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Published on: 8 July 2010

Statement No. 833

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

MARANDOO MINE PHASE 2, SHIRE OF ASHBURTON

Proposal: The expansion of existing mining operations at Marandoo by mining below the water table, including expansion of the existing mine pit and development of new waste dumps.

The proposal is further documented in Schedule 1 of this statement.

Proponent: Hamersley Iron Pty Limited

Proponent Address: 152-158 St Georges Tce, Perth, 6000

Assessment Number: 1686

Appeal Determination: 55 of 2010

Related Statement: Ministerial Statement 286 is the currently approved proposal.

Report of the Environmental Protection Authority: Report 1355

Where the conditions of this statement are in conflict with the conditions of Statement No. 286, these conditions shall prevail.

The proposal referred to in the above report of the Environmental Protection Authority may be implemented. The implementation of that proposal is subject to the following conditions and procedures:

1. Proposal Implementation

- 1-1 The proponent shall implement the proposal as assessed by the Environmental Protection Authority and described in Schedule 1 of this statement subject to the condition and procedures of this statement.

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.
- 2-2 The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority (CEO) of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

3 Time Limit of Authorisation

- 3-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void within five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.
- 3-2 The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.

4 Compliance Reporting

- 4-1 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.
- 4-2 The proponent shall submit to the CEO, the compliance assessment plan required by condition 4-1 at least six calendar months prior to the first Compliance Assessment Report required under condition 4-6 or prior to implementation, whichever is sooner. 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. reporting of potential non-compliances and corrective actions taken;

5. the table of contents of compliance reports; and
 6. public availability of compliance reports.
- 4-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.
 - 4-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the CEO.
 - 4-5 The proponent shall advise the CEO of any potential non-compliance within two business days of that non-compliance being known.
 - 4-6 The proponent shall submit an annual compliance report to the CEO by 31 March each year for the preceding period of 1 January to 31 December. The compliance assessment report shall:
 1. be endorsed by the proponent's Managing Director or a person, approved in writing by the Department of Environment and Conservation, delegated to sign on the Managing Director'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 4-1.

5 Performance Review and Reporting

- 5-1 The proponent shall submit to the CEO Performance Review Reports at the conclusion of the second and fifth years after the commencement of productive mining and then, at such intervals as the CEO may regard as reasonable, which addresses:
 1. the major environmental risks and impacts; the performance objectives, standards and criteria related to these; the success of risk reduction/impact mitigation measures and results of monitoring related to management of the major risks and impacts;

2. the level of progress in the achievement of sound environmental performance, including industry benchmarking, and the use of best available technology where practicable; and
3. improvements gained in environmental management which could be applied to this and other similar projects.

6 Coolibah Woodlands

6-1 The proponent shall ensure that groundwater abstraction, dewatering required to implement the proposal, and any mitigation measures implemented do not adversely impact the Coolibah Woodlands located within Karijini National Park.

6-2 To verify that the requirement of condition 6-1 is met the proponent shall:

1. monitor groundwater levels and quality within the woodlands;
2. monitor soil moisture levels within the woodlands;
3. monitor soil physical and chemical parameters within the woodlands; and
4. monitor the health and cover of vegetation within the woodlands, particularly Coolibah trees.

Monitoring is to be carried out according to a monitoring schedule and using methods developed to the satisfaction of the CEO on advice from the Department of Environment and Conservation prior to the commencement of dewatering.

Monitoring is to continue until such time as groundwater levels in the unconfined aquifer below the Coolibah Woodlands have returned to pre-mining levels, or until such time as the CEO determines that monitoring and management actions may cease.

6-3 The proponent shall, prior to the commencement of dewatering, provide a report to the CEO which has been prepared using independent experts chosen in consultation with the Office of the Environmental Protection Authority and Department of Environment and Conservation. The report shall detail the following:

1. appropriate trigger values developed to the satisfaction of the CEO on advice from the Department of Environment and Conservation to be applied to the monitoring program required in condition 6-2, and discussion of the selection of the trigger levels in relation to the EPA's objectives;

2. a detailed strategy developed to the satisfaction of the CEO on advice from the Department of Environment and Conservation to avoid and mitigate any impacts to the Coolibah Woodland detected by the monitoring program required by condition 6-2.
- 6-4 Within eight months of commencement of dewatering, the proponent shall provide a report to the CEO detailing data obtained from the first six months of dewatering. This report shall contain:
 1. verification of the groundwater model presented in the Public Environmental Review against actual data; and
 2. recalibration of the model and implications of any deviations from the model on the Coolibah Woodlands.
- 6-5 In the event that monitoring required by condition 6-2 indicates an exceedance of the trigger levels determined in condition 6-3 (1):
 1. the proponent shall immediately implement mitigation measures indicated by the mitigation strategy required to be developed by condition 6-3;
 2. report to the CEO within 7 days of the exceedance being identified;
 3. provide evidence which allows determination of the cause of the exceedance;
 4. if determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall submit actions to be taken including those required to be developed by condition 6-3; and
 5. implement actions including those required to be developed by condition 6-3 upon approval of the CEO on advice from the Department of Environment and Conservation and shall continue until such time the CEO determines that the remedial actions may cease.
- 6-6 The proponent shall submit annually the results of monitoring required by condition 6-2 to the CEO.
- 6-7 The proponent shall make publicly available the monitoring reports required by condition 6-2 in a manner approved by the CEO.

7 Springs, Pools and Creeklines of Karijini National park

7-1 The proponent shall ensure that groundwater abstraction, dewatering and interception of surface water flows required to implement the proposal do not adversely affect any of the springs, pools or creeks in the Karijini National park, or their surrounding vegetation or surrounding Aboriginal heritage sites.

7-2 To verify that the requirements of condition 7-1 are met:

1. the proponent shall identify all sites and parameters to be monitored to the satisfaction of the CEO on advice from the Department of Environment and Conservation;
2. undertake baseline monitoring of water levels and native vegetation health and abundance at all sites identified within the predicted cone of drawdown prior to dewatering;
3. monitor groundwater and/or surface water levels at each of the agreed sites;
4. monitor the health and cover of riparian vegetation at each of the agreed sites; and
5. the proponent will engage with Aboriginal people recognised as traditional custodians under the *Aboriginal Heritage Act 1972*, such as representatives from the Innawonga Bunjima People, Martu Idja Banyjima People and Eastern Guruma People, to monitor the effect of dewatering on Mithicundunna Spring (DIA 8296).

This monitoring is to be carried out to the satisfaction of the CEO, and is to be carried out in such a way that, should a significant decline water levels be detected, it will be possible to determine whether the decline is attributable to the implementation of the proposal or to other causes.

Monitoring is to continue until such time as groundwater levels in the project area have returned to pre-mining levels, or until such time the CEO determines that monitoring and management actions may cease.

7-3 The proponent shall submit annually the results of monitoring required by condition 7-2 to the CEO.

7-4 In the event that monitoring required by conditions 7-2 and 7-3 indicates a decline in water levels at any spring, pool or creek, or in the health and condition of the riparian vegetation:

1. the proponent shall report such findings to the CEO within 7 days of the decline being identified;
 2. provide evidence which allows determination of the cause of the decline;
 3. if determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall determine actions to be taken to remediate the decline in consultation with the Department of Environment and Conservation;
 4. submit proposed actions to the CEO within 21 days of the determination being made; and
 5. implement actions to remediate the decline of riparian and groundwater dependent vegetation upon approval of the CEO and shall continue until such time the CEO determines that the remedial actions may cease.
- 7-5 The proponent shall make the monitoring reports required by conditions 7-2 and 7-3 and publicly available in a manner approved by the CEO.

8 Dewater Discharge

- 8-1 The proponent shall ensure that any dewater discharged to the environment does not exceed ANZECC/ARMCANZ* default criteria for the protection of marine and freshwater ecosystems.

* Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand 2000, *Australian Water Quality Guidelines for Fresh and Marine Waters* and its updates.

- 8-2 The proponent shall ensure that dewater discharge does not extend further than 20 kms along the designated discharge channels from the discharge points.
- 8-3 To verify that the requirements of condition 8-2 are met and to ensure that there is no damage to archaeological heritage, the proponent shall visually monitor and record the extent of dewater discharge flow and any surface water flow modifications on a bi-weekly basis during all discharge events.
- 8-4 The proponent shall make the records of dewater discharge flow monitoring available on request of the CEO.
- 8-5 Prior to the commencement of dewater discharge, the proponent shall conduct a baseline survey of the extent and condition of the Hamersley Themeda Grassland to the satisfaction of the CEO on advice from the Department of Environment and Conservation.

- 8-6 Should the flow of dewater exceed the parameters defined in condition 8-2;
1. the proponent shall cease discharge of dewater to the environment immediately;
 2. report such findings to the CEO within 7 days of the exceedance being identified;
 3. determine actions in consultation with the Department of Environment and Conservation to be taken to prevent future exceedances and to remediate any impact resulting from the exceedance, with particular regard to the Hamersley Themeda Grasslands;
 4. submit actions to be taken to the CEO within 21 days of reporting the exceedance; and
 5. implement actions identified above upon approval of the CEO and prior to recommencement of dewater discharge.
- 8-7 The proponent shall ensure that there is no increase in the variety or distribution of weed species in the vicinity of the dewater discharge channels as a result of dewater discharge to the environment.
- 8-8 To verify that the requirements of condition 8-6 are met;
1. the proponent shall undertake baseline monitoring of vegetation composition, weed species distribution and abundance; and
 2. undertake regular monitoring of weed species and abundance during the operations phase of the proposal.
- This monitoring is to be carried out to the satisfaction of the CEO.
- 8-9 In the event that monitoring required by condition 8-6 indicates an increase in weed species or distribution:
1. the proponent shall report such findings to the CEO within 21 days of the increase being identified;
 2. provide evidence which allows determination of the cause of the increase;
 3. if determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall submit actions to be taken to remediate the increase within 21 days of the determination being made to the CEO; and

4. the proponent shall implement actions to remediate the increase in weeds species and distribution upon approval of the CEO and shall continue until such time the CEO determines that the remedial actions may cease.
- 8-10 The proponent shall submit annually the results of monitoring required by condition 8-3 and 8-6 to the CEO.
- 8-11 The proponent shall make the monitoring reports required by condition 8-8 publicly available in a manner approved by the CEO.

9 Sinkhole Formation

- 9-1 The proponent shall conduct all works to ensure that sinkhole formation does not occur as a result of the proposal.
- 9-2 The proponent shall ensure that any sinkhole formations attributable to the implementation of the proposal are detected in a timely manner using a monitoring strategy and schedule approved by the CEO on advice from the Department of Environment and Conservation prior to the commencement of dewatering activities.
- 9-3 Should the monitoring required by condition 9-2 detect potential or actual sinkhole formation within the area of drawdown;
 1. the proponent shall report such findings to the CEO within 7 days of the formation being identified;
 2. provide evidence which allows determination of the cause of the sinkhole formation;
 3. if determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall determine actions to be taken to rehabilitate or otherwise manage the sinkhole formation on an ongoing basis in consultation with the Department of Environment and Conservation;
 4. submit actions to be taken within 21 days of the determination being made to the CEO for approval; and
 5. implement actions to rehabilitate or manage the sinkhole formation upon approval of the CEO and shall continue until such time as the CEO determines on advice from Department of Environment and Conservation that the remedial actions may cease.

9-4 The proponent shall submit annually a review of sinkhole prevention, monitoring and management strategies employed in relation to current best practice to the CEO.

9-5 The proponent shall make the monitoring reports required by condition 9-4 publicly available in a manner approved by the CEO.

10 Rehabilitation

10-1 The proponent shall undertake rehabilitation to achieve the following outcomes:

1. The waste dump(s) and tailings storage facilities shall be non-polluting and shall be constructed so that their final shape, stability, surface drainage, resistance to erosion and ability to support local native vegetation are comparable to three suitable reference sites within the Karijini National Park or adjacent areas, with reference sites to be chosen in consultation with the Department of Environment and Conservation.
2. Waste dumps, tailings storage facilities and other areas disturbed through implementation of the proposal (excluding mine pits), shall be progressively rehabilitated with vegetation composed of native plant species of local provenance (as agreed by the CEO in consultation with the Department of Environment and Conservation).
3. The percentage cover of living vegetation in all rehabilitation areas shall be comparable with that of similar natural landforms in the area.
4. No new species of weeds (including both declared weeds and environmental weeds) shall be introduced into the area as a result of the implementation of the proposal.
5. The coverage of weeds (including both declared weeds and environmental weeds) within the rehabilitation areas shall be no greater than the average of three suitable reference sites within the Karijini National Park or adjacent areas, with reference sites to be chosen in consultation with the Department of Environment and Conservation.
6. The composition of vegetation in the vicinity of the dewater discharge channels is returned to its pre-mining composition.

10-2 Relevant Aboriginal people as identified in condition 7-2 (5) are to be consulted in relation to the final decommissioning and rehabilitation of the mining area to ensure that there are no adverse impacts to Aboriginal heritage sites.

- 10-3 Rehabilitation activities shall continue as necessary until such time as the requirements of condition 10-1 are met, and are demonstrated by inspections and reports to be met, for a minimum of five years to the satisfaction of the CEO, on advice of the Department of Mines and Petroleum and the Department of Environment and Conservation.

11 Conceptual Closure Strategy

- 11-1 Prior to commencing ground-disturbing activity, the proponent shall submit a detailed and project-specific Conceptual Closure Strategy to the requirements of the CEO, on advice of the Department of Mines and Petroleum and the Department of Environment and Conservation.
- 11-2 The Conceptual Closure Strategy shall include:
1. a detailed risk assessment to identify any acidity and metal contamination hazards associated with mining related activities in the area of the proposal;
 2. details of a monitoring program to ensure that materials with potential to cause acid and/or metalliferous drainage are identified prior to excavation; and
 3. actions to be taken in the event that materials with the potential to cause acid and/or metalliferous drainage are identified through the monitoring program required by condition 11-2 (2).
- 11-3 The Conceptual Closure Strategy shall provide detailed technical information on proposed management measures to prevent pollution, environmental harm or human health impacts during implementation of the proposal and after mine completion and closure.
- 11-4 The Conceptual Closure Strategy shall include maps, diagrams and Global Positioning System (GPS) coordinates, showing the proposed placement, dimensions, design and proposed methods of construction and closure of waste disposal facilities and mine pits.
- 11-5 The Conceptual Closure Strategy shall demonstrate that waste dumps and tailings storage facilities will be located, designed and constructed to ensure that they are non-polluting and so that their final shape, height, stability, surface drainage, resistance to erosion and ability to support native vegetation are comparable to natural landforms in the area.
- 11-6 The Conceptual Closure Strategy shall provide additional detailed modelling to verify that a perennial lake will not form in the pit void following completion

and closure, and that any ephemeral water bodies which may form will not adversely impact groundwater quality in the area.

- 11-7 The Conceptual Closure Strategy shall provide detailed technical information demonstrating that sufficient quantities of suitable materials are available on site for the implementation and closure (including unplanned or temporary closure) of the proposal.
- 11-8 The Conceptual Closure Strategy shall include specific practicable procedures to ensure the protection of the environment in the event of unplanned or temporary mine closure.
- 11-9 The proponent shall implement the proposal consistent with the Conceptual Closure Strategy referred to in conditions 11-1 to 11-8.

12 Final Closure and Decommissioning Plan

- 12-1 At least 5 years prior to mine completion, the proponent shall prepare and submit a Final Closure and Decommissioning Plan to the requirement of the CEO, on advice of the Department of Mines and Petroleum and the Department of Environment and Conservation.
- 12-2 The Final Closure and Decommissioning Plan shall be prepared consistent with:
- ANZMEC/MCA 2000, *Strategic Framework for Mine Closure Planning*; and
 - Department of Industry Tourism and Resources 2006 *Mine Closure and Completion* (Leading Practice Sustainable Development Program for the Mining Industry), Commonwealth Government, Canberra;

and shall provide detailed technical information on the following:

1. Final closure of all areas disturbed through implementation of the proposal so that they are safe, stable and non-polluting;
2. Decommissioning of all plant and equipment;
3. Disposal of waste materials;
4. Final Rehabilitation of waste dumps; tailings storage facilities and other areas (outside the mine pit(s));
5. Management and monitoring following mine completion; and
6. Inventory of all contaminated sites and proposed management.

- 12-3 The proponent shall close, decommission and rehabilitate the proposal consistent with the approved Final Closure and Decommissioning Plan.
- 12-4 The proponent shall make the Final Closure and Decommissioning Plan required by 12-1 and 12-2 publicly available in a manner acceptable to the CEO.

Procedures

1. Where a condition states “on advice of the Office of the Environmental Protection Authority”, the Office of the Environmental Protection Authority will provide that advice to the proponent.
2. The Minister for Environment will determine any dispute between the proponent and the Office of the Environmental Protection Authority over the fulfilment of the requirements of the conditions.
3. The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the *Environmental Protection Act 1986*.

Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

Schedule 1

The Proposal (Assessment No. 1686)

General Description

The proposal is to expand existing mining operations at Marandoo by mining below the watertable. This would entail expansion of the existing mine pit and development of new waste dumps. The proposal would utilise existing infrastructure and services associated with current Marandoo operations, however, additional infrastructure would be required.

The proposal is described in the following document – *Marandoo Mine Phase 2 Public Environmental Review, September 2008*.

Summary Description

A summary of the key proposal characteristics is presented in Table 1.

Table 1: Summary of key proposal characteristics

Element	Description
General	
Project life	15 to 20 years.
Area of disturbance	Up to 1000 hectares direct disturbance, localised impact to riparian vegetation along discharge drainage lines.
Ore production rate	Approximately 16 Million tonnes per annum.
Mining	
Pit	Single pit, Marra Mamba ore; mining below the water table.
Waste rock disposal	Surface dumps; expansion of existing stockpiles and progressive backfilling of mine pits.
Dewatering	Peak dewatering of up to 36.5 gegalitres per annum.
Dewater disposal	Dewater disposal through water use hierarchy including: <ul style="list-style-type: none">• use on site;• transfer to Tom Price;• re-injection at southern Fortescue Borefield; and• discharge to the environment.
Processing	Wet processing of ore.
Residue	Construction and operation of residue storage facility.

Table 1: Summary of key proposal characteristics (cont'd)

Element	Description
Mining	
Greenhouse gases	Up to 190,000 tonnes CO ₂ – e per year, plus one-off emission of 50,000 tonnes CO ₂ – e resulting from clearing. Up to 15.3 tonnes CO ₂ – e per kilotonne of ore.
Infrastructure	
Water supply	All water requirements supplied from dewatering activities.
Product transport	By existing rail facilities to Dampier and Cape Lambert.

Figures (attached)

- Figure 1: Regional location of mine site
Figure 2a: Project footprint and layout of key components
Figure 2b: Project footprint and layout of key components

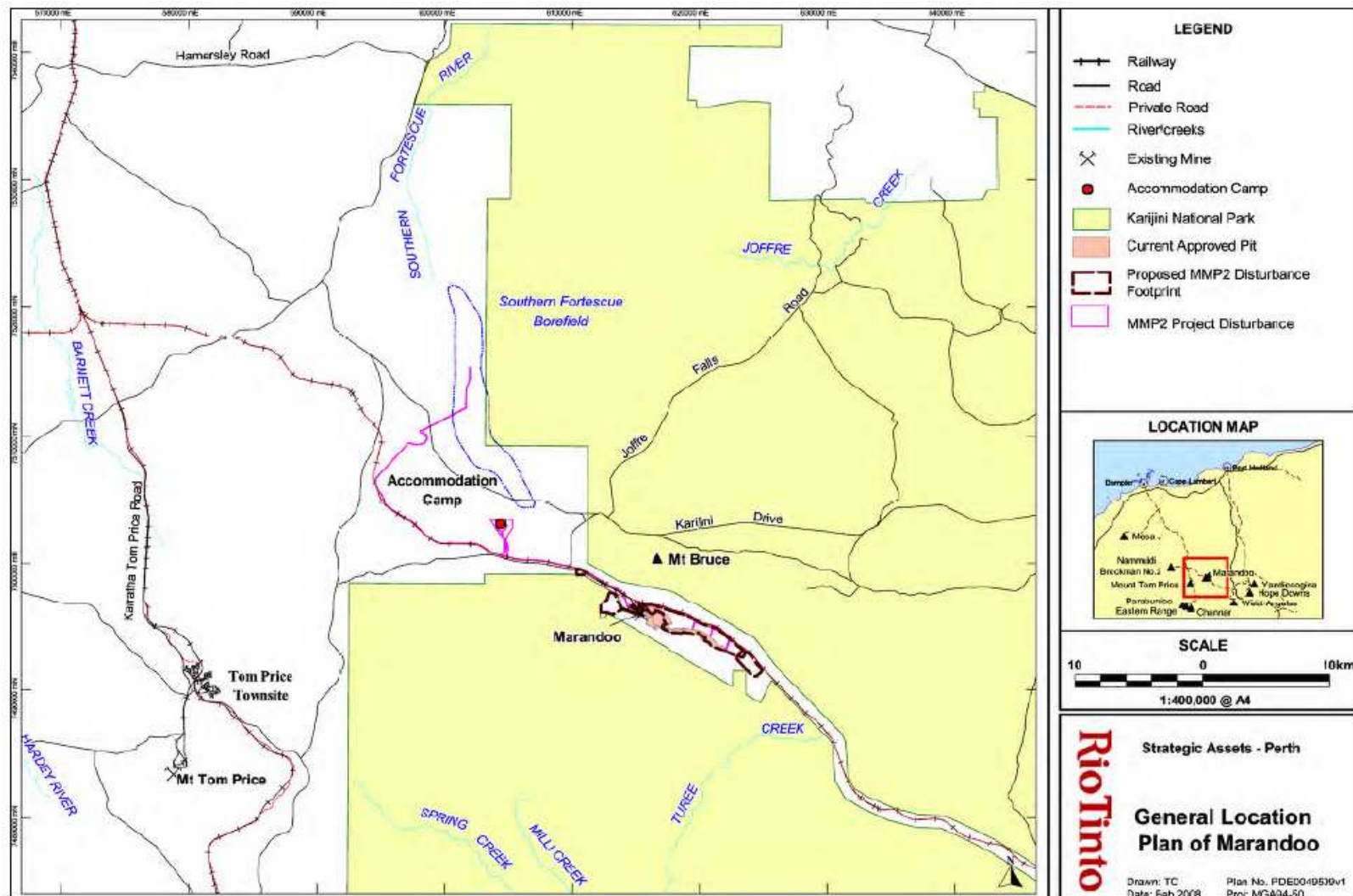


Figure 1: Regional Location of Mine Site

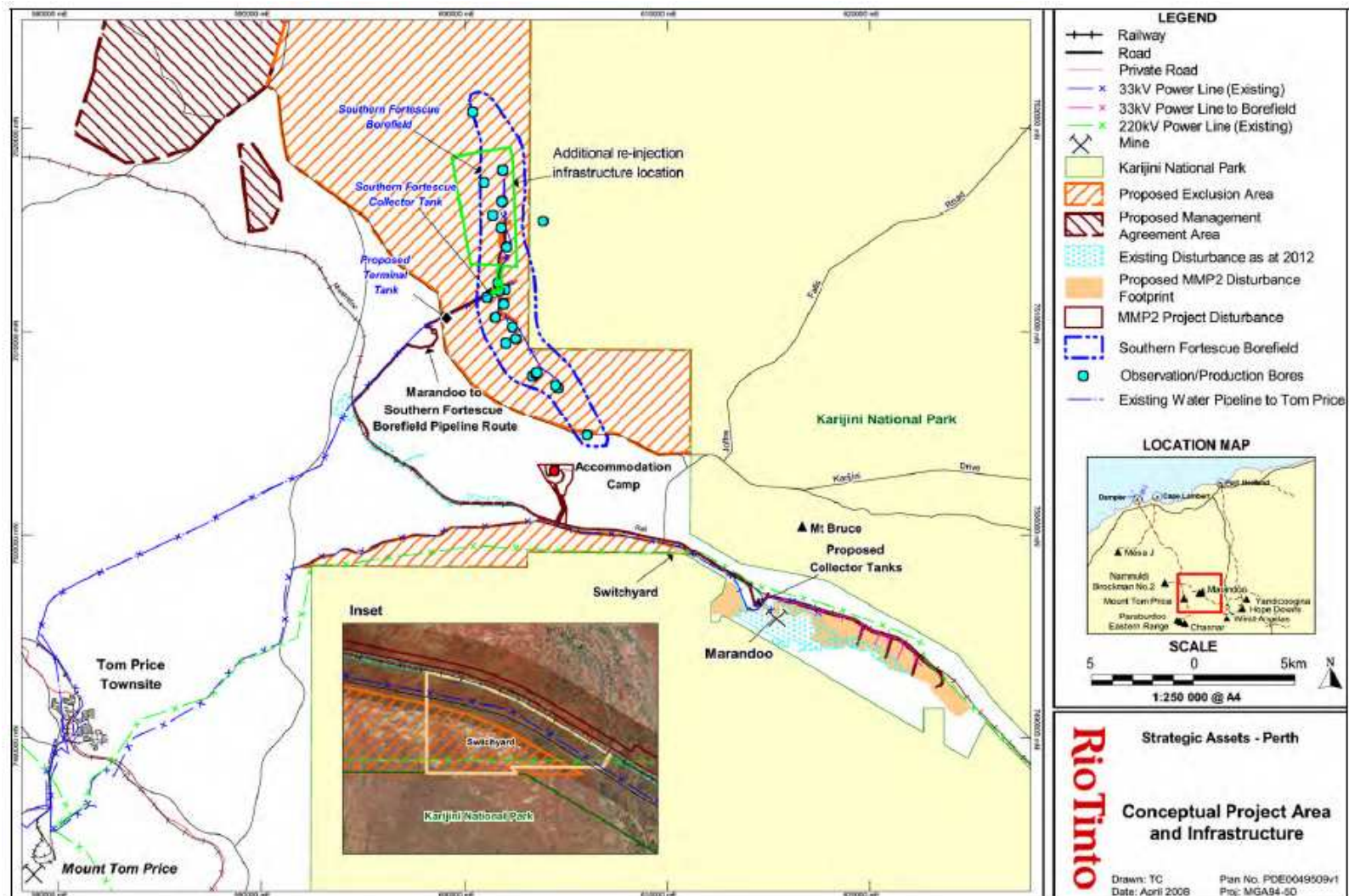
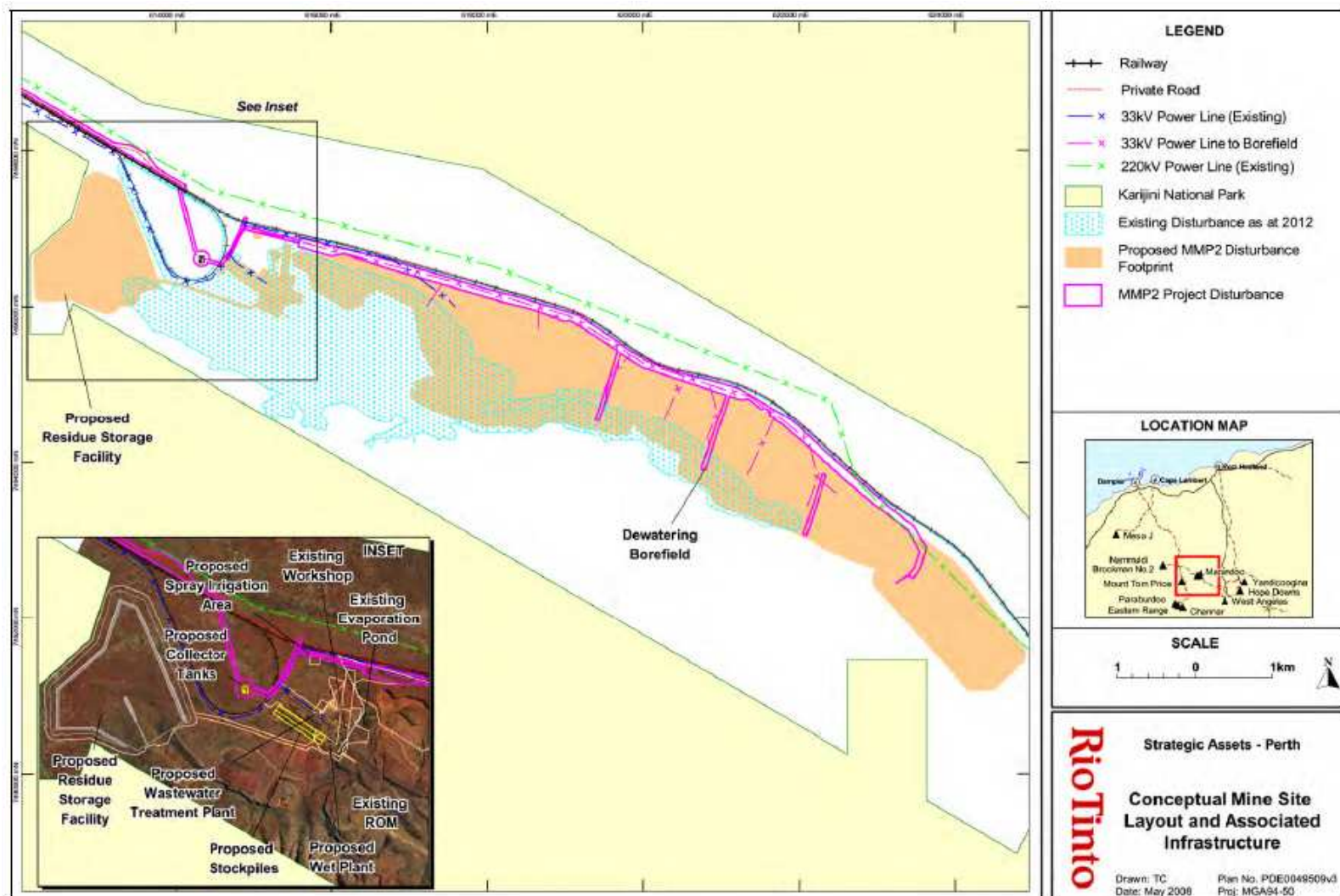


Figure 2a Project footprint and layout of key components



ATTACHMENT 1 TO MINISTERIAL STATEMENT 833

Section 46C
Environmental Protection Act 1986

NOTICE OF CHANGES TO IMPLEMENTATION CONDITIONS MINISTERIAL STATEMENT 833

MARANDOO MINE PHASE 2
SHIRE OF ASHBURTON

Pursuant to sections 46C(1)(a) and 46C(1)(b)(i) of the *Environmental Protection Act 1986*, the implementation conditions applying to the above proposal are changed in accordance with this Notice. I consider these changes to be of a minor nature and desirable in order to standardise the implementation conditions applying to different proposals, and in order to correct clerical mistakes.

MINISTER FOR ENVIRONMENT; HERITAGE

9 May 2013

1. Condition 4-6 is deleted, and replaced with:

- 4-6 The proponent shall submit an annual compliance report to the CEO by 30 April each year for the preceding period of 1 January to 31 December. The compliance assessment report shall:
1. be endorsed by the proponent's Managing Director or a person delegated to sign on the Managing Director'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 4-1.

2. Condition 8-2 is deleted and replaced with:

- 8-2 The proponent shall ensure that dewatering discharge from the Marandoo Mine Phase 2 proposal does not cause water flow or pooling further than 20 kilometres downstream of the discharge points.

3. Condition 8-3 is deleted and replaced with:

- 8-3 The proponent shall monitor the dewater discharge flow in order to substantiate whether Condition 8-2 is being met.

4. Condition 8-8 is amended as follows:

The phrase 'condition 8-6' is deleted and replaced with 'Condition 8-7'.

5. Condition 8-9 is amended as follows:

The phrase 'condition 8-6' is deleted and replaced with 'Condition 8-8'.

6. Condition 8-10 is amended as follows:

The phrase 'condition 8-3 and 8-6' is deleted and replaced with 'Conditions 8-3 and 8-8'.

ATTACHMENT 2 TO MINISTERIAL STATEMENT 833

Section 46C
Environmental Protection Act 1986

NOTICE OF CHANGES TO IMPLEMENTATION CONDITIONS MINISTERIAL STATEMENT 833

MARANDOO MINE PHASE 2
SHIRE OF ASHBURTON

Pursuant to section 46C(1)(a) of the *Environmental Protection Act 1986*, the implementation condition applying to the above proposal are changed in accordance with this Notice. I consider these changes to be of a minor nature and desirable in order to standardise the implementation conditions applying to different proposals.

[Signed 4 June 2014]

HON ALBERT JACOB MLA
MINISTER FOR ENVIRONMENT; HERITAGE

1. Condition 8-1 is deleted, and replaced with:

- 8-1 The proponent shall ensure that any dewater discharged to the environment does not exceed whichever is greater of the following:
- (1) ANZECC/ARMCANZ* default criteria for the protection of marine and freshwater ecosystems;
* Australian and New Zealand Environmental and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand (ANZECC/ARMCANZ (2000)) *Australian Water Quality Guidelines for Fresh and Marine Waters* and its updates;
 - (2) Baseline levels of the receiving environment as determined to the satisfaction of the CEO; or
 - (3) Other criteria agreed by the CEO on the advice of the Department of Parks and Wildlife and the Department of Water.