

MINISTER FOR ENVIRONMENT

KWINANA EXPORT FACILITY – AMENDMENT UNDER SECTION 46 OF THE EP ACT TO EXTEND TIME LIMIT OF APPROVAL

I refer to your letter of 17 May 2010 requesting the Environmental Protection Authority (EPA) to report to you on Fremantle Port Authority's (FPA's) proposed changes to the environmental conditions for the Kwinana Export Facility in Kwinana. Your request was made in accordance with section 46 of the *Environmental Protection Act 1986*.

The following is the EPA's Report and Recommendations (No.1372) to you pursuant to section 46(3) of the *Environmental Protection Act 1986*.

Introduction

The EPA assessed the proposal at the level of Consultative Environmental Review (CER) and released its Report in October 1999 (Bulletin 953). The relevant environmental factors were considered to be noise, dust and visual amenity. Environmental approval for the proposal was issued on 13 July 2000 by way of Ministerial Statement 549.

The current proponent for the proposal is FPA and the Australian Rail Group. The proposal is for the construction and operation of a port facility and will consist of three separate parts:

- Marine component – a southern extension of the Bulk Cargo Jetty, an access jetty, an enclosed conveyor and a bulk material ship loader. There is no dredging or land reclamation associated with this proposal;
- Terrestrial component – an automated rail car dumper, an enclosed conveyor, a storage shed and other infrastructure; and
- Rail component – a rail line within the existing service corridor.

The environmental conditions require that iron ore be stockpiled in sheds and transported to the jetty by enclosed conveyors. If the proponent chooses to handle commodities other than iron ore then this would need to be submitted to the EPA for consideration as required by Condition 9.

Previous Ministers have granted two time limit extensions under Condition 4-3 which effectively requires the proponent to substantially commence implementation of the proposal by 13 July 2010. Any further extension beyond 13 July 2010 may only be approved by replacing Condition 4 (*Commencement*) with a new condition through section 46 of the *Environmental Protection Act 1986*.

Fremantle Ports has advised that since 2000, it has been approached by several potential customers with an interest in the export of bulk commodities, however none of these projects have been progressed to an agreement with Fremantle Ports. As a result the proposal has not been implemented.

The Minister for Transport has written to you requesting that the existing environmental conditions be amended to extend the date of substantial commencement of the above proposal for an additional five years.

The proponent now seeks to amend Condition 4 of Statement No. 549 to further extend the commencement period to 13 July 2015 on the following basis:

- although a customer for the facility has yet to be identified, FPA has advised that the proposed facility is still required in the future to facilitate trade including the export of iron ore; and
- more recently a memorandum of understanding was agreed between Fremantle Ports and Mineral Resources Ltd with the objective of evaluating the potential for the export of iron ore through this facility.

The proponent is not seeking to change any aspect of the proposal.

Discussion

The EPA has considered the request by FPA to extend the time limit of environmental approval for the proposal and has concluded that a 5 year extension should be allowed. The recommended conditions attached to this Report provides for the substantial implementation of the proposal by 13 July 2015. It is unlikely that further requests for extensions past this time would be approved.

The EPA has identified marine mammals to be a new environmental factor that was not addressed in the previous EPA assessment and has recommended a new condition be added to manage the impacts of construction (specifically pile driving) on cetaceans. Recommended Condition 12 is consistent with the

Ministerial Condition for marine fauna on the recently approved Port Rockingham Marina.

The wording of the compliance reporting condition has progressed since the original statement was issued and it is recommended that the contemporary wording now be used, by replacing Condition 5 with recommended Condition 11.

The EPA considers that the only new environmental factors/issues to arise since the above proposal was originally assessed is marine fauna and that has been addressed through recommended Condition 12. All conditions in Ministerial Statement 549 other than those discussed above remain the same.

EPA Recommendations

The EPA submits the following recommendations:

1. That the request for an extension of time limit be approved;
2. Condition 4 be deleted and a new Condition 10 be inserted which provides for the substantial implementation of the proposal to commence prior to 13 July 2015;
3. Condition 5 be deleted and a new Condition 11 be inserted which provides the contemporary wording for compliance reporting; and
4. a new condition be inserted (Condition 12) which sets out a protocol for the management of construction impacts on marine fauna.

The recommended conditions are attached.

Dr Paul Vogel
CHAIRMAN

20 October 2010

Attachments
1 - Recommended conditions
2 - Ministerial Statement 549

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

KWINANA EXPORT FACILITY, KWINANA

Proposal: The construction and operation of a port facility. The facility will consist of three components:

- 1 Marine component - a southern extension of the Bulk Cargo Jetty, an access jetty, an enclosed conveyor and a bulk material ship loader;
- 2 Terrestrial component - an automated rail car dumper, an enclosed conveyor, a storage shed and other infrastructure; and
- 3 Rail component - a rail line within the existing service corridor.

The rail and terrestrial components are located in the area bounded by Kwinana Beach Road, the Bulk Cargo Jetty access road, Wells Road and the shoreline at Kwinana Beach. The marine component is located in the ocean immediately south of the existing Bulk Cargo Jetty, as documented in schedule 1 of Statement 549.

Proponent: Fremantle Port Authority and Australian Rail Group

Proponent Address: Fremantle Port Authority, 1 Cliff Street, Fremantle WA 6160

Assessment Number: 1837

Previous Assessment Number: 1243

Previous Statement Number: Statement No. 549 (published on 13 July 2000)

Report of the Environmental Protection Authority: Bulletin 1372

Previous Report of the Environmental Protection Authority: Bulletin 953

The implementation of the proposal to which the above reports of the Environmental Protection Authority relate is subject to the conditions and procedures contained in Ministerial Statement No. 549, as amended by the following:

1. Condition 10 – Time Limit of Authorisation

Condition 4 of Statement No. 549 is deleted and the following conditions inserted:

- “10-1 The proponent shall substantially commence implementation of the proposal by 13 July 2015.*
- 10-2 The proponent shall provide the Chief Executive Officer of the Office of the Environmental Protection Authority with written evidence which demonstrates that the proposal has substantially commenced on or before 13 July 2015.”*

2. Condition 11 – Compliance Reporting

Condition 5 of Statement No. 549 is deleted and the following conditions inserted:

- 11-1 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority.*
- 11-2 The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority the compliance assessment plan required by condition 11-1 at least six months prior to the first compliance report required by condition 11-6, 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 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.*
- 11-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 11-1.*
- 11-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 11-1 and shall make those reports available when requested by the Chief Executive Officer of the Office of the Environmental Protection Authority.*

- 11-5 *The proponent shall advise the Chief Executive Officer of the Office of the Environmental Protection Authority of any potential non-compliance within seven days of that non-compliance being known.*
- 11-6 *The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority the first compliance assessment report fifteen months from the date of issue of this Statement addressing the twelve month period from the date of issue of this Statement and then annually from the date of submission of the first compliance assessment report.*

The compliance assessment report shall:

- 1 be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer'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 11-1.*

3. Condition 12 – Pile Driving

The following condition is inserted.

- “12-1 The proponent shall apply the following pile driving management protocol for minimising impacts on cetaceans:*
- a) prior to the commencement of full power pile driving, implement soft start procedures that slowly ramp up the intensity of noise emissions over a period of no less than 15 minutes;*
 - b) a cetacean observation zone consisting of a one kilometre radius from the noise emitting source whereby an observer must undertake cetacean observation for a minimum of 15 minutes prior to the commencement of pile driving and during pile driving activities; and*
 - c) a shutdown zone consisting of a 500 metre radius from the noise emitting source whereby (1) pile driving cannot commence should a cetacean be within the 500 metre exclusion zone; and (2) pile driving activities to cease should a cetacean enter the 500 metre exclusion zone during pile driving and are not to recommence until the animal(s) have moved outside the 500 metre exclusion zone.*
 - d) Pile driving activities to take place during daylight hours only.”*



Statement No.

MINISTER FOR THE ENVIRONMENT;
LABOUR RELATIONS

000549

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

KWINANA EXPORT FACILITY, KWINANA

Proposal: The construction and operation of a port facility. The facility will consist of three components:

- 1 Marine component - a southern extension of the Bulk Cargo Jetty, an access jetty, an enclosed conveyor and a bulk material ship loader;
- 2 Terrestrial component - an automated rail car dumper, an enclosed conveyor, a storage shed and other infrastructure; and
- 3 Rail component - a rail line within the existing service corridor.

The rail and terrestrial components are located in the area bounded by Kwinana Beach Road, the Bulk Cargo Jetty access road, Wells Road and the shoreline at Kwinana Beach. The marine component is located in the ocean immediately south of the existing Bulk Cargo Jetty, as documented in schedule 1 of this statement.

Proponent: Fremantle Port Authority, Koolyanobbing Iron Pty Ltd and Westrail

Postal Address: Fremantle Port Authority, 1 Cliff Street, Fremantle WA 6160

Assessment Number: 1243

Report of the Environmental Protection Authority: Bulletin 953

The proposal, to which the above report of the Environmental Protection Authority relates, modified as a consequence of the Minister for the Environment's determination of the appeals against the Environmental Protection Authority's report, may be implemented subject to the following procedures and conditions:

Procedures

1 Implementation

- 1-1 Subject to these conditions and procedures, the proponent shall implement the proposal as documented in schedule 1 of this statement.

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- 1-2 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.
- 1-3 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

2 Proponent Commitments

- 2-1 The proponent shall implement the consolidated environmental management commitments documented in schedule 2 of this statement.
- 2-2 The proponent shall implement subsequent environmental management commitments which the proponent makes as part of the fulfilment of conditions and procedures in this statement.

3 Proponent

- 3-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person in respect of the proposal.
- 3-2 Any request for the exercise of that power of the Minister referred to in condition 3-1 shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the proposal in accordance with the conditions and procedures set out in the statement.
- 3-3 The proponent shall notify the Department of Environmental Protection of any change of proponent contact name and address within 30 days of such change.

4 Commencement

- 4-1 The proponent shall provide evidence to the Minister for the Environment within five years of the date of this statement that the proposal has been substantially commenced.
- 4-2 Where the proposal has not been substantially commenced within five years of the date of this statement, the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment will determine any question as to whether the proposal has been substantially commenced.
- 4-3 The proponent shall make application to the Minister for the Environment for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement at least six months prior to the expiration of the five year period referred to in conditions 4-1 and 4-2.

4-4 Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years for the substantial commencement of the proposal.

5 Compliance Auditing

5-1 The proponent shall submit periodic Compliance Reports, in accordance with an audit program prepared in consultation between the proponent and the Department of Environmental Protection.

5-2 Unless otherwise specified, the Chief Executive Officer of the Department of Environmental Protection is responsible for assessing compliance with the conditions, procedures and commitments contained in this statement and for issuing formal, written advice that the requirements have been met.

5-3 Where compliance with any condition, procedure or commitment is in dispute, the matter will be determined by the Minister for the Environment.

Conditions

6 Environmental Management System

6-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to commissioning, the proponent shall demonstrate to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection that there is in place an environmental management system which includes the following elements:

- 1 An environmental policy and corporate commitment to it;
- 2 Mechanisms and processes to ensure:
 - 1 planning to meet environmental requirements;
 - 2 implementation and operation of actions to meet environmental requirements;
 - 3 measurement and evaluation of environmental performance; and
- 3 Review and improvement of environmental outcomes.

6-2 The proponent shall implement the environmental management system referred to in condition 6-1.

7 Decommissioning and Rehabilitation Management Plan

7-1 At least six months prior to decommissioning, the proponent shall prepare a Decommissioning and Rehabilitation Management Plan to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

This Plan shall address:

- 1 removal or, if appropriate, retention of plant and infrastructure;
 - 2 rehabilitation of all disturbed areas to a standard suitable for agreed new land use/s;
and
 - 3 identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities.
- 7-2 The proponent shall implement the Decommissioning and Rehabilitation Management Plan required by condition 7-1 until such time as the Minister for the Environment determines that decommissioning and rehabilitation are complete.
- 7-3 The proponent shall make the Decommissioning and Rehabilitation Management Plan required by condition 7-1 publicly available, to the requirements of the Environmental Protection Authority.

8 Performance Review

- 8-1 Each five years following the commencement of construction, the proponent shall submit a Performance Review to the Department of Environmental Protection:
- to document the outcomes, beneficial or otherwise;
 - to review the success of goals, objectives and targets; and
 - to evaluate the environmental performance over the five years;

relevant to the following:

- 1 environmental objectives reported on in Environmental Protection Authority Bulletin 953;
- 2 proponent's consolidated environmental management commitments documented in schedule 2 of this statement and those arising from the fulfilment of conditions and procedures in this statement;
- 3 environmental management system environmental performance targets;
- 4 environmental management programs and plans; and/or
- 5 environmental performance indicators;

to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

Note: The Environmental Protection Authority may recommend changes and actions to the Minister for the Environment following consideration of the Performance Review.

9 Nature of Imported or Exported Commodities

- 9-1 In the event that the proponent chooses to handle commodities other than iron ore in the facility, the details of these commodities shall be submitted to the Environmental Protection Authority for consideration under the provisions of the Environmental Protection Act 1986 prior to operations taking place.

Note

- 1 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.

CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

13 JUL 2000

Schedule 1

The Proposal (1243)

The proposal is for the construction and operation of a port facility which will consist of three separate parts:

- a marine component,
- a terrestrial component, and
- a rail component.

These will be constructed and operated by the Fremantle Port Authority, Koolyanobbing Iron Pty Ltd and Westrail respectively.

The rail and terrestrial components will be located in the area bounded by Kwinana Beach Road, the Bulk Cargo Jetty access road, Wells Road and the shoreline at Kwinana Beach. The marine component is located in the ocean immediately south of the existing Bulk Cargo Jetty.

The components are shown on Figure 1 and described below:

Marine component

This will consist of a southern extension to the existing Bulk Cargo Jetty. The existing Bulk Cargo Jetty is an open pile structure with concrete decks. The proposed southern extension will be constructed south west of Berth 2 at an angle of 150 degrees to the Bulk Cargo Jetty.

The jetty will be approximately 410 metres long and 5 metres above mean sea level. The jetty will be constructed in an open pile manner and the deck is likely to be made from precast concrete.

A wharf gallery will sit at 18 metres above the jetty deck and will contain a tripper conveyor. A ship loader will rise approximately 36 metres above the deck and consist of a travelling portal, with a belt tripper inside the wharf gallery. The ship loader will be fitted with a telescopic loading chute.

An access bridge approximately 410 metres long will be constructed from the shore to the jetty to allow independent operation of the import and export facilities.

A fully enclosed conveyor will be constructed from the storage shed across the foreshore to a transfer station then along the access bridge to meet the tripper conveyor in the wharf gallery.

No dredging will take place for the construction or operation of the jetty.

Terrestrial component

This will consist of a car dumper, storage shed and conveyor system. The car dumper will be in an enclosed shed which is maintained under negative pressure. The car dumper will unload iron ore by rotating the rail wagons, thus tipping the ore into an underground storage bin.

The incoming iron ore will be transported by an enclosed conveyor to a transfer station and then to the storage shed. All transfer stations will be fitted with dust extraction systems.

The storage shed will be 60 metres wide by 330 metres long and 27 metres high. It will be maintained under negative pressure at all times when the iron ore is being handled (by air extraction through dust collectors). The shed will also be fitted with an automatic reclaimer to place ore from the stockpile onto the conveyor.

The out-going iron ore will be transported by an enclosed conveyor to the jetty.

Other infrastructure will include a workshop, an administration building and sealed roads.

Rail component

This will consist of approximately 3000 metres of new rail track, located east of the existing rail line in the cleared service corridor. Two "Q" class locomotives will be used to haul up to 83 wagons of iron ore between the Koolyanobbing minesite and Kwinana. These trains will be up to 940 metres long and there will be up to two trains arriving per day.

The main characteristics of the proposal are summarised in Table 1.

Table 1: Key Characteristics Table

Element	Quantities/Description
Nature of main operation	The transport, receipt, storage and export of iron ore.
Inputs	<ul style="list-style-type: none">• approximately two trains per day, each carrying 6100 tonnes of iron ore.
Quantity of material to be handled	<ul style="list-style-type: none">• up to 4 million tonnes per annum.• approximately one ship per week.
Marine Component Major items	<ul style="list-style-type: none">• an open pile southern extension (approximately 410 metres long) to the existing Bulk Cargo Jetty (BCJ);• a wharf gallery approximately 18 metres above the jetty deck;• an access bridge (approximately 410 metres long) from the shore to the BCJ extension;• a fully enclosed conveyor operating at up to 4000 tonnes per hour; and• a bulk material ship loader operating at up to 4000 tonnes per hour (approximately 36 metres above the jetty deck).
Terrestrial Component Major items	<ul style="list-style-type: none">• an enclosed automated rail car dumper operated under negative pressure;• a fully enclosed conveyor operating at up to 4000 tonnes per hour, and associated transfer stations;• a storage shed operating under a negative pressure (approximately 60 metres wide by 330 metres long and 27 metres high);• an automated reclaiming system to reclaim ore from the stockpiles onto the conveyors; and• a screening facility located inside the shed.
Other infrastructure	<ul style="list-style-type: none">• workshop;• administration building; and• sealed access roads.
Rail Component	<ul style="list-style-type: none">• an additional 3000 metres of rail line adjacent to the existing rail line and within the existing service corridor.

Figures (attached)

Figure 1 Plant layout
Figure 2 Site

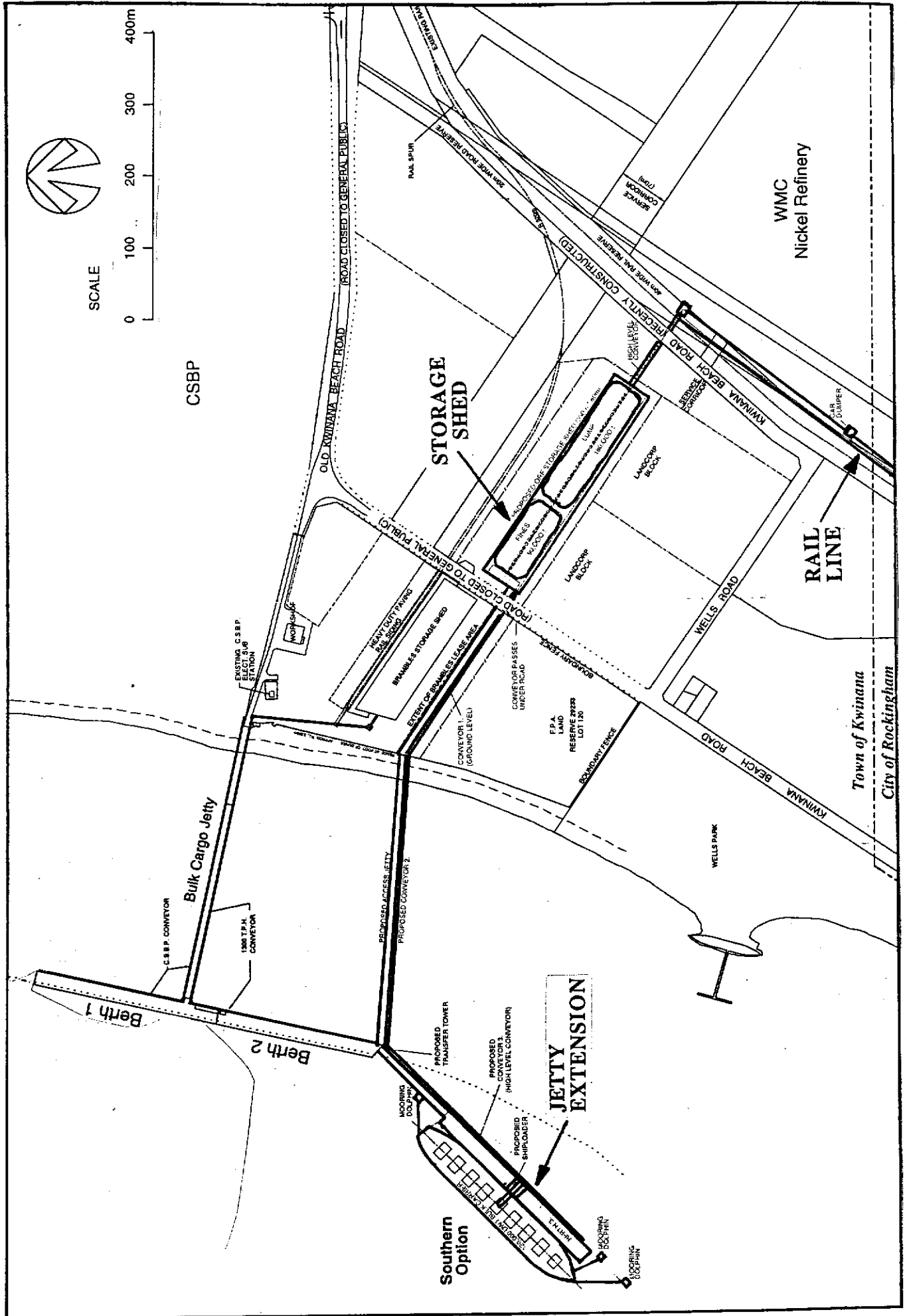


Figure 1. Plant layout

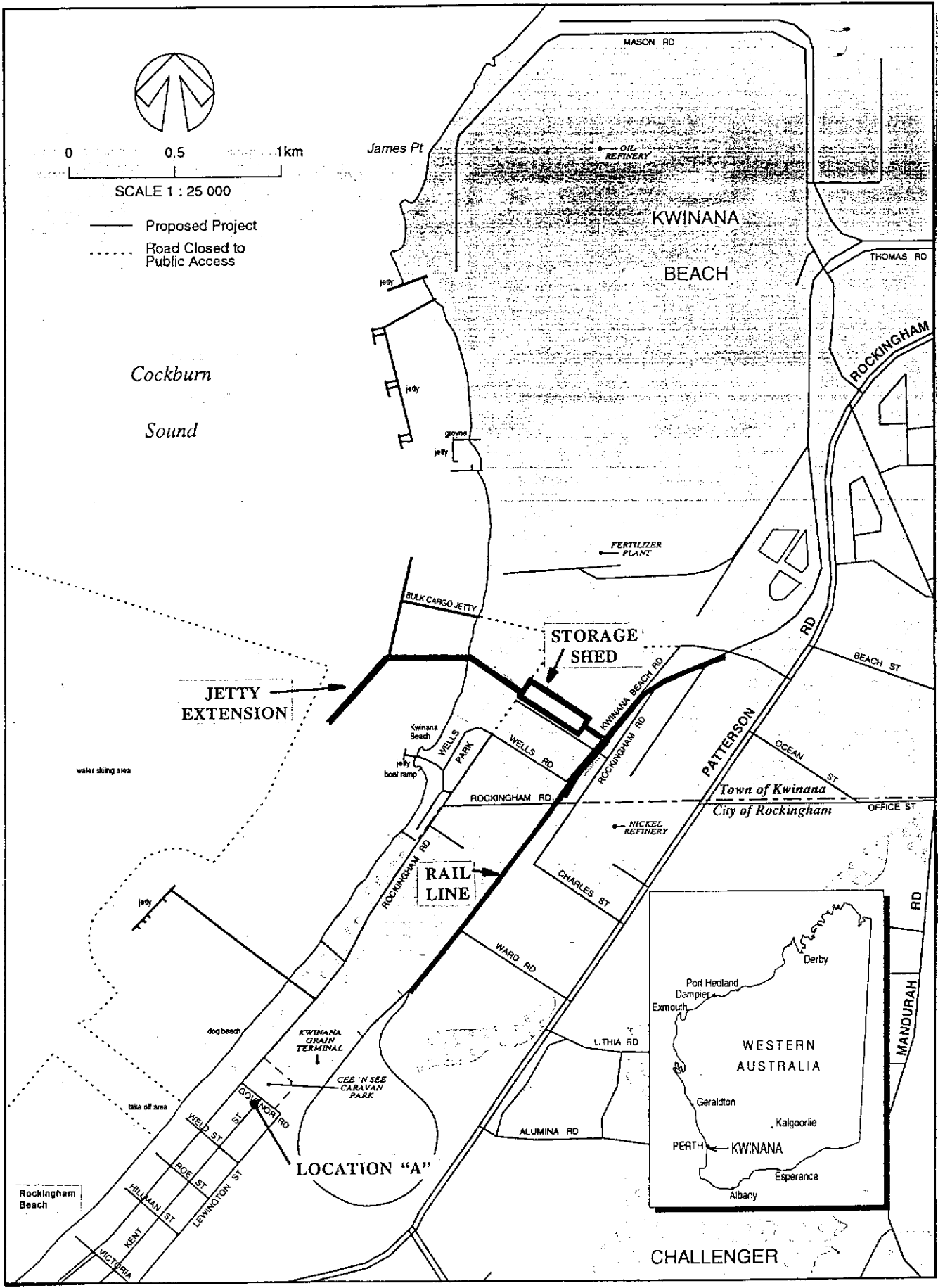


Figure 2. Proposed site.

**Proponent's Consolidated Environmental Management
Commitments**

July 2000

**KWINANA EXPORT FACILITY, KWINANA
(1243)**

**Fremantle Port Authority, Koolyanobbing Iron Pty Ltd
& Westrail**

Proponent's Environmental Management Commitments – Kwinana Export Facility (1243)

Commitment No.	Commitment	Timing	Objective	Action	To Whose Satisfaction	Completion Criteria
<i>Marine Component</i>						
1	The proponent will operate the Outer Harbour Liaison Group to enable local community, industry and Government representatives to discuss Port related issues.	Ongoing.	<ul style="list-style-type: none"> To provide a regular two way channel of communication between the proponent and community groups on matters of mutual interest. To provide a more proactive approach to issues management. Enhance community understanding, acceptance and support for the needs of the working port. Enhance the proponent's understanding, acceptance and support for the needs of the broader community. 	Continue meetings with the community.	DEP	<ul style="list-style-type: none"> Ongoing consultation during operation of Port. Minutes available on request.
2	An Environmental Management System will be prepared and implemented during the operation of the Kwinana Export Facility.	Developed during the construction phase. Ongoing implementation and review.	To ensure sound environmental management of the operations.	Continue to develop the EMS.	DEP	Meet the requirements of ISO 14001.
3	A rehabilitation and landscape management plan will be prepared and implemented. This plan will address: <ul style="list-style-type: none"> Rehabilitation (including stabilisation, revegetation and maintenance) of the dunes within the Project Area; Painting of the jetty and associated infrastructure with public input; and Screening vegetation around northern boundary of Well's Park; and Consideration of the wind direction in the final design of the conveyor. 	Post Construction.	To minimise the impact to flora and vegetation in the Project Area.	<ul style="list-style-type: none"> Dune area stabilised using brush or mulch Seeding of dune area undertaken if required. Landscaping along the northern boundary of Wells Park. Area fenced. 	DEP & Town of Kwinana	Area stable and revegetation successful.

Commitment No.	Commitment	Timing	Objective	Action	To Whose Satisfaction	Completion Criteria
4	<p>Prior to pile driving being undertaken, the proponent will notify:</p> <ul style="list-style-type: none"> all noise-sensitive premises within the area bounded by Lewington St, Victoria St, Rockingham Road and Governor Road; the residents of the Cee & See Caravan Park; and commercial premises in the immediate vicinity (within a 1 km radius) of the Project. 	Pre-construction.	To ensure that residents are aware of potential noise emissions.	Communicate times, dates and proposed construction activities to nearby residents and businesses.	DEP	Written indication of activities provided to all nearby residents and businesses.
5	Noise levels will be periodically monitored at Wells Park and the nearest residence during pile driving activities. If the noise levels attributable to the Project are above those modelled in the CER, additional noise control measures will be implemented.	Construction.	To ensure that noise levels are below acceptable criteria.	Undertake noise monitoring.	DEP	Noise levels within acceptable criteria.
6	A sediment monitoring programme will be developed and implemented to monitor for the presence of iron ore and other metals around BCJ. If iron ore attributable to the Project is found, additional management measures will be implemented.	Operations.	To monitor the impact of the Export Facility on the marine habitats in the Project Area.	Implement a sediment monitoring programme.	DEP	Submit annual report to the DEP.
7	A hazard and risk assessment of the construction and operation of the marine component of the Project will be undertaken and a risk management plan will be developed specifically for this Project.	Pre-construction.	To identify hazards and risks associated with construction and operation of the export facility.	Undertake hazards and risk assessment.	DEP	Comply with statutory requirements.
8	In consultation with the Local Government Authority and State Government agencies, a report on the apress of contributing to the amenities at Wells Park will be prepared.	Pre-construction	To determine the suitability of contributing to the amenities of Wells Park.	Meet with local councils and appropriate State Government Agencies	DEP & Town of Kwinana	Minutes of meetings available on request.
<i>Terrestrial Component</i>						
9	An Environmental Management Plan (EMP) will be prepared and implemented for the iron ore component of the facility.	Pre-construction.	To ensure sound environmental management of the iron ore component of the export facility.	Prepare EMP.	Developed in consultation with the DEP.	Acceptance of EMP.

Commitment No.	Commitment	Timing	Objective	Action	To Whose Satisfaction	Completion Criteria
10	<p>Dust levels on the construction site will be visually monitored and dust control measures will be implemented during the construction of the Kwinana Export facility in the event that:</p> <ul style="list-style-type: none"> Unacceptable levels of dust are observed; Strong winds and dry conditions make dust generation likely; or Reasonable complaints about dust are received. <p>Provisions will be made for a water cart to be onsite, if required, to control dust levels. A dust monitoring programme will be prepared and implemented in the vicinity of the Project, and should dust deposition levels attributable to the Project be greater than 4g/m²/month, additional dust management measures will be incorporated into the Project.</p>	During construction.	To control any dust generated as a result of construction activities.	<ul style="list-style-type: none"> Apply water sprays where required. 	DEP	<ul style="list-style-type: none"> Compliance with Works Approval conditions. Register of complaints and actions taken.
11	<p>A short term high volume sampling programme will be prepared and implemented to determine compliance with the national Environment Protection Criteria for PM₁₀ at the closest residents or the existing DEP North Rockingham monitoring station.</p> <p>A community complaints register will be established.</p>	Pre-construction, construction, and operations.	To minimise dust generation during operation of the Project.	Continue monitoring dust deposition at Kwinana.	DEP	Compliance with licence conditions and NSW EPA dust deposition standards.
12	<p>A short term high volume sampling programme will be prepared and implemented to determine compliance with the national Environment Protection Criteria for PM₁₀ at the closest residents or the existing DEP North Rockingham monitoring station.</p> <p>A community complaints register will be established.</p>	Operation.	To minimise dust generation during operation of the Project.	Undertake high volume sampling near the Project Area.	DEP	<ul style="list-style-type: none"> Acceptance of monitoring programme. Results supplied to DEP
13	<p>A community complaints register will be established.</p>	Pre-construction.	To provide the general community with a means of registering complaints.	<ul style="list-style-type: none"> Establish a telephone number and advertise it locally. Register all complaints and investigate within 48 hours. 	DEP	<ul style="list-style-type: none"> Telephone number established and advertised. Log available on request.

Commitment No.	Commitment	Timing	Objective	Action	To Whose Satisfaction	Completion Criteria
14	If dust complaints attributable to the Project are received from residents along the rail line through the Metropolitan area, a short term dust deposition monitoring programme will be instigated to assess the dust deposition levels. A report will be prepared on the suitability of the use of crusting agents or other management measures if dust along the rail line is attributable to the Project.	Operation.	To minimise the impact of dust on residents along the rail line.	Investigate complaints related to dust along the rail line.	DEP	Management measures implemented, if required.
15	The plant equipment used in the operation of the Project will have a sound power level rating equal to or less than the levels in the CER unless additional modelling shows compliance with the predicted levels in the CER.	Construction.	To minimise the impact of noise from construction on nearby residents.	Undertake noise modelling, if equipment had sound power levels greater than in the CER.	DEP	Noise levels comply with noise modelling sound power levels.
16	A landscape management plan will be prepared and implemented which will address <ul style="list-style-type: none"> • Painting of the shed and conveyor; • areas to be landscaped; and • the types of landscaping that will be undertaken in these areas. Public input will be sought during the preparation of the plan.	Pre-construction.	To minimise the visual impact of the Project.	<ul style="list-style-type: none"> • Consult the public. • Prepare Landscape Plan. 	Town of Kwinana and DEP	Acceptance of Landscape Plan
17	The proponent will meet with the Kwinana Industries Council (KIC) and the Fire and Rescue Service to discuss the Emergency Response scheme and to identify alternative emergency routes to the Bulk Cargo Jetty and to Kwinana Industrial Area. The proponent will respond to reasonable requests of KIC and the Fire and Rescue Service to establish alternative emergency access routes.	Pre-construction.	To ensure the safety of workers and general public in the Kwinana Industrial Area.	Meet with KIC and Fire and Rescue Services.	KIC, Fire and Rescue Services and DEP	Comply with the requirements of the KIC and Fire and Rescue Services.
<i>Rail Component</i>						
18	"Q" Class locomotives (or quieter) will be used to haul the wagons between the mine site and Kwinana.	Operation	To minimise noise generated from train movements.	Use Q Class locomotives.	DEP	Q Class (or quieter) locomotives in use.

Abbreviations

CER = Consultative Environmental Review
DEP = Department of Environmental Protection
EMP = Environmental Management Plan

KIC = Kwinana Industries Council

PM₁₀ = particulate matter which is less than 10 micrometres in diameter