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Published on 9 March 2010

Statement No. 827

**AMENDMENT TO STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE ENVIRONMENTAL PROTECTION ACT 1986)****BALMORAL SOUTH IRON ORE PROJECT, CAPE PRESTON,
SHIRE OF ROEBOURNE**

- Proposal:** The construction and operation of 80 million tonne per annum iron ore mine, power station, desalination plant, processing plant, pellet plants and accommodation in the Southern Block orebody of the Cape Preston area.
- The proposal is further documented in schedule 1 of Ministerial Statement No. 823.
- Proponent:** Mineralogy Pty Ltd (ACN 010 582 680)
- Proponent Address:** Level 2, 9 Ouyan Street, Bundall QLD 4217
(WA Office: Level 7, 218 St George's Terrace, Perth WA 6000)
- Assessment Number:** 1677
- Report of the Environmental Protection Authority:** Report 1340
- Previous Statement No.:** 823 (published 23 December 2009)
- Appeal determination:** 3 of 2010

Consistent with the recommendations of the Appeals Committee established to consider the proponent's appeal under section 100(3) of the *Environmental Protection Act 1986*, the implementation of the proposal to which the above report of the Environmental Protection Authority relates is subject to the conditions and procedures contained in Ministerial Statement No. 823 (23 December 2009), as amended by the following:

1 Condition 8-4 replaced

1-1 Condition 8-4 of Statement No. 823 is deleted and replaced with:

“8-4 Monitoring shall be carried out not less than once each year and shall commence before commencement of ground disturbing activities within 200m of the mangrove habitat as shown in Figure 2 Schedule 1 and shall continue until such time as the CEO determines that it may cease.”

2 Condition 9-8 amended

- 2-1 Condition 9-8 of Ministerial Statement 823 is amended by deleting “10-2 to 10-4” and inserting “9-2 to 9-4”.

3 Condition 10 amended

- 3-1 Condition 10-2A is deleted and replaced with:

“10-2A The proponent shall ensure that groundwater abstraction and dewatering required for the implementation of the proposal does not adversely affect the groundwater levels in the Fortescue River Alluvials beyond that predicted in the proponent's PER document *Balmoral South Iron Ore Project Public Environmental Review, February 2009*.

- 3-2 Condition 10-2B is amended by deleting “mining pits, Du Boulay Creek” and replacing with “mining pits”.

- 3-3 Condition 10-5 is deleted and replaced with:

“10-5 In the event that monitoring required by condition 10-2 and 10-2B indicates that the requirements of either or both conditions 10-1 and 10-2A are not being met:

1. The proponent shall report such findings to the CEO within 21 days in the decline in water quality standards and or predicted water levels being identified;
2. Provide evidence which allows determination of the cause of the decline in water quality standards;
3. If determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall submit actions to be taken to remediate the decline in water quality standards or where actual drawdown is greater than predicted, within 21 days of the determination being made by the CEO; and
4. Upon the approval of the CEO, the proponent shall implement actions to remediate the decline in water quality standards and or where actual drawdown is greater than predicted and shall continue to implement such actions until such time as the CEO determines that remedial actions may cease.”