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Published on: 23 June 2016

Statement No. 1031

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

WESTERN TURNER SYNCLINE IRON ORE PROJECT – REVISED PROPOSAL

Proposal: Proposal to revise Western Turner Syncline, Section 10 Iron Ore Project the subject of Statement No. 807, dated 17 September 2009; and Western Turner Syncline Stage 2 – B1 and Section 17 Deposits the subject of Statement No. 946 dated 22 August 2013

Proponent: Hamersley Iron Pty Limited
Australian Company Number 004 558 276

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

Assessment Number: 2072

Report of the Environmental Protection Authority: 1565

Previous Assessment Numbers: 1786 and 1925

Previous Reports of the Environmental Protection Authority: 1325 and 1477

Previous Statement Numbers: 807 and 946

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 Schedule 1 may be implemented;
2. the implementation of the Proposal is subject to the following revised implementation conditions; and
3. from the date of this Statement each of the implementation conditions in Statements 807 and 946 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 a Compliance Assessment Report by 30 April each year addressing compliance in the previous calendar year, or as agreed in writing by the CEO. The first Compliance Assessment Report shall be submitted by 30 April 2017 addressing the 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 Data

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 by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this Statement.

4-2 If any data 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 these data 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 Riparian Vegetation (Flora and Vegetation)

5-1 Within 6 months of issue of this Statement, the proponent shall prepare and submit a Condition Environmental Management Plan to the satisfaction of the CEO. This plan shall demonstrate that the following **environmental outcome** will be met.

- (1) Maintain the health of riparian vegetation of the Beasley and Hardey River Systems.

5-2 The Condition Environmental Management Plan shall:

- (1) specify the **environmental outcome** to be achieved, as specified in condition 5-1;
- (2) specify **trigger criteria** that must provide an early warning that the threshold criteria identified in condition 5-2(3) may not be met;
- (3) specify **threshold criteria** to demonstrate compliance with the environmental outcome specified in condition 5-1. Exceedance of the threshold criteria represents non-compliance with these conditions;

- (4) specify **monitoring** to determine if trigger criteria and threshold criteria are exceeded;
 - (5) specify **trigger level actions** to be implemented in the event that trigger criteria have been exceeded;
 - (6) specify **threshold contingency actions** to be implemented in the event that threshold criteria are exceeded; and
 - (7) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that condition 5-1 has been met over the reporting period in the Compliance Assessment Report required by condition 3-6.
- 5-3 After receiving notice in writing from the CEO that the Condition Environmental Management Plan satisfies the requirements of condition 5-2, the proponent shall:
- (1) implement the provisions of the Condition Environmental Management Plan; and
 - (2) continue to implement the Condition Environmental Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated the objective specified in condition 5-1 has been met.
- 5-4 In the event that monitoring indicates exceedance of the threshold criteria specified in the Condition Environmental Management Plan, 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 Plan within 24 hours and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and the implementation of the threshold contingency actions is no longer required;
 - (3) investigate to determine the cause of the threshold criteria being exceeded;
 - (4) investigate to determine potential environmental harm or alteration of the environment that occurred due to the threshold criteria being exceeded; and
 - (5) provide a report to the CEO within 21 days of the exceedance being reported as required by condition 5-4(1). The report shall include:
 - (a) details of threshold contingency actions implemented;
 - (b) the effectiveness of the threshold contingency actions implemented, against the threshold criteria;
 - (c) the findings of the investigations required by condition 5-4(3) and 5-4(4);
 - (d) measures to prevent the threshold criteria being exceeded in the future; and
 - (e) measures to prevent, control or abate the environmental harm which may have occurred.

- 5-5 The proponent:
- (1) may review and revise the Condition Environmental Management Plan, or
 - (2) shall review and revise the Condition Environmental Management Plan as and when directed by the CEO.
- 5-6 The proponent shall implement the latest revision of the Condition Environmental Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 5-2.
- 5-7 The proponent shall continue to implement the Western Turner Syncline Stage 2 Riparian Vegetation Management Plan (RTIO-HSE-0217011, 28 March 2014) until the CEO has confirmed by notice in writing that the plan required by condition 5-1 satisfies the requirements of condition 5-2.

6 Rehabilitation and Decommissioning

- 6-1 The proponent shall ensure that the proposal is decommissioned and rehabilitated in an ecologically sustainable manner, through the implementation of the Mine Closure Plan required by condition 6-2.
- 6-2 Within six months of the issue of this Statement, the proponent shall prepare and submit a Mine Closure Plan in accordance with the *Guidelines for Preparing Mine Closure Plans*, May 2015, and any updates, to the requirements of the CEO.
- 6-3 The proponent shall review and revise the Mine Closure Plan required by Condition 6-2 at intervals not exceeding three years, or as otherwise specified by the CEO.
- 6-4 The proponent shall implement the latest revision of the Mine Closure Plan, which the CEO has confirmed in writing satisfies the requirements of Condition 6-2.

7 Offsets

- 7-1 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 Hamersley IBRA subregion, and calculated pursuant to condition 7-2. 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.
- 7-2 The proponent's contribution to the initiative identified in condition 7-1 shall be paid biennially, the first payment due in the two years after commencement of additional ground disturbance defined in Table 2 of Schedule 1. The amount of funding will be \$750 AUD (excluding GST) per hectare of 'Good to Excellent' condition native vegetation cleared within the Development Envelope (delineated in Figure 2 and defined by the geographic coordinates in Schedule 2) within the Hamersley IBRA subregion.
- 7-3 The 530 ha of clearing for the iron ore mine, and maximum footprint of 220 ha including borrow pits within the approximately 20 km linked linear infrastructure corridor, previously approved under Ministerial Statement 807 and Part V

Clearing Permit 4581/1, is exempt from the requirement to offset under condition 7-2.

- 7-4 Within twelve months of the date of this statement, the proponent shall update the previously approved Impact Reconciliation Procedure (RTIO-HSE-0165630, dated 18 September 2013) to the satisfaction of the CEO.
- 7-5 The Impact Reconciliation Procedure required pursuant to condition 7-4 shall:
- (1) include a methodology to identify clearing of 'Good to Excellent' condition native vegetation in the Hamersley IBRA subregion;
 - (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 dates for the commencement of the biennial time period and for the submission of results of the Impact Reconciliation Procedure, to the satisfaction of the CEO.
- 7-6 The proponent shall implement the Impact Reconciliation Procedure required by condition 7-4.
- 7-7 The real value of contributions described in condition 7-2 will be maintained through indexation to the Perth Consumer Price Index, with the first adjustment to be applied to the first contribution.

[Signed 23 June 16]

ALBERT JACOB MLA
MINISTER FOR ENVIRONMENT; HERITAGE

Table 1: Summary of the Proposal

Proposal Title	Western Turner Syncline Iron Ore Project
Short Description	<p>The proposal is to develop above and below water table iron ore deposits and associated infrastructure at Western Turner Syncline, approximately 20 km west of Tom Price in the Pilbara Region.</p> <p>The Western Turner Syncline Project involves open-pit mining of iron ore deposits above and below the groundwater table and the construction and operation of associated infrastructure.</p>

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

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Mine and associated infrastructure	Figure 1	Clearing of no more than 4,350 ha within the development envelope of 15,836 ha.
Surplus dewater management	Figure 1	<p>Disposal through controlled dewater discharge to:</p> <ul style="list-style-type: none"> • Beasley River. The wetting front to extend no further than 20 km downstream of the designated discharge point under natural no-flow conditions. • Hardey River. The wetting front to extend no further than 15 km downstream of the designated discharge point under natural no-flow conditions.
Backfilling of mine pits	Figure 1	<p>The following mine pits are to be backfilled to a level which will not allow the formation of permanent pit lakes:</p> <ul style="list-style-type: none"> • Section 17 mine pits 3 and 8; and • Section 10 MM East and MM West pits

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.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
OEPA	Office of the Environmental Protection Authority
ha	Hectare

Figures (attached)

Figure 1 Western Turner Syncline Development Envelope (This figure is a representation of the coordinates referred to in Schedule 2)

Geographic spatial data coordinates

Coordinates defining the Development Envelope are held by the Office of the Environmental Protection Authority, Document Reference Number 2015-1447742809076, dated 17 November 2015.



**Minister for Environment; Disability Services; Electoral Affairs
Deputy Leader of the Legislative Council**

Our Ref: 62-24520

ATTACHMENT 1 TO STATEMENT 1031

NOTICES OF CHANGES TO IMPLEMENTATION CONDITIONS

(section 46C of the *Environmental Protection Act 1986*)

WESTERN TURNER SYNCLINE IRON ORE PROJECT – REVISED PROPOSAL

Pursuant to section 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 necessary to standardise and correct implementation conditions.

[Signed 4 January 2021]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

1. Condition 7-2 is deleted, and replaced with:

- 7-2 The proponent's contribution to the initiative identified in condition 7-1 shall be paid biennially, the first payment due in the two years after commencement of additional ground disturbance defined in Table 2 of Schedule 1. The amount of funding will be:
- (1) \$750 AUD (excluding GST) per hectare of 'Good to Excellent' condition native vegetation cleared within the Development Envelope (delineated in Figure 1 and defined by the geographic coordinates in Schedule 2) within the Hamersley IBRA subregion; and
 - (2) \$1500 AUD (excluding GST) per hectare for the 575 hectares of 'vegetation of conservation significance' cleared for the Western Turner Syncline Stage 2 – B1 and Section 17 Deposits approved under Ministerial Statement 946 within the Development Envelope (delineated in Figure 1 and defined by the geographic coordinates in Schedule 2) within the Hamersley IBRA subregion.

The following definition applies to condition 7-2

Acronym, Abbreviations or Term	Definition or Term
Vegetation of conservation significance	<p>Vegetation communities of localised conservation significance:</p> <ul style="list-style-type: none">• Gorge and gully• Riparian eucalypt woodland on major ephemeral watercourses• Lower slope mulga• Valley floor mulga• Scattered riparian eucalypts on major ephemeral watercourses.