



## Referral of a Proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*.

### PURPOSE OF THIS FORM

Section 38 of the *Environmental Protection Act 1986* (EP Act) makes provision for the referral to the Environmental Protection Authority (EPA) of a proposal (significant proposals, strategic proposals and proposals under an assessed scheme) by a proponent, a decision making authority (DMA), or any other person.

The purpose of this form is to ensure that EPA has sufficient information about a proposal to make a decision about the nature of the proposal and whether or not the proposal should be assessed under Part IV of the EP Act. Information provided in the referral form must be brief (no more than 30 pages), sharp and succinct to achieve the purposes of this form.

This form does not prevent the referrer from providing a supplementary referral report. Should a referrer choose to submit a supplementary referral report please ensure the following.

- i. Information is short, sharp and succinct.
- ii. Attachments are below eight megabytes (8 MB) as they will be published on the EPA's website (exemptions apply) for public comment. To minimise file size, "flatten" maps and optimise pdf files.
- iii. Cross-references are provided in the referral form to the appropriate section/s in the supplementary referral report.

This form is to be used for all proposals<sup>1</sup> which can be referred to the EPA under section 38 of the EP Act; i.e. referrals from: **proponents** of proposals (significant proposals, strategic proposals, derived proposals, proposals under an assessed scheme); **DMAs** (significant proposals); and **third parties** (significant proposals).

This form is divided into several sections, including; Referral requirements and Declaration; Part A - Information of the proposal and proponent; and Part B Environmental Factors. Guidance on successfully completing this form is provided throughout the form and is also available in the EPA's *Environmental Assessment Guideline for Referral of a Proposal under s38 of the EP Act (EAG 16)*.

#### Send completed forms to

Office of the Environmental Protection Authority  
Locked Bag 10, East Perth WA 6892

or

Email: [Registrar@epa.wa.gov.au](mailto:Registrar@epa.wa.gov.au)

#### Enquiries

Office of the Environmental Protection Authority  
Locked Bag 10, East Perth WA 6892

Telephone: 6145 0800

Fax: 6145 0895

Email: [info@epa.wa.gov.au](mailto:info@epa.wa.gov.au)

Website: [www.epa.wa.gov.au](http://www.epa.wa.gov.au)

<sup>1</sup> Please note that this form consolidates and replaces the following forms: *Referral of a Proposal by the Proponent to the EPA under section 38(1) of the EP Act*; *Referral of a Proposal by a third party to the EPA under section 38(1) of the EP Act*; and *Referral of a development proposal to the EPA by the decision making authority*.

## Referral requirements and Declaration

The following section outlines the referral information required from a proponent, decision making authority and third party.

### (a) Proponents

Proponents are expected to complete all sections of the form and provide GIS spatial data to enable the EPA to consider the referral. Spatial GIS data is necessary to inform the EPA's decision.

The EPA expects that a proponent will address Part B of the form as thoroughly as possible to demonstrate whether or not the EPA's objectives for environmental factors can be met.

If insufficient information is provided the EPA will request more information and processing of the referral will commence once the information is provided or the EPA decides to make a precautionary determination on the available information.

Proponent to complete before submitting form	
Completed all the questions in Part A (essential)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed all the questions in Part B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed all other applicable questions	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any additional document(s) the proponent wishes to provide	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 2 – confidential information (if applicable)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>not applicable</i>
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping but clearly separating any confidential information	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed the Declaration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred? <i>* a referred proposal seeking to be declared a derived proposal</i>	<input checked="" type="checkbox"/> significant <input type="checkbox"/> strategic <input type="checkbox"/> derived* <input type="checkbox"/> under an assessed scheme
Do you consider the proposal requires formal environmental impact assessment?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, what level of assessment? <i>API = Assessment of Proponent Information</i> <i>PER = Public Environmental Review</i>	<input checked="" type="checkbox"/> API Category A <input type="checkbox"/> API Category B <input type="checkbox"/> PER

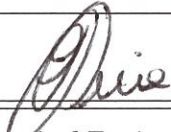
**NB:** The EPA may apply an Assessment on Proponent Information (API) level of assessment when the proponent has provided sufficient information about:

- the proposal;
- the proposed environmental impacts;
- the proposed management of the environmental impacts; and
- when the proposal is consistent with API criteria outlined in the [Environmental Impact Assessment \(Part IV Division 1 and 2\) Administrative Procedures 2012](#).

If an API A formal level of assessment is considered appropriate, please refer to Environmental Assessment Guideline No. 14 *Preparation for an Assessment on Proponent Information (Category A) Environmental Review Document EAG 14 (EAG14)*.

## Declaration

I, **Gavin Price** declare that I am authorised on behalf of **BHP Billiton Iron Ore Pty Ltd** (being the person responsible for the proposal) to submit this form and further declare that the information contained in this form is true and not misleading.

Signature				Name (print)	GAVIN PRICE		
Position	Head of Environment	Organisation	BHP Billiton Iron Ore				
Email	Gavin.price@bhpbilliton.com						
Address	Level 39/125	St Georges Terrace					
	Perth		WA	6000			
Date	11 March 2015						

## (b) Decision-making authority

The EPA expects decision-making authorities to complete applicable sections of Part A of the form and provide the proponent an opportunity to provide additional information in Part B of the form where appropriate.

Wherever possible the DMA should obtain relevant spatial information from the proponent and provide this to the EPA with the referral.

DMA to complete before submitting form	
Completed all the questions in Part A (essential)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provided Part B to the proponent for completion	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed all other applicable questions	<input type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any supporting information	<input type="checkbox"/> Yes <input type="checkbox"/> No
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the below Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred?	<input type="checkbox"/> significant proposal <input type="checkbox"/> significant proposal under an assessed scheme

## Declaration

I, ....., (*full name*) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Position		Organisation	
Email			
Address	Street No.	Street Name	
	Suburb	State	Postcode
Date			

### (c) Third Party

Third parties are asked to have consideration for the Significance Test outlined in Part A Section 1.5 of this form before referring a significant proposal to the EPA. The EPA will only consider proposals that are likely, if implemented, to have a significant effect on the environment.

Third parties are to provide sufficient information to clearly identify the significant proposal, the proponent, and their reasons for referring the proposal. This can be done by completing as much of Part A of the form as possible, taking into consideration the information available. Third parties may wish to fill in Part B of the form to advance their own views of the significance of the environmental impacts and the need for EPA assessment.

In most cases the EPA will seek additional information from the proponent. This will be to confirm or amend the identity of the proponent, the proposal, and to allow the proponent opportunity to provide its views on the significance of the environmental impacts and the need for EPA assessment.

Third Party to complete before submitting form	
Complete all applicable questions in Part A and B	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No

### Declaration

I, ....., (*full name*) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)		
Email				
Position		Organisation		
Address	Street No.	Street Name		
	Suburb	State	Postcode	
Date				

## PART A: Information on the proposal and the proponent

All fields of Part A must be completed by the proponent and/or decision-making authority for this document to be processed as a referral. Third party referrers are only expected to fill in the fields they have information for.

### 1 PROPONENT AND PROPOSAL DESCRIPTION

#### 1.1 The proponent of the proposal

Proponent and/or DMA to complete	
Name of the proponent	BHP Billiton Iron Ore – acting as manager and agent for the Mount Newman Joint Venture (NJV)
Joint Venture parties (if applicable)	The NJV is comprised of the companies listed below with their respective interests: <ul style="list-style-type: none"> <li>• BHP Billiton Minerals Pty Ltd (ABN 93 008 694 782) 85%;</li> <li>• Mitsui – Itochu Iron Pty Ltd (ABN 84 008 702 761) 10%; and</li> <li>• Itochu Minerals &amp; Energy of Australia Pty (ABN 44 009 256 259) 5%.</li> </ul>
Australian Company Number(s) (if applicable)	4600870098
Postal Address <i>(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)</i>	Level 39 125 St Georges Terrace PERTH WA 6000
Key proponent contact for the proposal  <i>Please include: name; physical address; phone; and email.</i>	Mark Garrahy Manager Environment Approvals BHP Billiton Iron Ore 125 St Georges Terrace PERTH WA 6000 Office Phone Number: 6321 2181 Email: Mark.Garrahy@bhpbilliton.com
Consultant for the proposal (if applicable)  <i>Please include: name; physical address; phone; and email.</i>	N/A

#### 1.2 Proposal

Proposal is defined under the EP Act to mean a “project, plan, programme policy, operation, undertaking or development or change of land use, or amendment of any of the foregoing, but does not include scheme”. Before completing this section please refer to [Environmental Protection Bulletin 17 – Strategic and derived proposals \(EPB 17\)](#) and [Environmental Assessment Guideline for Defining the Key Characteristics of a proposal \(EAG 1\)](#).

Proponent and/or DMA to complete	
Title of the proposal	Orebody 31 Iron Ore Mine Project
What project phase is the proposal at?	<input type="checkbox"/> Scoping <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Detailed design <input type="checkbox"/> Other _____

Proponent and/or DMA to complete	
<p>Proposal type</p> <p><i>More than one proposal type can be identified, however for filtering purposes it is recommended that only the primary proposal type is identified.</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Power/Energy Generation</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Hydrocarbon Based – coal</li> <li><input type="checkbox"/> Hydrocarbon Based – gas</li> <li><input type="checkbox"/> Waste to energy</li> <li><input type="checkbox"/> Renewable – wind</li> <li><input type="checkbox"/> Renewable – wave</li> <li><input type="checkbox"/> Renewable – solar</li> <li><input type="checkbox"/> Renewable – geothermal</li> </ul> </li>   <li><input type="checkbox"/> <b>Mineral / Resource Extraction</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Exploration – seismic</li> <li><input type="checkbox"/> Exploration – geotechnical</li> <li><input checked="" type="checkbox"/> Development</li> </ul> </li>   <li><input type="checkbox"/> <b>Oil and Gas Development</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Exploration</li> <li><input type="checkbox"/> Onshore – seismic</li> <li><input type="checkbox"/> Onshore – geotechnical</li> <li><input type="checkbox"/> Onshore – development</li> <li><input type="checkbox"/> Offshore – seismic</li> <li><input type="checkbox"/> Offshore – geotechnical</li> <li><input type="checkbox"/> Offshore – development</li> </ul> </li>   <li><input type="checkbox"/> <b>Industrial Development</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Processing</li> <li><input type="checkbox"/> Manufacturing</li> <li><input type="checkbox"/> Beneficiation</li> </ul> </li>   <li><input type="checkbox"/> <b>Land Use and Development</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Residential – subdivision</li> <li><input type="checkbox"/> Residential – development</li> <li><input type="checkbox"/> Commercial – subdivision</li> <li><input type="checkbox"/> Commercial – development</li> <li><input type="checkbox"/> Industrial – subdivision</li> <li><input type="checkbox"/> Industrial – development</li> <li><input type="checkbox"/> Agricultural – subdivision</li> <li><input type="checkbox"/> Agricultural – development</li> <li><input type="checkbox"/> Tourism</li> </ul> </li>   <li><input type="checkbox"/> <b>Linear Infrastructure</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rail</li> <li><input type="checkbox"/> Road</li> <li><input type="checkbox"/> Power Transmission</li> <li><input type="checkbox"/> Water Distribution</li> <li><input type="checkbox"/> Gas Distribution</li> <li><input type="checkbox"/> Pipelines</li> </ul> </li>   <li><input type="checkbox"/> <b>Water Resource Development</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Desalination</li> <li><input type="checkbox"/> Surface or Groundwater</li> <li><input type="checkbox"/> Drainage</li> <li><input type="checkbox"/> Pipelines</li> </ul> </li> </ul>

Proponent and/or DMA to complete	
	<input type="checkbox"/> Managed Aquifer Recharge <input type="checkbox"/> <b>Marine Developments</b> <input type="checkbox"/> Port <input type="checkbox"/> Jetties <input type="checkbox"/> Marina <input type="checkbox"/> Canal <input type="checkbox"/> Aquaculture <input type="checkbox"/> Dredging  <i>If other, please state below:</i> <input type="checkbox"/> <b>Other</b> _____
Proponent and/or DMA to complete	
Description of the proposal – describe the key characteristics of the proposal in accordance with <a href="#">EAG 1</a> .	<p>In summary, the key components of the Proposal are listed below:</p> <ul style="list-style-type: none"> <li>• campaign open pit mining at Orebody 31 at a base mining rate of 15 million tonnes per annum (Mtpa) with a growth mining rate of 30 Mtpa; and</li> <li>• dewatering of the orebody aquifers and the preferential use of the water for operational purposes, with an option to manage the surplus volumes via means such as discharge to Ophthalmia Dam, re-injection, infiltration and surface discharge to local creek lines, as outlined in the proposed Eastern Pilbara Water Resource Management Plan (discussed in the Environmental Referral Supporting Document).</li> </ul> <p>This Proposal will involve clearing of up to 2,500 hectares.</p>
Timeframe in which the proposal is to occur (including start and finish dates where applicable).	<p>BHP Billiton Iron Ore is seeking to commence construction in Quarter 3 of the 2015 calendar year.</p> <p>Based on current mine plans, the deposit will be mined out by 2038.</p>
Details of any staging of the proposal.	<p>Construction is anticipated to commence in Quarter 3 of the 2015 calendar year.</p> <p>Mining below the water table is anticipated to commence in 2018.</p>
What is the current land use on the property, and the extent (area in hectares) of the property?	<p>The current land use is BHP Billiton Iron Ore exploration activities under approved Native Vegetation Clearing Permits. The underlying tenure is State Agreement Mineral Lease ML244SA, which extends from the Proposal area across to the Newman Township.</p>
Have pre-referral discussions taken place with	<p>Yes:</p>



<b>Proponent and/or DMA to complete</b>	
<p>the OEPA?</p> <p>If yes, please provide the case number. If a case number was not provided, please state the date of the meeting and names of attendees.</p>	<ul style="list-style-type: none"> <li>• 27 February 2014 (Sally Bowman and Peter Walkington)</li> <li>• 23 July 2014 (Sally Bowman and Peter Walkington)</li> <li>• 22 October 2014 (Sally Bowman, Matt Spence, John Guld)</li> <li>• 27 January 2015 (Sally Bowman, Matt Spence, John Guld)</li> </ul>
<b>DMA (Responsible Authority) to complete</b>	
<p>For a proposal under an assessed scheme (as defined in <a href="#">section 3 of the EP Act</a>, applicable only to the proponent and DMA) provide details (in an attachment) as to whether:</p> <ul style="list-style-type: none"> <li>• <i>The environmental issues raised by the proposal were assessed in any assessment of the assessed scheme.</i></li> <li>• <i>The proposal complies with the assessed scheme and any environmental conditions in the assessed scheme.</i></li> </ul>	N/A

### 1.3 Strategic / derived proposals

Complete this section if the proposal being referred is a strategic proposal or you are seeking the proposal to be declared a derived proposal. Note: Only a proponent may refer a strategic proposal and seek a proposal to be declared a derived proposal.

<b>Proponent to complete</b>	
Is this referred proposal a strategic proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you seeking that this proposal be declared a derived proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you are seeking that this proposal be declared a derived proposal, what is the Ministerial Statement number (MS #) of the associated strategic proposal?	MS #: _____

## 1.4 Location

Proponents and DMAs must provide spatial data. Please refer to [EAG 1](#) for more detail.

Proponent, DMA and Third Party to complete	
Name of the Local Government Authority in which the proposal is located.	Shire of East Pilbara
Location: a) street address; lot number; suburb; and nearest road intersection; or b) if remote the nearest town; and distance and direction from that town to the proposal site.	Mineral Lease 244SA Approximately 40 km east of the Newman Township in the Pilbara region of Western Australia.  A range of figures have been included in the attached application supporting document: <ul style="list-style-type: none"> <li>• Figure 1 illustrates the regional location of the Proposal in the Pilbara region as well as proximity of other BHP Billiton Iron Ore operations;</li> <li>• Figure 2 illustrates the Proposal in proximity to the Orebody 18 Mine Hub; and</li> <li>• Figure 3 illustrates the tenure of the Proposal area and surrounds.</li> </ul>
Have maps and figures been included with the referral (consistent with <a href="#">EAG 1</a> where appropriate)? <i>The types of maps and figures which need to be provided (depending on the nature of the proposal) include:</i> <ul style="list-style-type: none"> <li>• maps showing the regional location and context of the proposal; and</li> <li>• figures illustrating the proposal elements.</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proponent and DMA to complete	
Have electronic copies of spatial data been included with the referral?  <b>NB:</b> <i>Electronic spatial (GIS or CAD) data, geo-referenced and conforming to the following parameters:</i> <ul style="list-style-type: none"> <li>• GIS: polygons representing all activities and named;</li> <li>• CAD: simple closed polygons representing all activities and named;</li> <li>• datum: GDA94;</li> <li>• projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA);</li> <li>• format: ESRI geodatabase or shapefile, MapInfo Interchange Format, Microstation or AutoCAD..</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  The Proposal Development Envelope is included on the attached DVD in Arcgis format in MGA1994: Zone 51.

## 1.5 Significance test and environmental factors

Proponent, DMA and Third Party to complete
--

Proponent, DMA and Third Party to complete	
<p>What are the likely significant environmental factors for this proposal?</p>	<p> <input type="checkbox"/> Benthic Communities and Habitat  <input type="checkbox"/> Coastal Processes  <input type="checkbox"/> Marine Environmental Quality  <input type="checkbox"/> Marine Fauna  <input checked="" type="checkbox"/> Flora and Vegetation  <input type="checkbox"/> Landforms  <input checked="" type="checkbox"/> Subterranean Fauna*  <small>*At the request of the OPEA, however, BHP Billiton Iron Ore is of the view that this factor meets the EPA objective, and is therefore not considered significant.</small>  <input type="checkbox"/> Terrestrial Environmental Quality  <input type="checkbox"/> Terrestrial Fauna  <input checked="" type="checkbox"/> Hydrological Processes  <input type="checkbox"/> Inland Waters Environmental Quality  <input type="checkbox"/> Air Quality &amp; Atmospheric Gases  <input type="checkbox"/> Amenity  <input type="checkbox"/> Heritage  <input type="checkbox"/> Human Health  <input checked="" type="checkbox"/> Offsets  <input checked="" type="checkbox"/> Rehabilitation and Decommissioning </p>
<p>Having regard to the Significance Test (refer to Section 7 of the <i>EIA Administrative Procedures 2012</i>) in what ways do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA?</p>	<p>BHP Billiton Iron Ore has carried out a thorough and comprehensive environmental impact assessment process to review the potential impacts of the Proposal on the environmental values of the area. Following this assessment BHP Billiton Iron Ore is of the opinion that the Proposal meets the requirements of the significance test in relation to assessment due to the potential extent of likely impacts.</p>

## 1.6 Confidential information

*All information will be made publically available unless authorised for exemption under the EP Act or subject to the Freedom of Information Act 1992.*

Proponent to complete	
<p>Does the proponent request that the EPA treat any part of the referral information as confidential?</p> <p><i>Ensure all confidential information is provided in a separate attachment in hard copy.</i></p>	<p> <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No </p> <p>Appendix O attached to the Proposal supporting Environmental Referral Document</p>

## 2 REGULATORY CONSIDERATIONS

*This section applies to the Local, State and Commonwealth regulatory considerations for the referred proposal.*

### 2.1 Government approvals

#### 2.1.1 State or Local Government approvals

DMA to complete	
What approval(s) is (are) required from you as a decision-making authority?	
Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 2.1.2 Regulation of aspects of the proposal

Complete the following to the extent possible.

Proponent to complete	
<p>Do you have legal access required for the implementation of all aspects of the proposal?</p> <p><i>If yes, provide details of legal access authorisations / agreements / tenure.</i></p> <p><i>If no, what authorisations / agreements / tenure is required and from whom?</i></p>	<p><input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No</p> <p>The tenure is State Agreement Mineral Lease ML244SA under the Iron Ore (Mount Newman) Agreement 1964.</p>

Outline both the existing approvals and approvals that will be / are being sought as a part of this proposal.

Proponent to complete			
Aspects* of the proposal	Type of approval	Legislation regulating this activity	Which State agency /entity regulate this activity?
Groundwater Abstraction	5C Licence	<i>Rights in Water and Irrigation Act 1914</i>	Department of Water
Discharge of surplus water	Environmental Licence	<i>Environmental Protection Act 1986</i>	Department of Environmental Regulation

\*e.g. mining, processing, dredging

## 2.1.3 Commonwealth Government Environment Protection and Biodiversity Conservation Act 1999 approvals

Refer to the [assessment bilateral agreement](#) between the Commonwealth of Australia and the State of Western Australia for assistance on this section.

Proponent to complete	
1. Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<p><input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p> <p><i>If no continue to Part A section 2.1.4.</i></p>
2. What is the status of the decision on whether or not the action is a controlled action?	<p><input type="checkbox"/> Proposal not yet referred</p> <p><input type="checkbox"/> Proposal referred, awaiting decision</p> <p><input type="checkbox"/> Assessed – controlled action</p> <p><input type="checkbox"/> Assessed – not a controlled action</p>
3. If the action has been referred, when was it referred and what is the reference number (Ref #)?	<p>Date: _____</p> <p>Ref #: _____</p>

<b>Proponent to complete</b>	
4. If the action has been assessed, provide the decision in an attachment. Has an attachment been provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Do you request this proposal to be assessed under the bilateral agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Complete the following to the extent possible for the Public Comment of EPBC Act referral documentation.

<b>Proponent to complete</b>	
6. Have you invited the public to comment on your referral documentation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. How was the invitation published?	<input type="checkbox"/> newspaper <input type="checkbox"/> website
8. Did the invitation include all of the following?	
(a) brief description of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(b) the name of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(c) the name of the proponent	<input type="checkbox"/> Yes <input type="checkbox"/> No
(d) the location of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(e) the matters of national environmental significance that will be or are likely to be significantly impacted	<input type="checkbox"/> Yes <input type="checkbox"/> No
(f) how the relevant documents may be obtained	<input type="checkbox"/> Yes <input type="checkbox"/> No
(g) the deadline for public comments	<input type="checkbox"/> Yes <input type="checkbox"/> No
(h) available for public comment for 14 calendar days	<input type="checkbox"/> Yes <input type="checkbox"/> No
(i) the likely impacts on matters of national environmental significance	<input type="checkbox"/> Yes <input type="checkbox"/> No
(j) any feasible alternatives to the proposed action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(k) possible mitigation measures	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Were any submissions received during the public comment period?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Have public submissions been addressed? If yes provide attachment.	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 2.1.4 Other Commonwealth Government Approvals

Proponent, DMA and Third Party to complete			
Is approval required from other Commonwealth Government/s for any part of the proposal?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, please complete the table below.</i>	
Agency / Authority	Approval required	Application lodged?	Agency / Local Authority contact(s) for proposal
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

## 3. SUPPORTING INFORMATION

Please attach copies of any relevant information on the proposal, supporting evidence and / or existing environmental surveys, studies or monitoring information undertaken and list the documents below.

Proponent, DMA and Third Party to complete			
	<i>Title</i>	<i>Author</i>	<i>Document Description</i>
(1)	Referral supporting application document – Orebody 31 Iron Ore Mine Project	BHP Billiton Iron Ore Pty Ltd	Proposal supporting document which adheres to the EPA's recently released <i>Environmental Assessment Guideline 14, Preparation of an API-A Environmental Review Document</i> (EPA, 2015).

## PART B: ENVIRONMENTAL FACTORS

The purpose of Part B is to assist the EPA to determine the significance of the likely environmental impacts of the proposal in accordance with the EPA's *Environmental Assessment Guideline for Environmental factors and objectives* (EAG 8) and *Environmental Assessment Guideline for Application of a significant framework in the EIA process* (EAG 9). Referrers completing Part B should refer closely to EAG 8 and EAG 9.

The EPA has prepared [Referral of a Proposal under s38 of the EP Act EAG No.16 - Appendix A](#) (Appendix A) to assist in identifying factors and completing the below table. Further guidance can be found in the guidance and policy documents cited in Appendix A under each factor.

### **How to complete Part B**

For each environmental factor, that is likely to be significantly impacted by the implementation of the proposal, make a copy of the table below and insert a summary of the relevant information relating to the proposal. The table can be broken down into more than one table per factor, if the need arises. For example the hydrological processes factor can be presented in two separate tables, one for surface water and one for groundwater, or similarly one for construction and one for operations.

For complex proposals a supplementary referral report can be provided in addition to the referral form. If this option is chosen the table must still be completed (summaries are acceptable) to assist the Office of the EPA with statistical reporting and filtering proposals for processing.

Proponents expecting an API level of assessment must provide information in accordance with the EPA's *Environmental Assessment Guideline for Preparation of an API-A environmental review document* (EAG 14).

For each of the significant environmental factors, complete the following table (Questions 1 – 10).

POTENTIAL KEY FACTOR - FLORA AND VEGETATION		
1	Factor, as defined in <a href="#">EAG 8</a>	<i>Flora and Vegetation</i>
2	EPA Objective, as defined in <a href="#">EAG 8</a>	<i>To maintain representation, diversity, viability and ecological function at the species, population and community level.</i>
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	EPA Guidance Statement No. 51. <i>Terrestrial Flora and Vegetation Surveys for Environmental Impact in Western Australia</i> (EPA, 2004a)  EPA Guidance Statement No. 2. <i>Environmental Protection of Native Vegetation in Western Australia: Clearing of native vegetation with particular reference to agricultural areas</i> (EPA, 2000a)



POTENTIAL KEY FACTOR - FLORA AND VEGETATION		
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	<p>BHP Billiton Iron Ore has consulted with the Office of Environmental Protection Authority (OEPA) regarding the proposed clearing of vegetation in 'Good-to-Excellent' condition and clearing of a new species, <i>Acacia sp. East Fortescue</i>.</p> <p>As a result of these discussions, BHP Billiton Iron Ore has reduced proposed clearing by 25% down from 3,400 ha to 2,500 ha and impact on the new <i>Acacia sp. East Fortescue</i> down from 100% to 13.48% of all known individuals. A new Land and Biodiversity Management Plan has also been drafted and is suggested for conditioning.</p> <p>BHP Billiton Iron Ore has also consulted with the Department of Parks and Wildlife (DPaW) regarding this factor, providing a draft referral package including the new draft management plan for review. The DPaW has responded requesting that regional targeted surveys be undertaken for the <i>Acacia sp. East Fortescue</i>. BHP Billiton Iron Ore has committed to these regional surveys, which are currently being commissioned in the coming months. This commitment is reflected in the Regional Land and Biodiversity Management Plan.</p>
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	<p>Details are provided in Table 6 of the Referral supporting document.</p>
6	<p>Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.</p>	<p>Details are provided in Table 6 of the Referral supporting document.</p>

POTENTIAL KEY FACTOR - FLORA AND VEGETATION		
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	<p>Details are provided in Table 6 of the Referral supporting document.</p>
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA’s objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>Details are provided in Table 6 of the Referral supporting document.</p>
9	<p>EPA’s Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <a href="#">EAG 9</a></p>	<p><input checked="" type="checkbox"/> <i>meets the EPA’s objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA’s objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA’s objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	<p>Implementation conditions are suggested in Table 6 of the Referral supporting document.</p>

POTENTIAL KEY FACTOR – SUBTERRENEAN FAUNA		
1	Factor, as defined in <a href="#">EAG 8</a>	<i>Subterranean Fauna</i>
2	EPA Objective, as defined in <a href="#">EAG 8</a>	<i>To maintain representation, diversity, viability and ecological function at the species, population and assemblage level.</i>
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	<p>EPA Position Statement No. 3, Terrestrial Biological Surveys as an Element of Biodiversity Protection (EPA, 2002a).</p> <p>EPA Guidance No. 56, Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia (EPA, 2004b).</p>
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	<p>BHP Billiton Iron Ore did not originally identify 'Subterranean Fauna' as a potential key factor during pre-referral discussions with officers of the OEPA. However, during pre-referral consultation discussions, officers of the OEPA suggested that 'Subterranean Fauna' should be identified as key preliminary factor in relation to stygofauna based on consideration of impacts to one recorded stygofauna singleton.</p> <p>BHP Billiton Iron Ore has consulted with the DPaW regarding the proposed impact to the singleton and the DPaW has chosen not to provide any comments with regards to this factor.</p> <p>BHP Billiton Iron Ore has carried out a thorough impact assessment and has assessed Subterranean Fauna (stygofauna) as a preliminary key factor in the referral supporting document, however, does not consider that 'Subterranean Fauna' is a key factor and does not warrant specific conditioning.</p>

POTENTIAL KEY FACTOR – SUBTERRENEAN FAUNA		
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	Details are provided in Table 7 of the Referral supporting document.
6	<p>Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.</p>	Details are provided in Table 7 of the Referral supporting document.
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	Details are provided in Table 7 of the Referral supporting document.
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA’s objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	Details are provided in Table 7 of the Referral supporting document.
9	<p>EPA’s Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <a href="#">EAG 9</a></p>	<input checked="" type="checkbox"/> <i>meets the EPA’s objective</i> <input type="checkbox"/> <i>may meet the EPA’s objective</i> <input type="checkbox"/> <i>is unlikely to meet the EPA’s objective</i>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	Implementation conditions are suggested in Table 7 of the Referral supporting document.

POTENTIAL KEY FACTOR – REHABILITATION AND DECOMMISSIONING		
1	Factor, as defined in <a href="#">EAG 8</a>	<i>Rehabilitation and decommissioning</i>
2	EPA Objective, as defined in <a href="#">EAG 8</a>	<i>To ensure that premises are decommissioned and rehabilitated in an ecologically sustainable manner.</i>
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	<p>EPA Guidance Statement No. 6 Rehabilitation of Terrestrial Ecosystems (EPA, 2006a)</p> <p>Guidelines for Preparing Mine Closure Plans (DMP and EPA, 2011)</p> <p>Leading Practice Sustainable Development Program for the Mining Industry - Managing Acid and Metalliferous Drainage (DITR, 2007)</p> <p>EPA involvement in mine closure, (EPA, 2013e)</p>
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	<p>BHP Billiton Iron Ore has consulted with the Department of Mines and Petroleum (DMP) regarding closure and rehabilitation.</p> <p>This consultation commenced in mid-2014 when staff from BHP Billiton Iron Ore’s Closure Planning team met with officers of the DMP to provide an overview of the Proposal and the proposed waste management options and modelling which were underway to inform a proposed Mine Closure Plan.</p> <p>BHP Billiton Iron Ore met again with the DMP in December 2014 to discuss rehabilitation across all current and future BHP Billiton Iron Ore hubs, and specifically, this Proposal. The DMP concurred with BHP Billiton Iron Ore’s proposed hub-based integrated waste management strategy. The DMP also concurred that a separate Mine Closure Plan would be drafted for the Proposal, however, may be amalgamated with the nearby Orebody 18 Mine Hub Mine Closure Plan in future.</p> <p>BHP Billiton Iron Ore has since provided a copy of the draft referral package and a draft Mine Closure Plan to the DMP for review as part of the pre-consultation process for this Proposal.</p> <p>BHP Billiton Iron Ore is committed to ongoing consultation with the DMP throughout this Proposal assessment process.</p>

POTENTIAL KEY FACTOR – REHABILITATION AND DECOMMISSIONING		
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	<p>Details are provided in Table 10 of the Referral supporting document.</p>
6	<p>Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.</p>	<p>Details are provided in Table 10 of the Referral supporting document.</p>
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	<p>Details are provided in Table 10 of the Referral supporting document.</p>

POTENTIAL KEY FACTOR – REHABILITATION AND DECOMMISSIONING		
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA’s objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>Details are provided in Table 10 of the Referral supporting document.</p>
9	<p>EPA’s Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <a href="#">EAG 9</a></p>	<p><input checked="" type="checkbox"/> <i>meets the EPA’s objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA’s objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA’s objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9) e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	<p>Implementation conditions are suggested in Table 10 of the Referral supporting document.</p>

*In circumstances where there was some uncertainty on the level of significance of a particular factor it is recommended that a brief summary (no longer than 1 - 2 paragraphs) is provided on the steps taken to determine why a factor was not considered to be significant.*

POTENTIAL KEY FACTOR – OFFSETS		
1	Factor, as defined in <a href="#">EAG 8</a>	<i>Offsets</i>
2	EPA Objective, as defined in <a href="#">EAG 8</a>	<i>To counterbalance any significant residual environmental impacts or uncertainty through the application of offsets.</i>
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	<p><i>WA Environmental Offsets Policy (EPA, 2011)</i></p> <p><i>WA Environmental Offsets Guidelines (WA Government, 2014)</i></p> <p><i>Environmental Protection Bulletin No. 1 - Environmental Offsets – Biodiversity (EPA, 2010b)</i></p> <p><i>WA environmental offsets template</i></p>
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li><i>• anticipated level of public interest in the impact;</i></li> <li><i>• consultation with regulatory agencies; and</i></li> <li><i>• consultation with community.</i></li> </ul>	<p><i>BHP Billiton Iron Ore has reviewed the recently published WA Environmental Offsets Guidelines (WA Government, 2014) and discussed application of offsets for this Proposal with officers of the OEPA.</i></p> <p><i>BHP Billiton Iron Ore will address offsets in accordance with the Offsets Guidelines (WA Government, 2014 – or its revisions).</i></p>
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	<i>Details are provided in Table 9 of the Referral supporting document.</i>
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	<i>Details are provided in Table 9 of the Referral supporting document.</i>



POTENTIAL KEY FACTOR – OFFSETS		
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	<p>Details are provided in Table 9 of the Referral supporting document.</p>
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA’s objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>Details are provided in Table 9 of the Referral supporting document.</p>
9	<p>EPA’s Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <a href="#">EAG 9</a></p>	<p><input checked="" type="checkbox"/> <i>meets the EPA’s objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA’s objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA’s objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	<p>Implementation conditions are suggested in Table 9 of the Referral supporting document.</p>