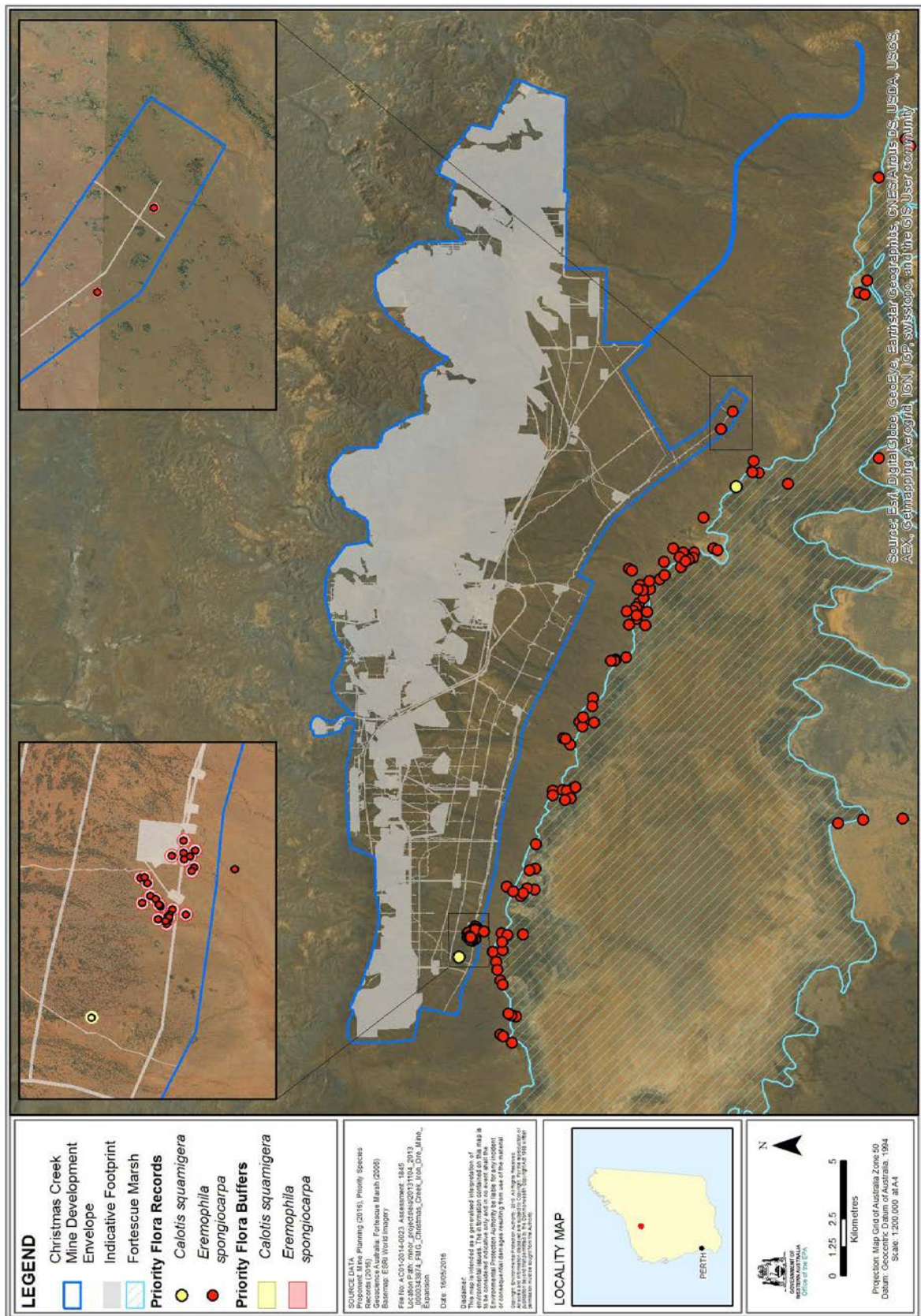
Figure 3 Mulga, Samphire and Coolibah / River Red Gum vegetation

Figure 4 Fortescue Marsh Management Zones and proposed Conservation Reserve



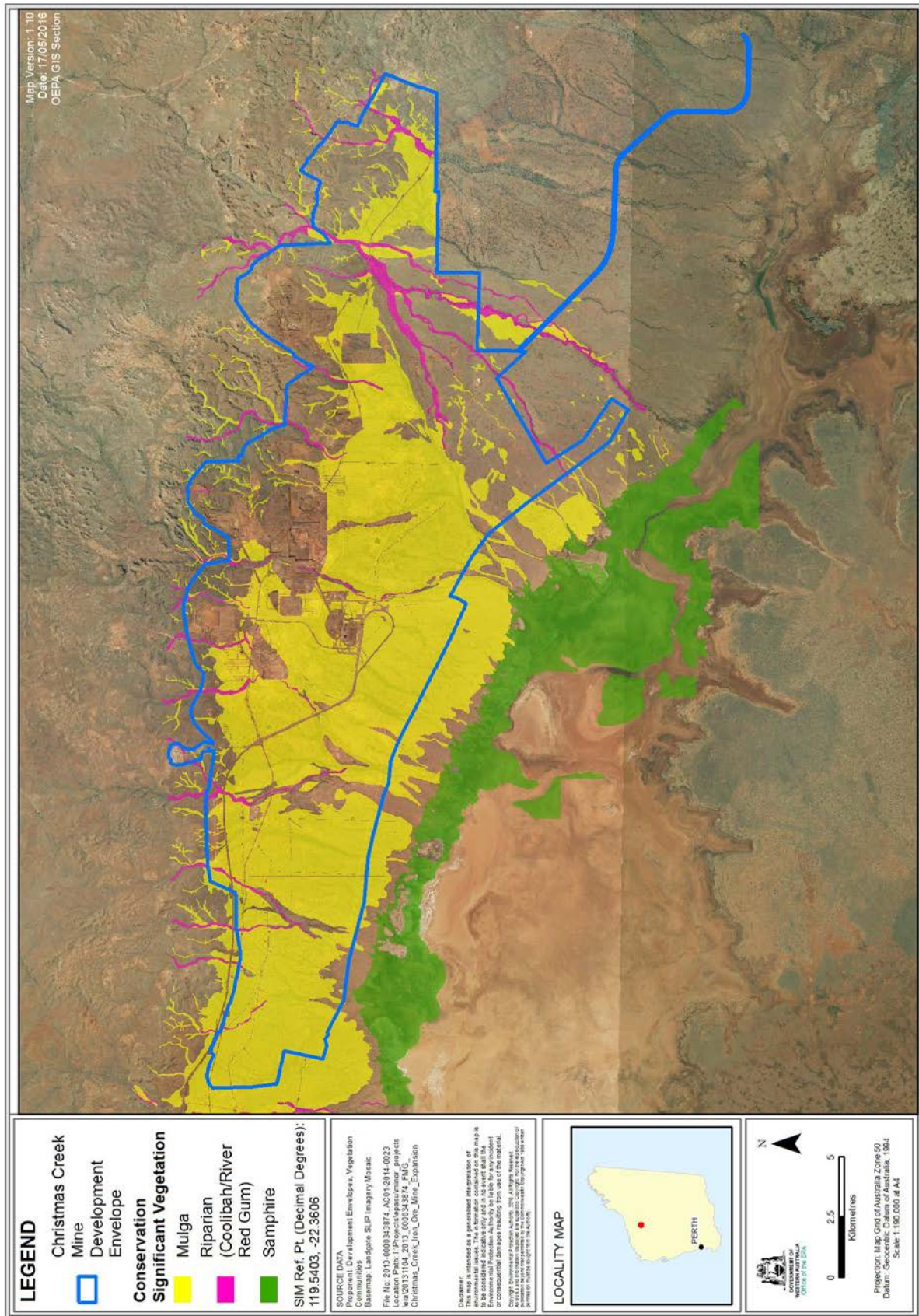
**Figure 1 Christmas Creek Mine, East-West Rail Corridor and Mindy Mindy Mine development envelopes**





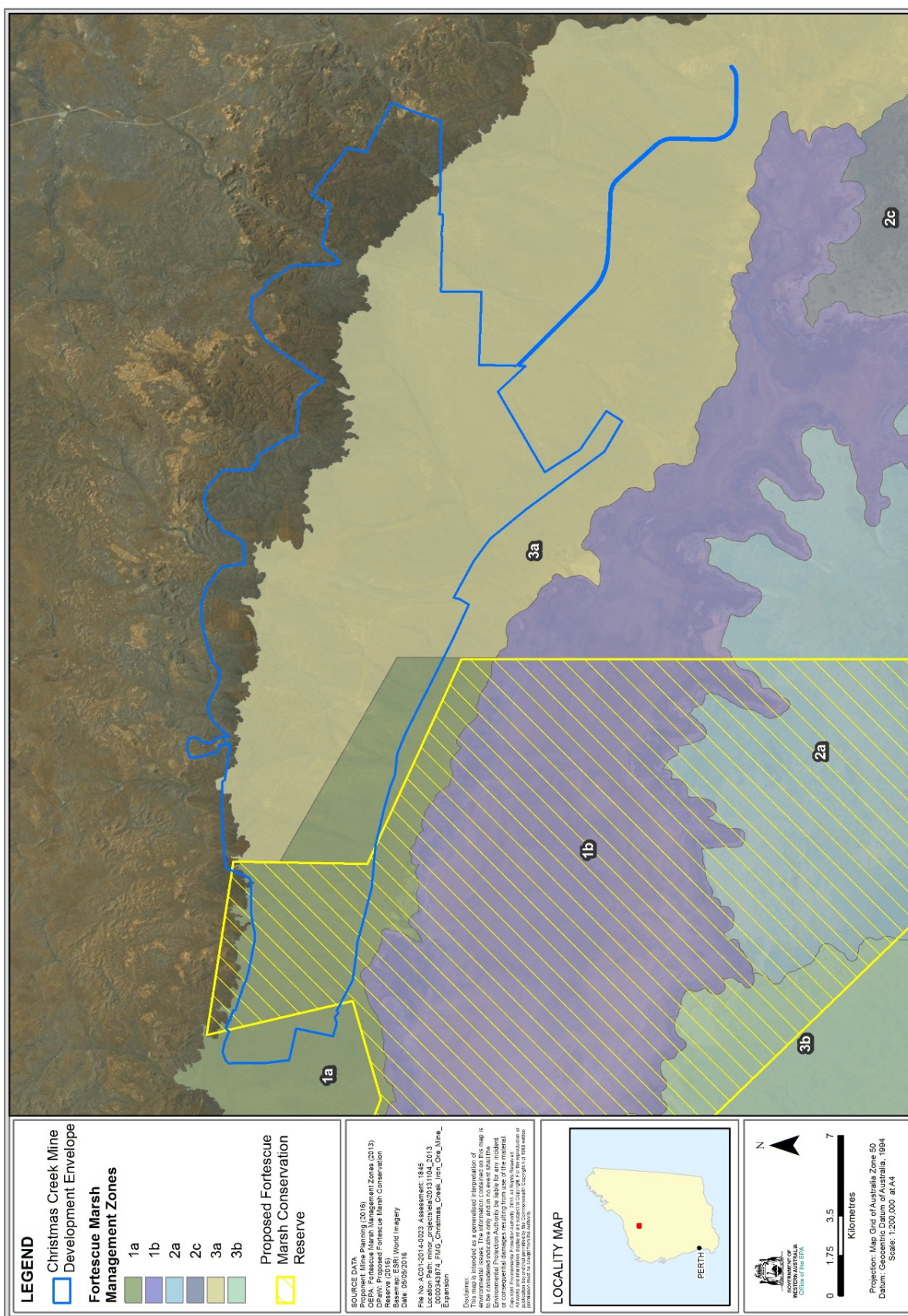
**Figure 2** *Calotis squamigera* and *Eremophila spongiocarpa* records and buffers within the Christmas Creek Development Envelope





**Figure 3 Mulga, Samphire and Coolibah / River Red Gum vegetation**





**Figure 4 Fortescue Marsh Management Zones and proposed Conservation Reserve**



## Schedule 2

Coordinates defining the following are held by the Office of the Environmental Protection Authority:

1. Christmas Creek Mine Development Envelope (Document Reference Number 2016-1456205988990)
2. The *Calotis squamigera* and *Eremophila spongiocarpa* buffers are defined as the area within a 50 m radius of each of the co-ordinates for the known records of Priority 1 flora species *Calotis squamigera* and *Eremophila spongiocarpa* within the Christmas Creek Mine Development Envelope (Document Reference Number 2016-1462776696347)
3. Mulga, Samphire and Coolibah / River Red Gum vegetation (Document Reference Number 2016-1462852443776)
4. Fortescue Marsh Management Zones and proposed Conservation Reserve (Document Reference Number 2016-1456205988990)
5. East-West Rail Corridor Development Envelope (Document Reference Number 2016-1457504230642)
6. Mindy Mindy Mine Development Envelope (Document Reference Number 2016-1457579262673)

## Attachment 1 to Ministerial Statement 1033

### Change to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces Tables 1, 2 and 3 of Schedule 1 to Ministerial Statement 1033

**Proposal:** Pilbara Iron Ore and Infrastructure Project (Christmas Creek Mine, East-West Railway and Mindy Mindy Mine) – Revised proposal

**Proponent:** Fortescue Metals Groups Ltd

#### Changes:

- Temporary presence of water in mining pits

**Table 1: Summary of the Proposal**

<b>Proposal Title</b>	Pilbara Iron Ore and Infrastructure Project: East-West Railway and Mine Sites Stage B
<b>Short Description</b>	<p>The proposal is to revise the existing Pilbara Iron Ore and Infrastructure Project: East-West Railway and Mine Sites Stage B located approximately 70 to 100 km north of Newman in the Pilbara region of Western Australia.</p> <p>The proposal includes mines and associated infrastructure at Christmas Creek and Mindy Mindy, and an east-west railway to link the Stage A north-south railway (to Port Hedland) to the Christmas Creek Mine.</p> <p>The revision includes modification/expansion or development of additional mine pits and associated infrastructure; processing facilities; water management infrastructure; and power station and associated infrastructure at the Christmas Creek Mine.</p>

**Table 2: Location and authorised extent of physical and operational elements**

Element	Location	Previously Authorised Extent	Authorised Extent
<b>Christmas Creek Mine</b>			
Mine pits and associated infrastructure	Figure 1 and Figure 3	<p>Clearing of no more than 17,956 ha of vegetation within the 32,868 ha Christmas Creek Mine Development Envelope</p> <p>The total clearing of 17,956 ha of vegetation includes clearing of conservation-</p>	<p>Clearing of no more than 17,956 ha of vegetation within the 32,868 ha Christmas Creek Mine Development Envelope</p> <p>The total clearing of 17,956 ha of vegetation includes clearing of conservation-</p>

Element	Location	Previously Authorised Extent	Authorised Extent
		significant vegetation (direct and indirect impacts) of no more than: <ul style="list-style-type: none"> <li>• 10,244 ha of Mulga vegetation</li> <li>• 0 ha of Samphire vegetation</li> <li>• 498 ha Coolibah/River Red Gum vegetation</li> </ul>	significant vegetation (direct and indirect impacts) of no more than: <ul style="list-style-type: none"> <li>• 10,244 ha of Mulga vegetation</li> <li>• 0 ha of Samphire vegetation</li> <li>• 498 ha Coolibah/River Red Gum vegetation</li> </ul>
Dewatering		Abstraction of no more than 110 GL/a of groundwater	Abstraction of no more than 110 GL/a of groundwater
Surplus dewater management		Injection of no more than 110 GL/a of groundwater	Injection of no more than 110 GL/a of groundwater
Water supply		No more than 35 GL/a, supplied from mine dewatering, desalination, transfer from nearby mine sites and an external water supply borefield.	No more than 35 GL/a, supplied from mine dewatering, desalination, transfer from nearby mine sites and an external water supply borefield.
Backfilling of mine pits	Figure 1	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes.	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes.
<b>Temporary Presence of water in Mining Pits</b>		<b>Not previously authorised</b>	<b>Temporary presence of water in mining pits for a period of 2 years.</b>
<b>East-West Railway</b>			
Railway and associated infrastructure	Figure 1	Clearing of no more than 1,702 ha within the 2,218 ha East-West Rail Corridor Development Envelope.	Clearing of no more than 1,702 ha within the 2,218 ha East-West Rail Corridor Development Envelope.
<b>Mindy Mindy Mine</b>			
Mine pits and associated infrastructure	Figure 1	Clearing of no more than 852 ha within the 10,341 ha Mindy Mindy Mine Development Envelope.	Clearing of no more than 852 ha within the 10,341 ha Mindy Mindy Mine Development Envelope.
Dewatering		Abstraction of up to 0.4 GL/a of groundwater.	Abstraction of up to 0.4 GL/a of groundwater.
Backfilling		Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes.	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes.

Note: Text in **bold** in Table 2 indicates a change to the proposal.

**Table 3: Abbreviations and Definitions**

<b>Acronym or Abbreviation</b>	<b>Definition or Term</b>
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
Clearing	As defined in the <i>Environmental Protection Act 1986</i> .
Conservation significant fauna	Any terrestrial fauna species listed under the <i>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999</i> or the <i>Western Australia Wildlife Conservation Act 1950</i> .
Conservation significant flora	Any terrestrial flora species listed under the <i>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999</i> or the <i>Western Australia Wildlife Conservation Act 1950</i> or are considered by Parks and Wildlife to be Priority Species.
DoW	Department of Water or the Department of the Public Service of the State through which the <i>Rights in Water and Irrigation Act 1914</i> is administered.
Parks and Wildlife	Department of Parks and Wildlife or the Department of the Public Service of the State through which the <i>Conservation and Land Management Act 1984</i> is administered.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
Fortescue Marsh Management Area	As defined in <i>Environmental and water assessments relating to mining and mining-related activities in the Fortescue Marsh management area: Advice of the Environmental Protection Authority to the Minister for Environment under Section 16(e) of the Environmental Protection Act 1986</i> (EPA Report 1484, July 2013)
ha	Hectare
OEPA	Office of the Environmental Protection Authority
TPI Agreement Act	Railway and Port (The Pilbara Infrastructure Pty Ltd) Agreement Act 2004

**Table 3: Abbreviations**

Abbreviation	Term
GL/a	Gigalitres per annum
ha	hectares
km	kilometres
m	metres
m <sup>3</sup>	cubic metres
Mtpa	Million tonnes per annum

[Signed 21 July 2017]

**Dr Tom Hatton**

CHAIRMAN

Environmental Protection Authority  
under delegated authority

## Attachment 2 to Ministerial Statement 1033

### Change to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces Schedule 1, Schedule 2 and Attachment 1 of Ministerial Statement 1033

**Proposal:** Pilbara Iron Ore and Infrastructure Project (Christmas Creek Mine, East-West Railway and Mindy Mindy Mine) – Revised Proposal

**Proponent:** Fortescue Metals Group Ltd

**Changes:**

- Expansion of the Christmas Creek Mine Development Envelope (Depicted by the red line within Figures 1 to 4 of Schedule 1); and
- Changes to the clearing of locally significant vegetation in Table 2 of Schedule 1.

#### Schedule 1

**Table 1: Summary of the Proposal**

<b>Proposal Title</b>	Pilbara Iron Ore and Infrastructure Project (Christmas Creek Mine, East-West Railway and Mindy Mindy Mine) – Revised Proposal
<b>Short Description</b>	<p>The proposal includes mines and associated infrastructure at Christmas Creek and Mindy Mindy, and an east-west railway to link the Stage A north-south railway (to Port Hedland) to the Christmas Creek Mine.</p> <p>The revision includes an expansion of the Christmas Creek Mine Development Envelope to incorporate future mine pit areas and to incorporate areas previously approved under Ministerial Statement 707 (wastewater irrigation area, tracks and pads).</p>

**Table 2: Location and authorised extent of physical and operational elements**

Element	Location	Previously Authorised Extent	Authorised Extent
<b>Christmas Creek Mine</b>			
Mine pits and associated infrastructure	Figure 1 and Figure 3	<p>Clearing of no more than 17,956 ha of vegetation within the 32,868 ha Christmas Creek Mine Development Envelope</p> <p>The total clearing of 17,956 ha of vegetation includes clearing of conservation-significant vegetation (direct and indirect impacts) of no more than:</p> <ul style="list-style-type: none"><li>• 10,244 ha of Mulga vegetation</li><li>• 0 ha of Samphire vegetation</li><li>• 498 ha Coolibah/River Red Gum vegetation</li></ul>	<p>Clearing of no more than 17,956 ha of vegetation within the <b>34,009</b> ha Christmas Creek Mine Development Envelope</p> <p>The total clearing of 17,956 ha of vegetation includes clearing of <b>locally</b> significant vegetation (direct and indirect impacts) of no more than:</p> <ul style="list-style-type: none"><li>• <b>10,380.3</b> ha of Mulga vegetation</li><li>• 0 ha of Samphire vegetation</li><li>• <b>572.9</b> ha Coolibah/River Red Gum vegetation</li></ul>

Element	Location	Previously Authorised Extent	Authorised Extent
<b>Christmas Creek Mine</b>			
Dewatering		Abstraction of no more than 110 GL/a of groundwater	Abstraction of no more than 110 GL/a of groundwater
Surplus dewater management		Injection of no more than 110 GL/a of groundwater	Injection of no more than 110 GL/a of groundwater
Water supply		No more than 35 GL/a, supplied from mine dewatering, desalination, transfer from nearby mine sites and an external water supply borefield	No more than 35 GL/a, supplied from mine dewatering, desalination, transfer from nearby mine sites and an external water supply borefield
Backfilling of mine pits	Figure 1	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes
Temporary presence of water in mining pits		Temporary presence of water in mining pits for a period of 2 years	Temporary presence of water in mining pits for a period of 2 years
<b>East-West Railway</b>			
Railway and associated infrastructure	Figure 1	Clearing of no more than 1,702 ha within the 2,218 ha East-West Rail Corridor Development Envelope	Clearing of no more than 1,702 ha within the 2,218 ha East-West Rail Corridor Development Envelope
<b>Mindy Mindy Mine</b>			
Mine pits and associated infrastructure	Figure 1	Clearing of no more than 852 ha within the 10,341 ha Mindy Mindy Mine Development Envelope	Clearing of no more than 852 ha within the 10,341 ha Mindy Mindy Mine Development Envelope
Dewatering		Abstraction of up to 0.4 GL/a of groundwater	Abstraction of up to 0.4 GL/a of groundwater
Backfilling		Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes

Note: Text in **bold** in Table 2 indicates a change to the proposal.

**Table 3: Abbreviations and Definitions**

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
Clearing	As defined in the <i>Environmental Protection Act 1986</i> .
Conservation significant fauna	Any terrestrial fauna species listed under the Commonwealth <i>Environmental Protection and Biodiversity Conservation Act 1999</i> or the <i>Western Australia Wildlife Conservation Act 1950</i> .
Conservation significant flora	Any terrestrial flora species listed under the Commonwealth <i>Environmental Protection and Biodiversity Conservation Act 1999</i> or the <i>Western Australia Wildlife Conservation Act 1950</i> or are considered by <b>DBCA (formerly Parks and Wildlife)</b> to be Priority Species.
<b>DWER (formerly DoW)</b>	<b>Department of Water and Environmental Regulation</b> or the Department or the Public Service of the State through which the <i>Rights in Water and Irrigation Act 1914</i> is administered.

Acronym or Abbreviation	Definition or Term
<b>DMIRS (formerly DMP)</b>	<b>Department of Mines, Industry Regulation and Safety or the Public Service of the State through which the <i>Mining Act 1978</i> is administered.</b>
<b>DBCA (formerly Parks and Wildlife)</b>	<b>Department of Biodiversity, Conservation and Attractions</b> or the Department of the Public Service of the State through which the <i>Conservation and Land Management Act 1984</i> is administered.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
Fortescue Marsh Management Area	As defined in <i>Environmental and water assessments relating to mining and mining-related activities in the Fortescue Marsh management area: Advice of the Environmental Protection Authority to the Minister for Environment under Section 16(e) of the Environmental Protection Act 1986</i> (EPA Report 1484, July 2013)
ha	Hectare
OEPA	Office of the Environmental Protection Authority
TPI Agreement Act	<i>Railway and Port (The Pilbara Infrastructure Pty Ltd) Agreement Act 2004</i>

Note: Text in **bold** in Table 3 indicates a change to the proposal.

**Table 4: Abbreviations**

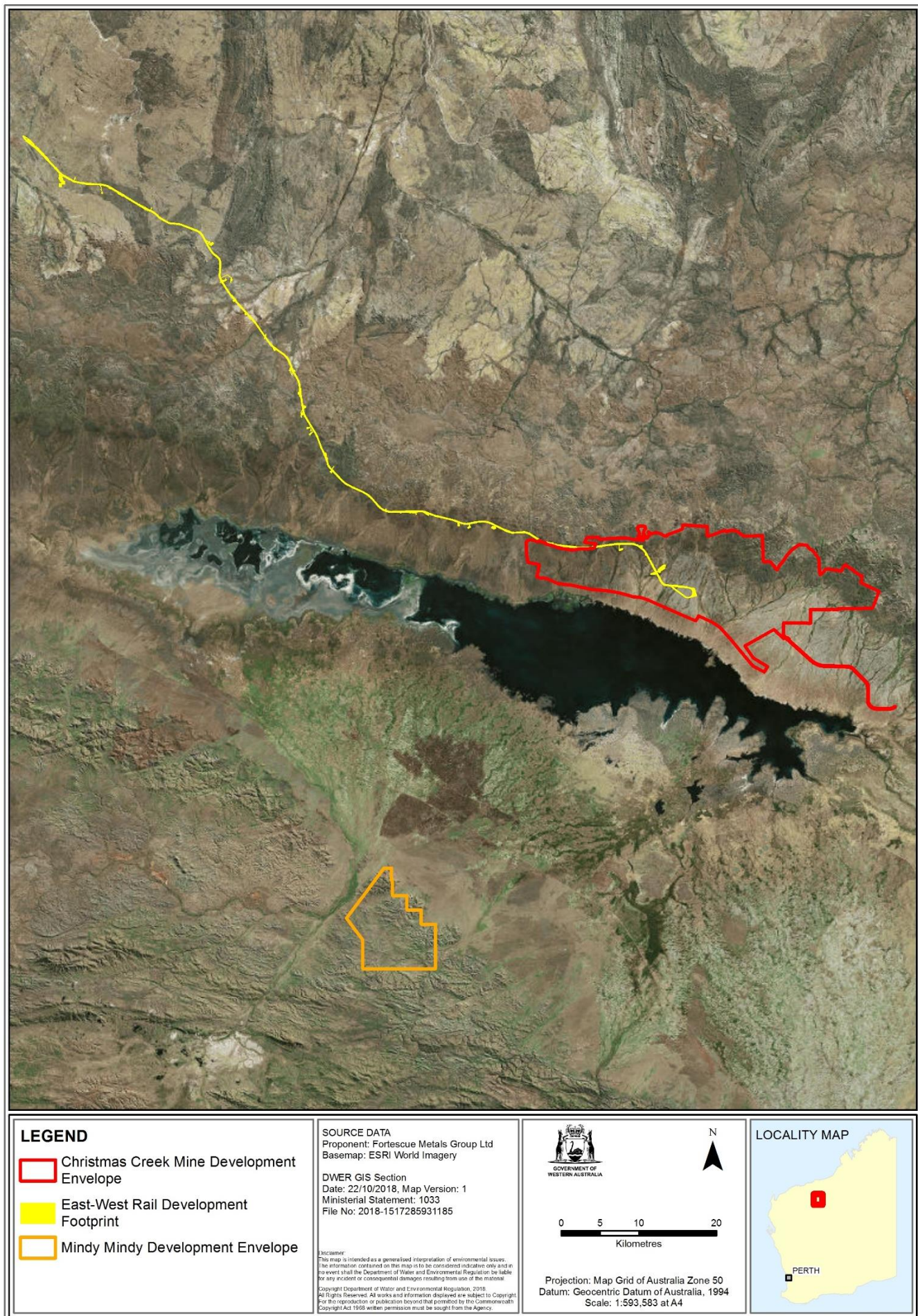
Abbreviation	Term
GL/a	Gigalitres per annum
ha	hectare
km	kilometre
m	metres
m <sup>3</sup>	cubic metres
Mtpa	Million tonnes per annum

### Figures (attached)

The following figures are representations of the co-ordinates in Schedule 2:

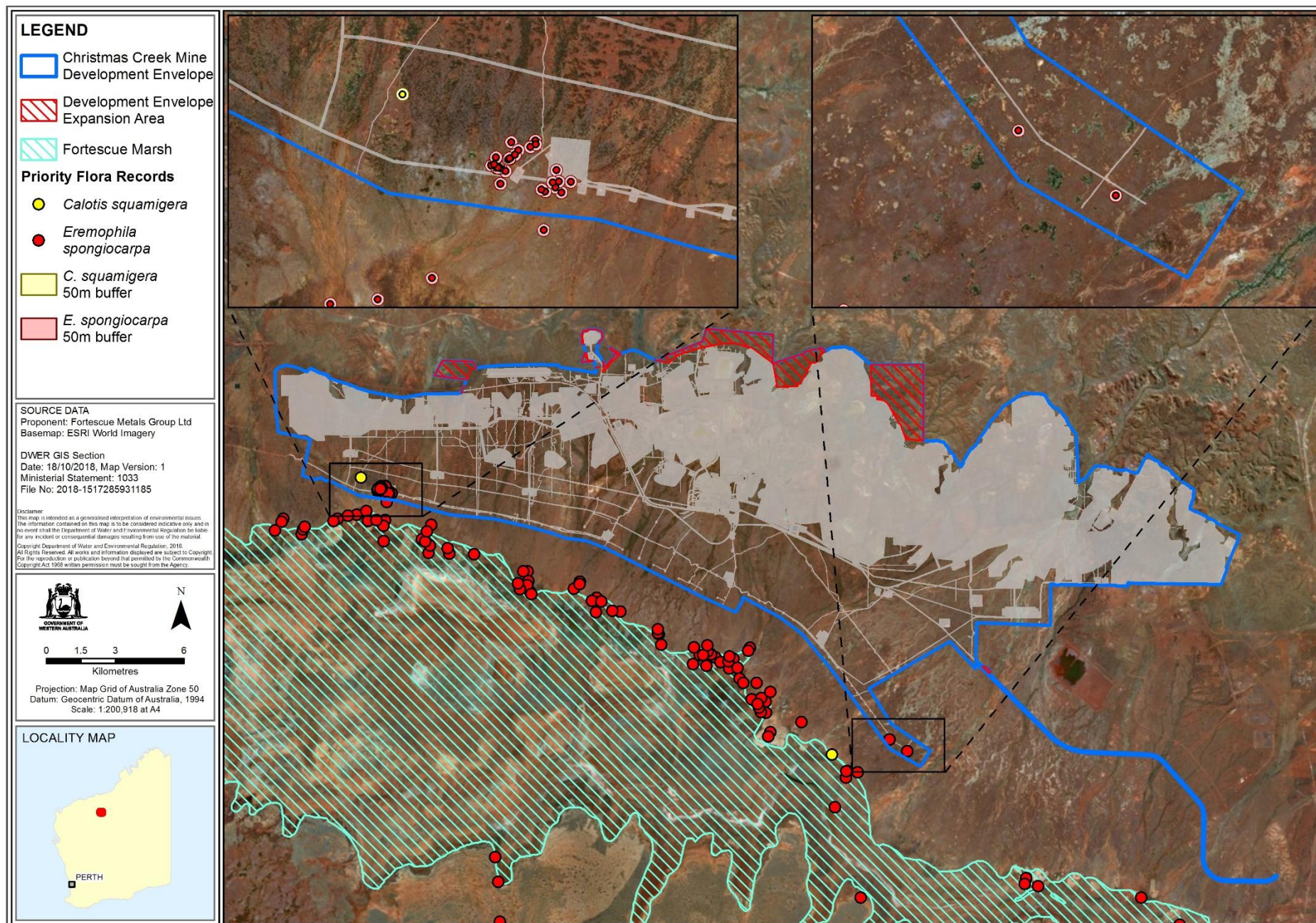
- Figure 1: Christmas Creek Mine, East-West Rail Corridor and Mindy Mindy Mine development envelopes
- Figure 2: *Calotis squamigera* and *Eremophila spongiorcarpa* records and buffers within the Christmas Creek Development Envelope
- Figure 3: Mulga, Samphire and Coolibah / River Red Gum vegetation
- Figure 4: Fortescue Marsh Management Zones and proposed Conservation Reserve





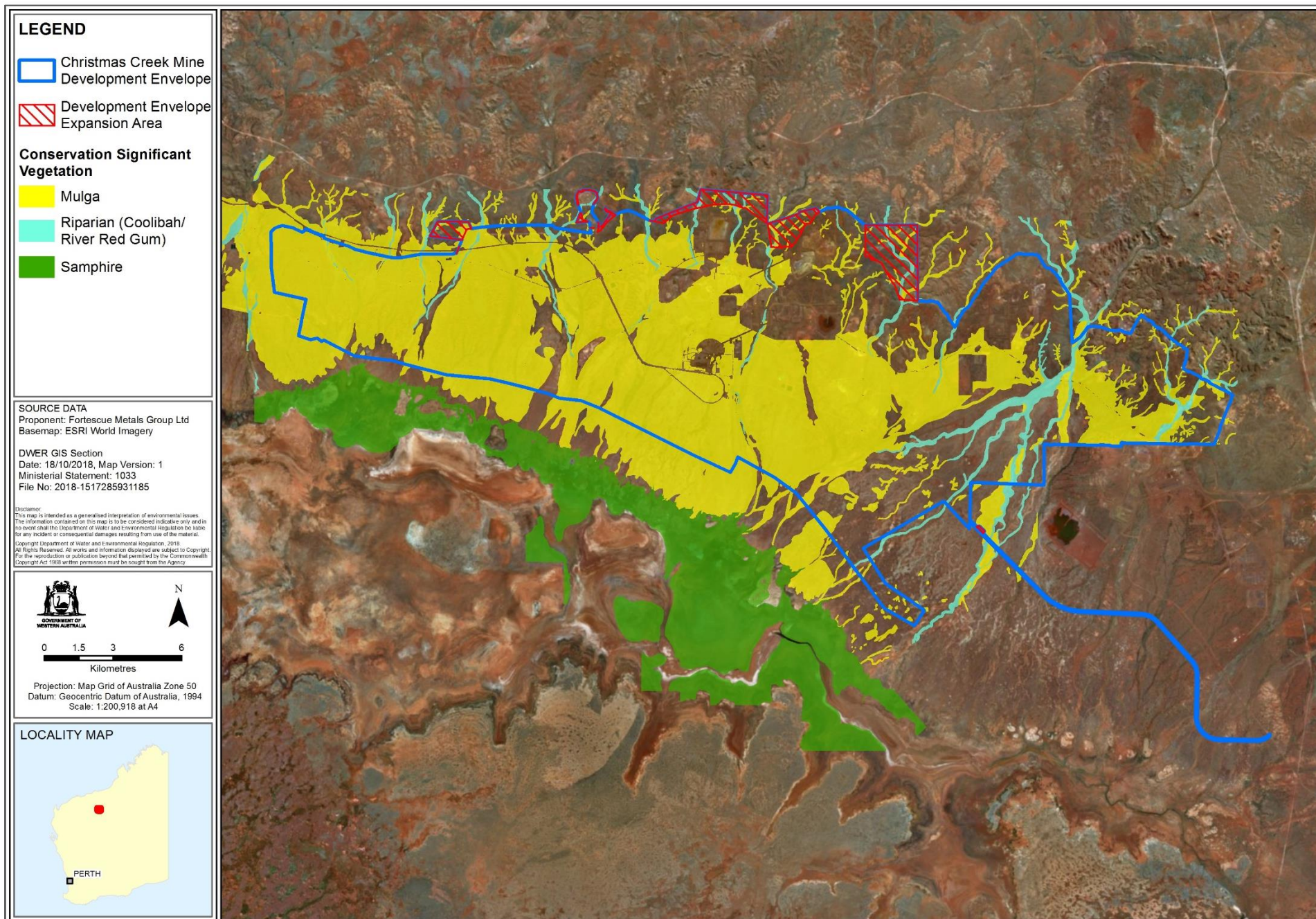
**Figure 1: Christmas Creek Mine, East-West Rail Corridor and Mindy Mindy Mine development envelopes**





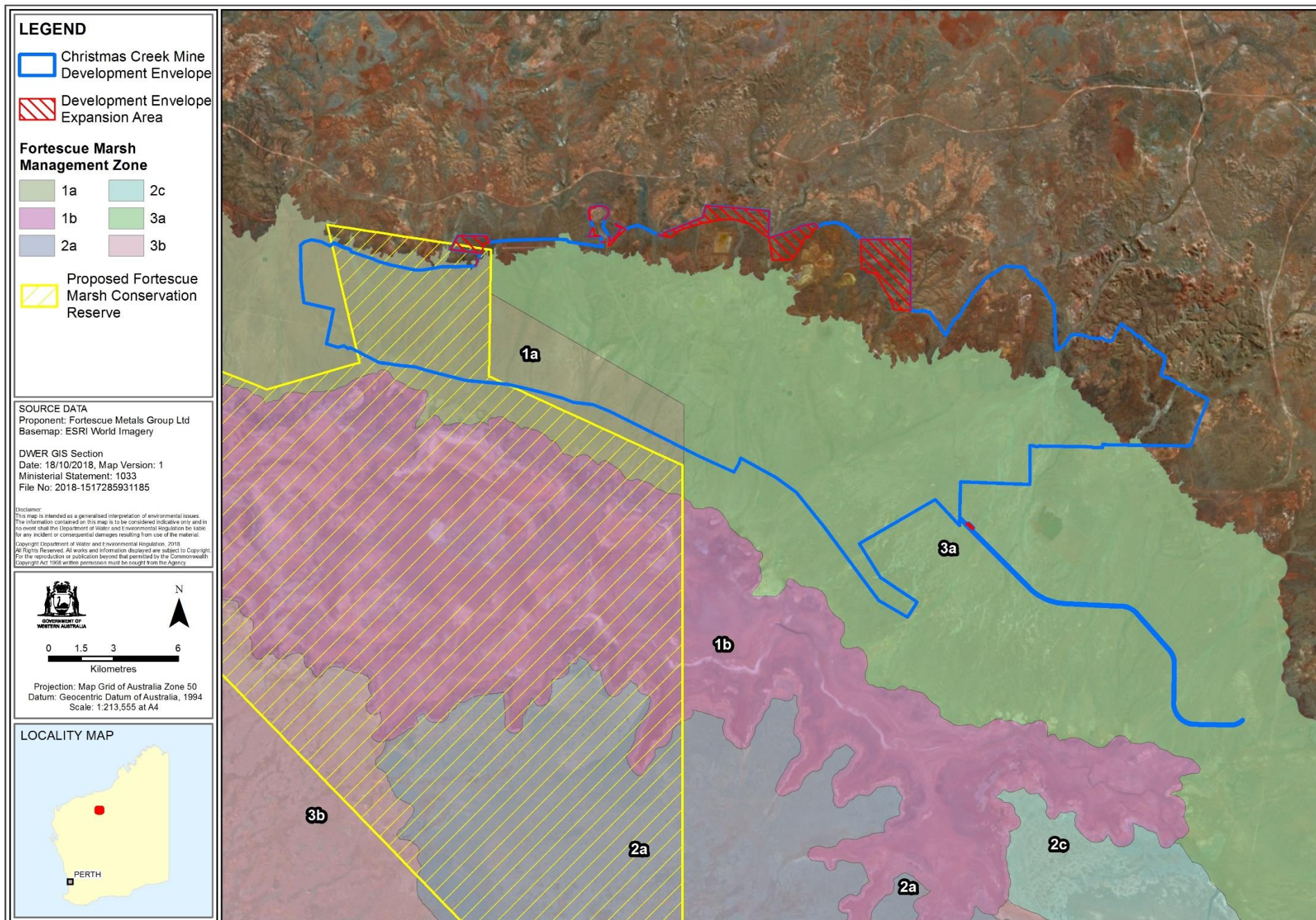
**Figure 2: *Calotis squamigera* and *Eremophila spongiocarpa* records and buffers within the Christmas Creek Development Envelope**





**Figure 3: Mulga, Samphire and Coolibah / River Red Gum vegetation**





**Figure 4: Fortescue Marsh Management Zones and proposed Conservation Reserve**

## Schedule 2

Coordinates defining the following are held by the Office of the Environmental Protection Authority:

1. Christmas Creek Mine Development Envelope (Document Reference Number **2018-1540184792960**)
2. The *Calotis squamigera* and *Eremophila spongiocarpa* buffers are defined as the area within a 50 m radius of each of the co-ordinates for the known records of Priority 1 flora species *Calotis squamigera* and *Eremophila spongiocarpa* within the Christmas Creek Mine Development Envelope (Document Reference Number 2016-1462776696347)
3. Mulga, Samphire and Coolibah / River Red Gum vegetation (Document Reference Number 2016-1462852443776)
4. Fortescue Marsh Management Zones and proposed Conservation Reserve (Document Reference Number 2016-1456205988990)
5. East-West Rail Corridor Development Envelope (Document Reference Number 2016-1457504230642)
6. Mindy Mindy Mine Development Envelope (Document Reference Number 2016-1457579262673)

Note: Text in **bold** in Schedule 2 indicates a change to the proposal.

[Signed 12 November 2018]

**Dr Tom Hatton**  
CHAIRMAN  
Environmental Protection Authority  
under delegated authority

## Attachment 3 to Ministerial Statement 1033

### Change to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces Schedule 1 and Attachment 2 of Ministerial Statement 1033

**Proposal:** Pilbara Iron Ore and Infrastructure Project (Christmas Creek Mine, East-West Railway and Mindy Mindy Mine) – Revised Proposal

**Proponent:** Fortescue Metals Group Ltd (FMGL)

**Changes:**

- Changes to Table 2, removing the time limit for the temporary presence of water in mining pits.
- Approval of presence of water in inactive mine pits.
- Below water table pits are required to be backfilled at cessation of mining to a level which will not allow the formation of permanent lakes.

**Table 1: Summary of the Proposal**

Proposal Title	Pilbara Iron Ore and Infrastructure Project (Christmas Creek Mine, East-West Railway and Mindy Mindy Mine) – Revised Proposal
Short Description	<p>The proposal includes mines and associated infrastructure at Christmas Creek and Mindy Mindy, and an east-west railway to link the Stage A north-south railway (to Port Hedland) to the Christmas Creek Mine.</p> <p>The revision includes an expansion of the Christmas Creek Mine Development Envelope to incorporate future mine pit areas and to incorporate areas previously approved under Ministerial Statement 707 (wastewater irrigation area, tracks and pads).</p>

**Table 2: Location and authorised extent of physical and operational elements**

Element	Location	Previously Authorised Extent	Authorised Extent
<b>Christmas Creek Mine</b>			
Mine pits and associated infrastructure	Figure 1 and Figure 3	<p>Clearing of no more than 17,956 ha of vegetation within the 34,009 ha Christmas Creek Mine Development Envelope.</p> <p>The total clearing of 17,956 ha of vegetation includes clearing of locally significant vegetation (direct and indirect impacts) of no more than:</p> <ul style="list-style-type: none"><li>• 10,380.3 ha of Mulga vegetation</li></ul>	<p>Clearing of no more than 17,956 ha of vegetation within the 34,009 ha Christmas Creek Mine Development Envelope.</p> <p>The total clearing of 17,956 ha of vegetation includes clearing of locally significant vegetation (direct and indirect impacts) of no more than:</p> <ul style="list-style-type: none"><li>• 10,380.3 ha of Mulga vegetation</li></ul>

Element	Location	Previously Authorised Extent	Authorised Extent
		<ul style="list-style-type: none"> <li>0 ha of Samphire vegetation</li> <li>572.9 ha Coolibah/ River Red Gum vegetation</li> </ul>	<ul style="list-style-type: none"> <li>0 ha of Samphire vegetation</li> <li>572.9 ha Coolibah/ River Red Gum vegetation</li> </ul>
<b>Christmas Creek Mine</b>			
Dewatering		Abstraction of no more than 110 GL/a of groundwater	Abstraction of no more than 110 GL/a of groundwater
Surplus dewater management		Injection of no more than 110 GL/a of groundwater	Injection of no more than 110 GL/a of groundwater
Water supply		No more than 35 GL/a, supplied from mine dewatering, desalination, transfer from nearby mine sites and an external water supply borefield	No more than 35 GL/a, supplied from mine dewatering, desalination, transfer from nearby mine sites and an external water supply borefield
Backfilling of mine pits	Figure 1	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes
Temporary presence of water in mining pits		Temporary presence of water in mining pits for a period of 2 years	<p><b>Temporary presence of water in inactive mining pits during mine operation.</b></p> <p><b>Water in inactive mining pits to be removed after the cessation of mining operations and backfilled to a level which will not allow the formation of permanent pit lakes.</b></p>
<b>East-West Railway</b>			
Railway and associated infrastructure	Figure 1	Clearing of no more than 1,702 ha within the 2,218 ha East-West Rail Corridor Development Envelope	Clearing of no more than 1,702 ha within the 2,218 ha East-West Rail Corridor Development Envelope
<b>Mindy Mindy Mine</b>			
Mine pits and associated infrastructure	Figure 1	Clearing of no more than 852 ha within the 10,341 ha Mindy Mindy Mine Development Envelope	Clearing of no more than 852 ha within the 10,341 ha Mindy Mindy Mine Development Envelope
Dewatering		Abstraction of up to 0.4 GL/a of groundwater	Abstraction of up to 0.4 GL/a of groundwater
Backfilling		Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes	Mine pits will be backfilled to a level to prevent the formation of permanent pit lakes

Note: Text in **bold** in Table 2 indicates a change to the proposal.

**Table 3: Abbreviations**

Abbreviation	Term
ha	hectare
km	kilometre
GL/a	Gigalitre per annum

[Signed 8 July 2019]

**Dr Tom Hatton**

CHAIRMAN

Environmental Protection Authority  
under delegated authority