

THIS DOCUMENT

This document has been produced by the Office of the Appeals Convenor as an electronic version of the original Statement for the proposal listed below as signed by the Minister and held by this Office. Whilst every effort is made to ensure its accuracy, no warranty is given as to the accuracy or completeness of this document.

The State of Western Australia and its agents and employees disclaim liability, whether in negligence or otherwise, for any loss or damage resulting from reliance on the accuracy or completeness of this document.

Copyright in this document is reserved to the Crown in right of the State of Western Australia. Reproduction except in accordance with copyright law is prohibited.

Published on: 15 December 2017

Statement No. 1068

**STATEMENT TO CHANGE THE IMPLEMENTATION
CONDITIONS APPLYING TO A PROPOSAL
(Section 46 of the *Environmental Protection Act 1986*)**

HAMERSLEY AGRICULTURE PROJECT

Proposal: The proposal involves utilising mine dewatering, surplus to other Marandoo Mine Phase 2 requirements, for irrigated agriculture. The Project area is located approximately 6 km to the west of Marandoo Mine. The Project area is approximately 2800 hectares of which a maximum of 1815 hectares is to be disturbed. This includes 1650 hectares of direct impact and 165 hectares of indirect impact.

Proponent: Hamersley Iron Pty. Limited
Australian Company Number 004558276

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

Assessment Number: 2078

Report of the Environmental Protection Authority: 1605

Previous Assessment Number: 1878

Previous Report Number: 1416

Preceding Statement/s Relating to this Proposal: 883

Pursuant to section 45 of the *Environmental Protection Act 1986*, as applied by section 46(8), it has been agreed that the implementation conditions set out in Ministerial Statement No. 883, be changed as specified in this Statement.

This Statement authorises the implementation of the proposal described and documented in Tables 1 and 2 of Schedule 1. The implementation of the proposal is subject to the following implementation conditions and procedures which replace and supersede all previous conditions and procedures of Statement 883 and details definitions of terms and phrases used in the implementation conditions and procedures.

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 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal has 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.

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 a Compliance Assessment Report by 30 April each year addressing compliance in the previous calendar year, or as otherwise agreed in writing by the CEO. The first Compliance Assessment Report shall be submitted by 30 April 2018 addressing compliance for the period from the date of issue of this Statement, notwithstanding that the first reporting period may be less than 12 months.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's CEO or a person delegated to sign on the CEO'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 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 and reports publicly available. In making such a

request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

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

5-1 The proponent shall ensure that crop species, selected in accordance with the *Hamersley Agriculture Project – Crop Species Selection Procedure and Endorsed Species List* (June 2016, or subsequent revisions approved by the CEO, in consultation with the Department of Biodiversity, Conservation and Attractions), are contained to the Hamersley Agriculture Project (HAP) Development Envelope as shown in Figure 1.

5-2 The proponent shall ensure that:

- (1) 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
- (2) 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.

5-3 To satisfy the requirements of conditions 5-1 and 5-2, the proponent shall continue to implement the *Hamersley Agriculture Project Environmental Management Plan* (RTIO-HSE-0240250, March 2016), or subsequent revisions approved by the CEO, until the CEO, in consultation with the Department of Biodiversity, Conservation and Attractions, has confirmed by notice in writing that the plan is no longer required.

5-4 The proponent:

- (1) may review and revise the *Hamersley Agriculture Project Environmental Management Plan* (RTIO-HSE-0240250, March 2016); or
- (2) shall review and revise the *Hamersley Agriculture Project Environmental Management Plan* (RTIO-HSE-0240250, March 2016) as and when directed by the CEO.

6 Rehabilitation

6-1 Unless otherwise agreed in writing by the CEO, the proponent shall commence progressive rehabilitation within 12 months following cessation of use of the irrigation area. The rehabilitation shall achieve the following outcomes:

- (1) areas disturbed through implementation of the proposal shall be rehabilitated with vegetation composed of native plant species of local provenance;
- (2) the percentage cover and species diversity of living self-sustaining native vegetation in all rehabilitation areas shall be comparable to that of the undisturbed natural analogue sites as demonstrated by a methodology approved by the CEO. Undisturbed natural analogue sites for comparison shall be selected to the requirements of the CEO;
- (3) no new species of declared and environmental weeds shall establish in the HAP Development Envelope shown in Figure 1 as a result of the implementation of the proposal; and
- (4) the coverage of declared and environmental weeds in all rehabilitation areas shall be no greater than the average of the approved reference sites on nearby land, selected to the requirements of the CEO.

6-2 Rehabilitation activities shall continue until such time as the requirements of condition 6-1 are demonstrated by inspections and reports to be met for a minimum of five (5) years to the requirements of the CEO.

[Signed on 15 December 2017]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

Table 1: Summary of the proposal

Proposal Title	Hamersley Agriculture Project
Short Description	<p>Operate an agricultural project using water from mine dewatering, surplus to other Marandoo Iron Ore Projects – Revised Proposal (Statement 1020) requirements, to cultivate crop species and reduce impacts on downstream ecosystems due to surface water discharge.</p> <p>The HAP Development Envelope, consisting of three agricultural areas (Western, Central and Eastern) and a water storage dam, is located approximately 6 km to the west of the Marandoo Mine and is 2800 hectares of which a maximum of 1650 hectares will be disturbed.</p> <p>The location of the HAP Development Envelope is shown in Figure 1.</p> <p>The main characteristics of the proposal are summarised in Table 2 below.</p>

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

Element	Location	Authorised Extent
Irrigated agriculture	Figure 1	Disturbance of no more than 1650 ha within a 2800 hectare Development Envelope.

Table 3: Abbreviations

Abbreviation	Term
ANZECC/ARMCANZ guidelines	Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000)</i> and its updates.
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.
EP Act	<i>Environmental Protection Act 1986</i>
HAP	Hamersley Agricultural Project
km	kilometres

Figure 1 Development Envelope of Hamersley Agriculture Project

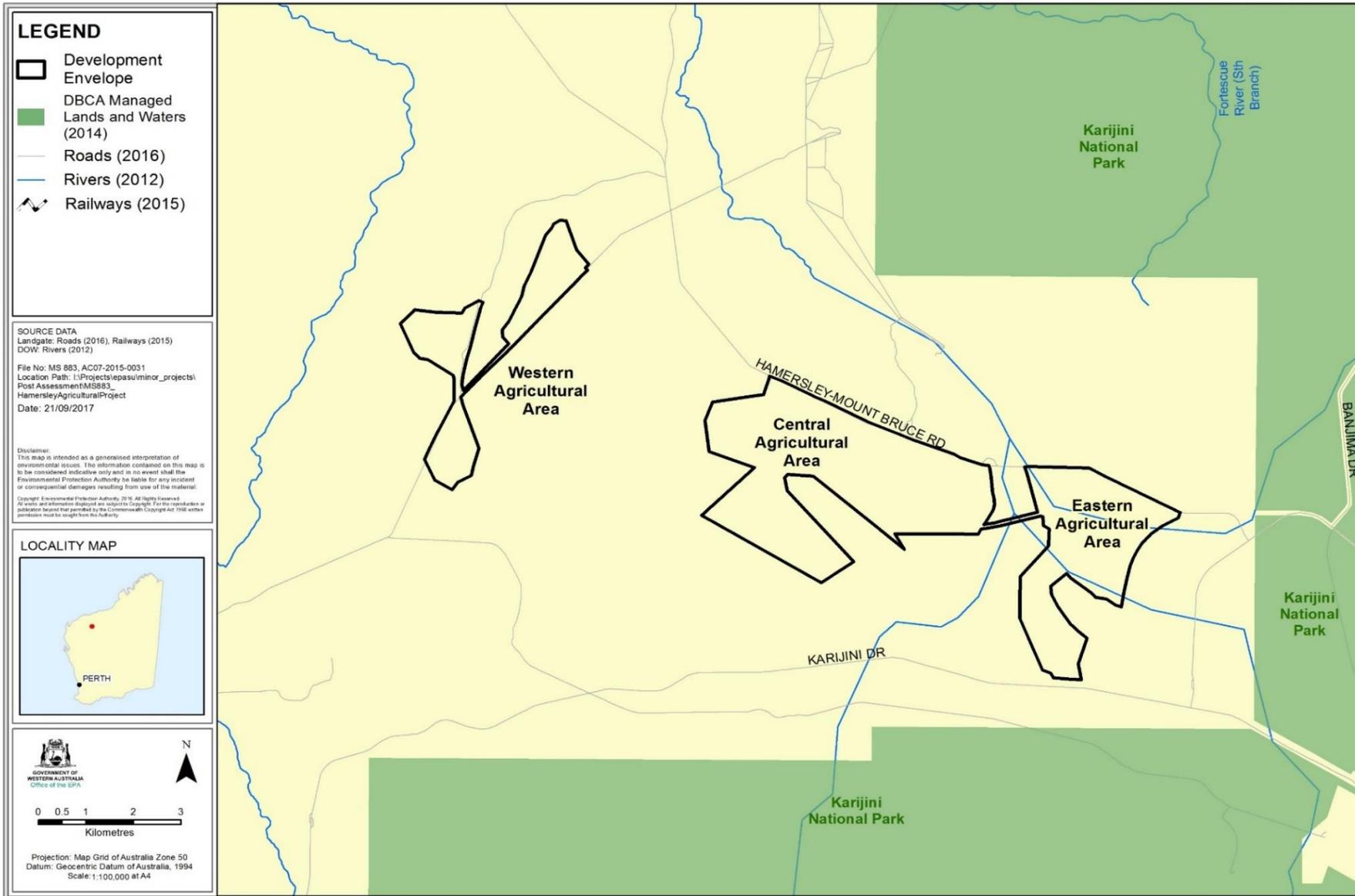


Figure 1: Development Envelope of Hamersley Agriculture Project

Schedule 2

Coordinates defining the Western Agricultural Area of the HAP Development Envelope and Central and Eastern Agricultural Areas of the HAP Development Envelope are held by the Department of Water and Environmental Regulation, Document Reference Number 2017-1507517427942.