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Published on: 15 November 2016

Statement No. 1042

RECOMMENDED ENVIRONMENTAL CONDITIONS**STATEMENT TO CHANGE THE IMPLEMENTATION CONDITIONS APPLYING TO A PROPOSAL**

(Section 46 of the *Environmental Protection Act 1986*)

MAGELLAN LEAD CARBONATE PROJECT

Proposal: The proposal includes an open-cut lead carbonate mine and processing facilities 30 kilometres west of the Wiluna townsite. The lead carbonate concentrate produced at the mine-site is transported in sealed bags within locked shipping containers by road from the mine-site to Leonora and then by rail to the Port of Fremantle where it is exported.

Proponent: Rosslyn Hill Mining Pty Ltd
Australian Company Number 075 523 661

Proponent Address: Level 5, 151 Castlereagh Street
SYDNEY NSW 2000

Report of the Environmental Protection Authority: 1579

Statements Relating to this Proposal: 905

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. 905 be changed as specified in this Statement.

These conditions supersede the Interim Implementation Conditions published by the Minister for Environment under section 46A of the *Environmental Protection Act 1986* on 13 May 2015.

1. Condition 3A is deleted and replaced with the following:

3A Time Limit on Shipments through Fremantle Port

3A-1 The proponent shall not ship lead carbonate through Fremantle Port beyond 27 July 2024.

2. Condition 18 is deleted and replaced with the following:

18 Financial Assurance

- 18-1 As security for the due and punctual observance and performance by the proponent of the requirements of condition 11-1, the proponent shall not remove shipping containers of lead carbonate concentrate from the mine-site unless the proponent has in place a financial assurance for the amount specified in condition 18-2. The financial assurance is to be in the form of an unconditional and irrevocable bank guarantee from a guarantor acceptable to the CEO, for the benefit of both the Minister and the CEO.
- 18-2 The financial assurance shall be for an amount of AU\$2 million and shall be substituted every five years after the provision of the first guarantee with the fixed initial amount of each successive guarantee being indexed to inflation (being the Consumer Price Index, Perth).
- 18-3 In the event that the guarantor referred to in condition 18-1 terminates its liability under the bank guarantee by paying to the Minister or the CEO the balance of the financial assurance remaining unpaid, the CEO will hold the financial assurance (being the amount paid by the guarantor upon termination), as security for the due and punctual observance and performance by the proponent of the requirements of condition 11-1, in an interest bearing account nominated by the CEO, with the interest accruing for the benefit of the Minister or the CEO.
- 18-4 The financial assurance may be called on or used in accordance with section 86E of the *Environmental Protection Act 1986* if the proponent fails to implement the proposal in accordance with condition 11-1.
- 18-5 The financial assurance shall be discharged by the CEO and the Minister when the CEO has given the proponent written notice pursuant to section 86F(1) of the *Environmental Protection Act 1986*.
- 18-6 The CEO may suspend the requirement for the financial assurance required under condition 18-1 and release the financial assurance if:
- i. the removal of shipping containers of lead carbonate concentrate from the mine-site is suspended; and
 - ii. the CEO is satisfied that it will be unlikely the proponent will be required to implement the Emergency Response Plan as required under conditions 11-1 or 11-3 during the time that the removal of shipping containers of lead carbonate concentrate from the mine-site is suspended.

- 18-7 If the CEO agrees to suspend the requirement for the financial assurance required under condition 18-6 the suspension will only be for the period of time that the removal of shipping containers of lead carbonate concentrate from the mine-site is suspended.
- 18-8 Prior to recommencing the removal of shipping containers of lead carbonate concentrate from the mine-site the proponent shall provide a financial assurance to the CEO in accordance with condition 18-1 for the amount specified in condition 18-2 as if the requirement for a financial assurance under condition 18-1 was not suspended.

[Signed 15 November 2016]

Albert Jacob MLA

MINISTER FOR ENVIRONMENT; HERITAGE