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Published on 20 March 2008

Statement No. 764

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

**MATERIALS STOCKPILING & HANDLING FACILITIES
CAPE PRESTON**

Proposal: To establish materials stockpiling and handling facilities with a capacity of approximately four million tonnes at Cape Preston, approximately 60 kilometres west-south-west of Dampier, Shire of Roebourne.

Proponent: Anshan Resources Pty Ltd (ACN 058 429 977)

Proponent Address: Level 8, 135 Wickham Terrace
SPRING HILL QLD 4000

Assessment Number: 1652

Report of the Environmental Protection Authority: Bulletin 1229

Minister's appeal determination: 396 and 397 of 2006

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

1 Proposal Description

1-1 The proponent shall implement the proposal as documented and described in Schedule 1 of this statement subject to the conditions and procedures of this statement.

2 Proponent Environmental Management Commitments

2-1 The proponent shall fulfil the environmental management commitments contained in schedule 2 of this statement.

3 Proponent Nomination and Contact Details

- 3-1 The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the Act is responsible for the implementation of the proposal.
- 3-2 The proponent shall notify the CEO of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

4 Time Limit of Authorisation

- 4-1 The proposal must be substantially commenced within five years of the date of publication of this statement.
- 4-2 The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of publication of this statement.

5 Compliance Reporting

- 5-1 The proponent shall submit to the CEO environmental compliance reports annually reporting on the previous twelve-month period, unless required by the CEO to report more frequently.
- 5-2 The environmental compliance reports shall address each element of an audit program approved by the CEO and shall be prepared and submitted in a format acceptable to the CEO.
- 5-3 The environmental compliance reports shall:
 - 1. be endorsed by signature of the proponent's chief executive officer or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's chief executive officer;
 - 2. state whether the proponent has complied with each condition and procedure contained in this statement;
 - 3. provide verifiable evidence of compliance with each condition and procedure contained in this statement;
 - 4. state whether the proponent has complied with each key action contained in any environmental management plan or program required by this statement;
 - 5. provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by this statement;
 - 6. identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance;
 - 7. review the effectiveness of all corrective and preventative actions taken; and
 - 8. describe the state of implementation of the proposal.

6 Performance Review

- 6-1 The proponent shall submit a Performance Review report every five years after the start of production to the Environmental Protection Authority, which addresses:
1. the major environmental issues associated with implementing the project; the environmental objectives for those issues; the methodologies used to achieve these; and the key indicators of environmental performance measured against those objectives;
 2. the level of progress in the achievement of sound environmental performance, including industry benchmarking, and the use of best available technology where practicable;
 3. significant improvements gained in environmental management, including the use of external peer reviews;
 4. stakeholder and community consultation about environmental performance and the outcomes of that consultation, including a report of any on-going concerns being expressed; and
 5. the proposed environmental objectives over the next five years, including improvements in technology and management processes.

7 Approved disturbance area

The disturbance area shall not exceed 20 hectares, and shall be contained within the boundaries of the area cross-hatched black as shown in Figure 1 of Schedule 1.

8 Emissions and discharges

Nothing in this Statement authorises the proponent to cause or allow serious or material environmental harm or pollution by the emission of dust, water, light, hydrocarbons or any other emission or discharge from the implementation of the proposal.

9 Dust Management Plan

- 9-1 Prior to commencement of construction, the proponent shall prepare a Dust Management Plan that meets the objectives specified in this condition to the requirements of the Minister.
- 9-2 The proponent shall consult with the CEO in the preparation of the Plan.
- 9-3 The objectives of the Plan are to:
1. ensure that dust from the construction and operation of the proposal does not cause material or significant environmental harm to native vegetation, native fauna and the marine environment;

2. ensure that dust from the construction and operation of the proposal does not adversely affect the amenity of beaches and dunes in the vicinity of the proposal through deposition and staining;
3. identify sources, characteristics and control methods for dust generated during the construction and operation of the proposal;
4. provide a monitoring and reporting regime for identifying dust emissions arising from the construction and operation of the proposal; and
5. identify measures to mitigate dust generation and impacts.

9-4 The Plan shall:

1. establish baseline monitoring of dust which establishes pre-construction and operation dust levels over a statistically appropriate time scale;
2. establish on-going dust monitoring/sampling during construction and operation to:
 - enable real time detection of dust emissions from the construction or operation of the proposal in any wind direction;
 - enable the size and composition of particulates to be determined; and
 - enable the proportion of dust attributable to the proponent's operations to be readily determined;

Note: In determining the proportion of dust attributable to the proponent's operations, it will be necessary for the proponent to be able to identify from dust samples, characteristics which distinguish between dust generated by this proposal and dust which may be generated from other sources.

3. specify measures to control dust during construction and operation of the proposal;
4. specify management measures to prevent further dust emissions from the proponent's operations should dust monitoring/sampling indicate that dust emissions from the proposal is, or may be, inconsistent with condition 9-3;
5. identify best practices applicable to the operations, and detail the methods to be used for all point and fugitive dust sources;
6. provide for continuous improvements in dust management; and
7. detail complaint response procedures.

9-5 The proponent shall implement the Dust Management Plan.

9-6 The proponent shall make the Plan publicly available, in a manner approved by the CEO.

10 Turtle Management Plan

10-1 Prior to commencement of construction, the proponent shall prepare a Turtle Management Plan that meets the objectives specified in this condition to the requirements of the Minister.

10-2 The proponent shall prepare the plan on the advice of a marine turtle specialist and shall consult with the CEO in the preparation of the Plan.

10-3 The objectives of the Plan are to:

1. Establish baseline information on the population of turtles that utilise the beaches adjacent to the proposal;
2. Establish a monitoring program to measure and detect changes to the turtle population;
3. Address the long-term management of the turtle species that utilise the beaches adjacent to the proposal; and
4. Specify design features, management measures and operating controls to avoid adverse impacts to the turtle population that utilise the beaches adjacent to the proposal.

10-4 The Plan shall:

1. establish baseline data for marine turtle nesting on beaches in the vicinity of the proposal for a complete nesting season, with results reported to the CEO and the Minister;
2. establish an annual monitoring program for the duration of the proposal to measure and detect changes numbers of turtles that use beaches in the vicinity of the proposal;
3. identify aspects of the construction and operation of the proposal which may have an adverse impact on marine turtles, including light, dust and vibrations;
4. specify design features, management measures and operating controls that aim to avoid adverse impacts to marine turtles, including measures to control:
 - a. access by the proponent's staff and agents to beaches in the vicinity of the proposal; and
 - b. light overspill on beaches in the vicinity of the proposal;
5. incorporate an induction/education kit for the proponent's employees, contractors and visitors in relation to the impact of people, vehicles, light and introduced animals on marine turtles;
6. for operational activities, identify trigger values for taking measures to address impacts on marine turtles arising from the implementation of the proposal;
7. establish procedures for reporting to the Minister and the CEO on exceedances of trigger values under (6) and the measures taken or proposed to be taken to address those exceedances;
8. reports under (7) shall be prepared or endorsed by a marine turtle specialist.

10-5 To avoid doubt, in the event a trigger value referred to in 10-4 is exceeded, and that exceedance may be attributable to the implementation of the proposal, the proponent shall take such measures at such time as specified in the Turtle Management Plan to address proposal related impacts to turtles and to the satisfaction of the CEO.

10-6 The proponent shall implement the Turtle Management Plan.

- 10-7 The proponent shall make the Turtle Management Plan publicly available, in a manner approved by the CEO.
- 10-8 Notwithstanding anything in this condition, the Minister may, on the advice of the CEO, cancel any or all or the requirements of this condition if a marine turtle specialist submits a report that the beaches in the vicinity of the project are not regionally significant for any species of marine turtles.

11 Terrestrial Vegetation Management Plan

- 11-1 Prior to commencement of construction, the proponent shall prepare a Terrestrial Vegetation Management Plan that meets the objectives specified in this condition to the requirements of the Minister.
- 11-2 The proponent shall consult with the CEO and (in relation to weeds) the Department of Agriculture and Food in the preparation of the Plan.
- 11-3 The objectives of the Plan are to maintain the abundance, species diversity, geographic distribution and productivity of vegetation communities surrounding the proposal through:
1. establishment of baseline information on native vegetation diversity and condition in the vicinity of the proposal, including details of weed species and their extent and distribution;
 2. establishment of a monitoring program to measure and detect changes to the condition of vegetation communities surrounding the proposal; and
 3. specifying design features, management measures and operating controls to avoid or address adverse impacts to native vegetation in the vicinity of the proposal.
- 11-4 The Plan shall include:
1. baseline vegetation monitoring surveys to determine the composition and original condition of vegetation, and the presence of weeds;
 2. on-going vegetation monitoring surveys to determine the condition of vegetation and the presence of weeds;
 3. strategies to mitigate impacts on vegetation from weeds identified by the monitoring surveys;
 4. strategies to mitigate impacts on vegetation from vehicle traffic and fires; and
 5. the installation of suitable fencing around sensitive vegetation.
- 11-5 The proponent shall implement the Terrestrial Vegetation Management Plan.
- 11-6 The proponent shall make the Terrestrial Vegetation Management Plan publicly available, in a manner approved by the CEO.

12 Stockyard Management Plan

12-1 Prior to commencement of construction, the proponent shall prepare a Stockyard Management Plan that meets the objectives specified in this condition to the requirements of the Minister.

12-2 The proponent shall consult with the CEO, the Department of Fisheries (in relation to marine impacts) and the Department for Planning and Infrastructure (in relation to marine oil pollution and safety) in the preparation of the Plan.

12-3 The objectives of the Plan are to

1. ensure that the quality of surface water is maintained to ensure that existing and potential users, including ecosystem maintenance, are protected;
2. ensure that marine water quality in the vicinity of the stockyard is protected, including coastal marine ecosystems; and
3. ensure that run-off and spills are contained..

12-4 The Plan shall include:

1. details on the configuration of the stockyard drainage system;
2. details on the technology which will be employed to dispose of excess surface water run-off from the stockyard area via evaporation or other means;
3. procedures to verify and ensure the integrity of the seal formed by grading the base of the stockyard area into the basalt bedrock;
4. procedures and contingency measures for managing and reporting leakages or spills of hydrocarbons or other materials which may have an adverse impact on the environment;
5. establish Environmental Quality Objectives which explicitly identify uses and values and where they are to be protected, and the appropriate Environmental Criteria required to sustain each Environmental Quality Objective, and shall include:
 - a. the Ecosystem Health Objective;
 - b. the Fishing and Aquaculture Objective; and
 - c. the Recreational and Aesthetics Objectives;

as defined in the Department of Environment document *Pilbara Coastal Water Quality Consultation Outcomes: Environmental Values and Environmental Quality Objectives*. The spatial application of these Environmental Quality Objectives shall be as delineated in Map 3 in the abovementioned document; and

6. include coastal surveys to monitor the effects of materials stockpiling and handling activities on sandy beaches and other coastal and marine ecosystems, and strategies to restore environmental quality to acceptable levels if the surveys demonstrate that significant impacts upon beaches or other sensitive coastal and marine ecosystems have occurred.

12-5 The proponent shall implement the Stockyard Drainage Management Plan.

12-6 The proponent shall make the Stockyard Drainage Management Plan publicly available, in a manner approved by the CEO.

13 Aboriginal Heritage Management Plan

13-1 Prior to commencement of construction, the proponent shall prepare an Aboriginal Heritage Management Plan that meets the objectives specified in this condition to the requirements of the Minister.

13-2 The proponent shall consult with the CEO and the Department for Indigenous Affairs in the preparation of the Plan.

13-3 The objectives of the Plan are to ensure that changes to the biological and physical environment arising from the implementation of the proposal do not adversely affect cultural associations with the area, through:

1. providing a mechanism for areas not the subject of archaeological and ethnographic surveys to be surveyed in consultation with Aboriginal traditional owners and claimant groups; and
2. identification of Aboriginal heritage sites and other places of cultural value and modifying proposal components to reduce impacts to those sites.

13-4 The Plan shall include:

1. ethnographic and archaeological surveys which are to be undertaken prior to construction in areas which have not already been surveyed within the project area, which are likely to be disturbed or otherwise affected by materials stockpiling and handling operations, and associated infrastructure;
2. consultation with traditional owners in regard to ethnographic and archaeological surveys in areas which have not already been surveyed;
3. further consultation with representatives of claimant groups;
4. the delineation of Aboriginal heritage sites with respect to project components, together with adjustments where necessary to the location of those components; and
5. the adoption of relevant recommendations pertaining to the Cape Preston area which were made in the *Report on an ethnographic survey of the proposed Cape Preston iron ore mine and treatment plant* (R. O. O'Connor, June 2001) undertaken for the proposal approved under Ministerial Statement No. 635.

13-5 The proponent shall implement the Aboriginal Heritage Management Plan.

13-6 The proponent shall make the Aboriginal Heritage Management Plan publicly available, in a manner approved by the CEO, having regard to any cultural sensitivity of the plan.

14 Decommissioning

14-1 Prior to commencement of construction, the proponent shall prepare a Preliminary Decommissioning Plan for approval by the CEO, which describes the framework to ensure that the site is left in an environmentally acceptable condition, and provides:

1. the rationale for the siting and design of plant and infrastructure as relevant to environmental protection;
2. a conceptual description of the final landform at closure;
3. a plan for a care and maintenance phase; and
4. initial plans for the management of noxious materials.

14-2 At least 12 months prior to the anticipated date of decommissioning, or at a time approved by the Minister, the proponent shall submit a Final Decommissioning Plan for approval by the CEO, which is designed to ensure that the site is left in an environmentally acceptable condition.

14-3 The Final Decommissioning Plan shall address:

1. removal or, if appropriate, retention of plant and infrastructure in consultation with relevant stakeholders;
2. rehabilitation of all disturbed areas to a standard suitable for the agreed new land use(s); and
3. identification of contaminated areas, including provision of evidence of notification and proposed management measures to relevant statutory authorities.

14-4 The proponent shall implement the Final Decommissioning Plan until such time as the Minister determines, on advice of the CEO, that the proponent's decommissioning responsibilities have been fulfilled.

14-4 The proponent shall make the Final Decommissioning Plan publicly available in a manner approved by the CEO.

15 Definitions

In these conditions (including all Schedules and Appendices), unless the contrary intention appears –

“Act” means the *Environmental Protection Act 1986*;

“CEO” has the same meaning as in section 3 of the Act;

“commencement of construction” means the commencement of any works associated with the implementation of the proposal, and includes preparatory work such as clearing vegetation, earthworks and erection of fencing;

“disturbance area” means the maximum footprint of the proposal, and includes clearing of native vegetation within the area;

“marine turtle specialist” means a person with qualifications relevant to the study of marine turtles, and with a minimum three years experience working with marine turtles in Australian waters;

“Minister” means the Minister responsible for the administration of the Act;

“Ministerial Statement 635” means the Statement of the Minister that a Proposal may be Implemented, *Iron Ore Mine, Downstream Processing (Direct Reduced & Hot Briquetted Iron) and Port Construction, Cape Preston, Pilbara*, Ministerial Statement 635, 20 October 2003;

“native fauna” means fauna indigenous to Australia, and includes migratory species;

“operations” means activities associated with the operational phase of the proposal, namely the stockpiling and handling of materials within the stockyard area as defined in Schedule 1;

“weeds” means vegetation which is not indigenous to the proposal area, and includes plants declared under the *Agriculture and Related Resources Protection Act 1976*.

Notes

1. The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Act.

David Templeman MLA
MINISTER FOR THE ENVIRONMENT; CLIMATE CHANGE; PEEL

18 March 2008

Schedule 1

The Proposal (Assessment No. 1652)

The proposal is to establish materials stockpiling and handling facilities with a capacity of approximately 4 million tonnes at Cape Preston, approximately 60 kilometres west-south-west of Dampier.

The proposal involves:

- management, movement, and handling of materials and goods;
- movement of iron ore products to the port at Cape Preston; and
- export of iron ore product through the port.

Infrastructure required for the proposal such as power, water supply, conveyors, and other facilities required for the movement of materials and product do not form part of this proposal.

The additional stockyard capacity will be obtained through extensions to the west, east, and south of Mineralogy Pty Ltd's stockyard as shown in black/grey hatching in Figure 1. The red hatched area in Figure 1 is the Mineralogy stockyard area and does not form part of this proposal. The stockpiles will be about 45 metres wide in 5 metres deep canyons.

Materials and product will be delivered to the stockpile area by overland conveyor systems, roads, and/or railways. This proposal does not include any overland conveyor system, roads, and/or railways. Additional conveyors will be required within the stockpile area to service the additional stacker and reclaimer. The ship-loader and out-loading materials handling conveyors will have a nominal capacity of up to 10,000 tonnes per hour.

A detailed description of the proposal and its associated environmental impacts can be found in the proponent's referral document *Materials Stockpiling and Handling Facilities, Cape Preston* (prepared by Mineralogy Pty Ltd on behalf of the proponent, Perth, Western Australia, January 2006). A summarised description of the proposal is provided in Table 1 below.

Table 1: Summarised description of the proposal

Element	Description
Stockpile area.	Not more than 20 hectares.
Materials which will be handled.	Hot briquetted iron (HBI). Iron ore pellets. Magnetite concentrate. Blended iron ore products. Iron ore - Pisolitic, lump, blended ore, and fines. Miscellaneous - mainly construction materials and small quantities of oil and grease.

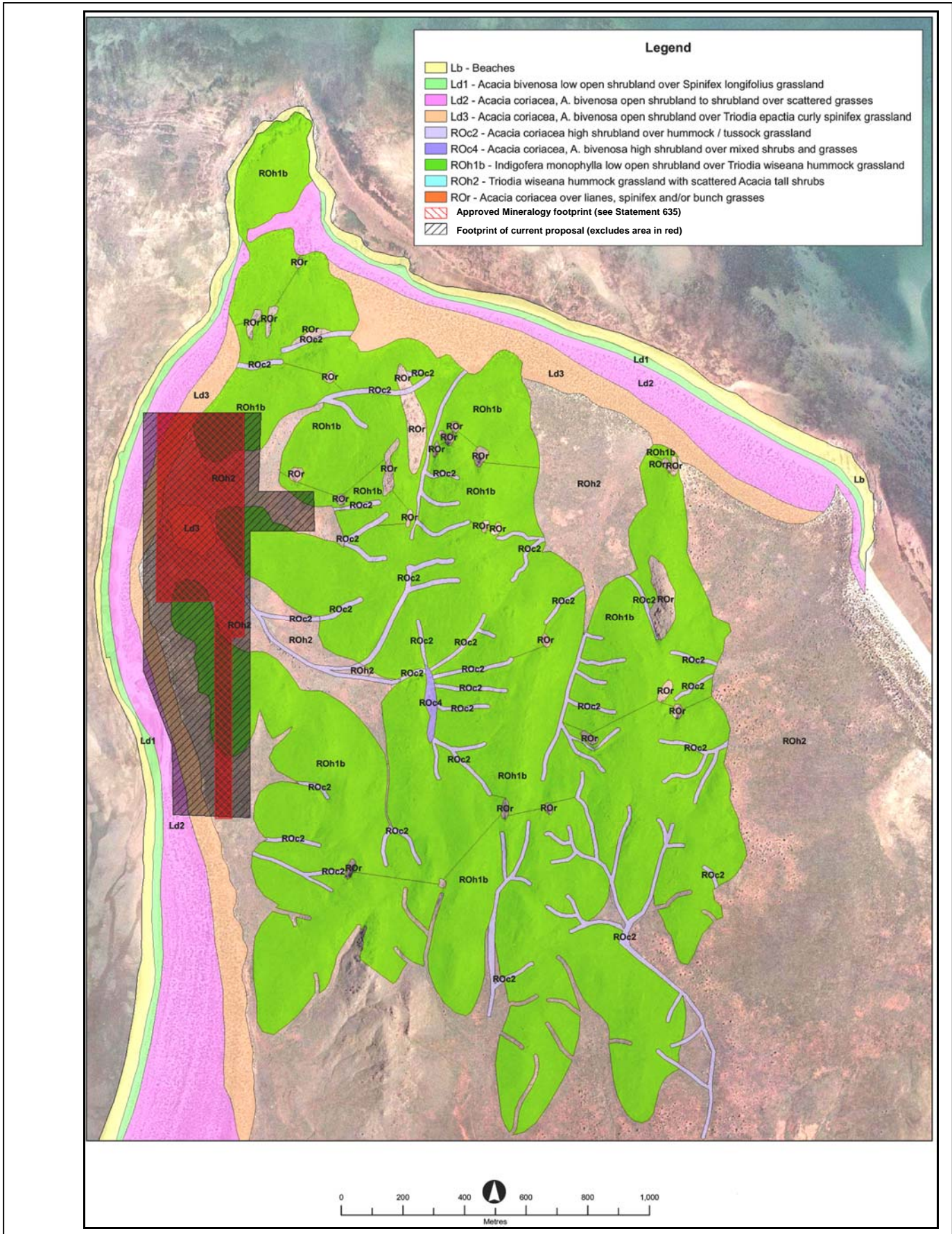


Figure 1: Location plan with stockyard footprint and previously approved Mineralogy stockyard footprint

Proponent's Environmental Management Commitments

September 2006

**MATERIALS STOCKPILING & HANDLING
FACILITIES, CAPE PRESTON**

(Assessment No. 1652)

Anshan Resources Pty Ltd
(replaced Korean Steel Pty Ltd as proponent)

Proponent's Environmental Management Commitments - September 2006

MATERIALS STOCKPILING AND HANDLING FACILITIES, CAPE PRESTON (Assessment No. 1652)

Note: The term "commitment" as used in this schedule includes the entire row of the table and its six separate parts as follows:

- a commitment number;
- a commitment topic;
- the objective of the commitment;
- the 'action' to be undertaken by the proponent;
- the timing requirements of the commitment; and
- the body/agency to provide technical advice to the Department of Environment and Conservation.

Commitment Number	Topic	Objective	Action	Timing	Advice From
1	Environmental Management Program	To manage the potential impacts of the construction and operational phases of the project.	Prepare, implement and regularly revise an Environmental Management Programme (EMP) which contains plans, guidelines and procedures to manage environmental issues associated with construction and operation of the project, including: Miscellaneous Items Laydown Area Management Plan (see commitment 2);	Preparation - prior to operations. Implementation – ongoing.	
2	Miscellaneous Items Laydown Area	To manage the potential impacts of the Miscellaneous Items Laydown Area.	Prepare a Miscellaneous Items Laydown Area Management Plan which will contain plans, guidelines and procedures to minimise and manage any environmental impacts caused by the storage of materials in the Miscellaneous Items Laydown Area.	Prior to operations.	
3	Miscellaneous Items Laydown Area	To manage the potential impacts of the Miscellaneous Items Laydown Area.	Implement the Miscellaneous Items Laydown Area Management Plan.	Ongoing.	

