Published on: 29 November 2010 Statement No. 847

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

ROY HILL INFRASTRUCTURE RAILWAY SHIRE OF ASHBURTON, SHIRE OF EAST PILBARA TOWN OF PORT HEDLAND

Proposal: The proposal is to construct and operate a railway of approximately 320 kilometres length and associated infrastructure to transport iron ore from the Roy Hill 1 Iron Ore Mining Project Stages 1 and 2 to facilities at Port Hedland.

The proposal is further documented in schedule 1 of this statement.

Proponent: Roy Hill Infrastructure Pty Ltd

Proponent Address: 28-42 Ventnor Avenue,
WEST PERTH WA 6005

Assessment Number: 1849

Report of the Environmental Protection Authority: Report 1370

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 Implementation

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 Nomination and Contact Details

2-1 The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.

2-2 The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority (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.

3 Time Limit of Authorisation

3-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.

3-2 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 this statement.

4 Compliance Reporting

4-1 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.

4-2 The proponent shall submit to the CEO the compliance assessment plan required by condition 4-1 at least 6 months prior to the first compliance report required by condition 4-6, or prior to ground disturbing activity, 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. reporting of potential non-compliances and corrective actions taken;
5. the table of contents of compliance reports; and
6. public availability of compliance reports.

4-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.

4-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the CEO.

4-5 The proponent shall advise the CEO of any potential non-compliance within 7 days.

4-6 The proponent shall submit to the CEO 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 report. The compliance assessment report shall:

1. be endorsed by the proponent's Managing Director or a person, approved in writing by the CEO, delegated to sign on the Managing Director'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 4-1.

5 Final Rail Alignment

5-1 The proponent shall ensure that the final rail alignment is within the two kilometre approval corridor indicated by the GIS co-ordinates listed in Appendix K of *Roy Hill Infrastructure Pty Ltd, Roy Hill Infrastructure Railway Environmental Referral Document* (October, 2010).

5-2 Prior to determining the final rail alignment, the proponent shall conduct surveys of the following within the two kilometre approval corridor:

1. flora and vegetation;

2. Short Range Endemics (SRE);

3. significant fauna habitat; and

4. Indigenous heritage

5-3 Surveys are to be completed according to methodologies that satisfy the CEO on advice of the Department of Environment and Conservation and the Department of Indigenous Affairs.

5-4 Prior to construction of a particular section of the railway, the proponent shall submit the final alignment of that section of railway within the two kilometre approval corridor to the CEO, demonstrating that all sensitive areas identified by the surveys required by condition 5-2 have been avoided to the satisfaction of the CEO

on advice of the Department of Environment and Conservation and the Department of Indigenous Affairs.

5-5 The railway may be divided into no more than five sections for the purposes of condition 5-4.

6 Surface Water and significant vegetation

6-1 The proponent shall ensure that changes to surface water flows related to the proposal do not adversely affect any significant vegetation community, including Mulga and vegetation of the Fortescue Marsh.

6-2 To verify that the requirements of condition 6-1 are met the proponent shall:

1. identify any areas of significant vegetation potentially impacted by changes to surface water flows related to the proposal in consultation with the Department of Environment and Conservation;

2. undertake baseline survey of areas of significant vegetation;

3. determine trigger levels for vegetation health and cover for management actions in consultation with the Department of Environment and Conservation;

4. design and locate environmental culverts in consultation with the Department of Environment and Conservation;

5. monitor surface water flows, including in the vicinity of significant vegetation; and

6. monitor the health and cover of significant vegetation to be retained in the proposal area and in adjacent areas.

This monitoring is to be carried out according to a method and schedule determined to the satisfaction of the CEO prior to the commencement of construction, and is to be carried out until such time as the CEO determines on advice from the Department of Environment and Conservation that monitoring actions may cease.

6-3 In the event that monitoring required by condition 6-2 indicates an exceedance of trigger levels determined by condition 6-2(3) as a result of alteration to surface water flows:

1. the proponent shall report such findings to CEO within 21 days of the exceedance being identified;

2. the proponent shall provide evidence which allows determination of the cause of the exceedance;

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

address the exceedance within 21 days of the determination being made to the CEO; and

4. the proponent shall implement actions to address the exceedance upon approval of the CEO and shall continue until such time the CEO determines that the remedial actions may cease.

6-4 The proponent shall submit annually the results of monitoring required by condition 6-2 to the CEO.

6-5 The proponent shall make the monitoring reports required by condition 6-4 publicly available in a manner approved by the CEO.

7 Weeds

7-1 The proponent shall ensure that:

1. no new species of weeds (including both declared weeds and environmental weeds) are introduced into the proposal area as a result of the implementation of the proposal;

2. the cover of weeds (including both declared weeds and environmental weeds) within the proposal area does not exceed that existing on comparable, nearby land, determined by condition 7-1(3) which has not been disturbed during implementation of the proposal; and

3. reference sites on nearby land are chosen in consultation with the Office of the Environmental Protection Authority, on advice from the Department of Environment and Conservation and established within the proposal area and outside the impact area. The reference sites are to be monitored every 2 years to determine whether changes in weed cover and type are as a result of project implementation or broader regional changes.

8 Trapped Fauna

8-1 The proponent shall ensure that open trenches associated with construction of the railway are cleared of trapped fauna by fauna-rescue personnel at least twice daily. Details of all fauna recovered shall be recorded, consistent with condition 8-5. The first daily clearing shall take place no later than three hours after sunrise and shall be repeated between the hours of 3:00 pm and 6:00 pm. The open trenches shall also be cleared, and fauna details recorded, by fauna-rescue personnel no more than one hour prior to backfilling of trenches.

Note: “fauna-rescue personnel” means person employed or contracted by the proponent whose responsibility it is to walk the open trench to recover and record fauna found within the trench.

8-2 The fauna-rescue personnel shall obtain the appropriate licenses as required for fauna rescue under the *Wildlife Conservation Act 1950* and be trained in the following:

1. fauna identification, capture and handling (including specially protected fauna and venomous snakes likely to occur in the area);

2. identification of tracks, scats, burrows and nests of conservation-significant species;

3. fauna vouchering (of deceased animals);

4. assessing injured fauna for suitability for release, rehabilitation or euthanasia;

5. familiarity with the ecology of the species which may be encountered in order to be able to appropriately translocate fauna encountered; and

6. performing euthanasia.

8-3 Open trench lengths shall not exceed a length capable of being inspected and cleared by the fauna-clearing personnel within the required times as set out in condition 8-1.

8-4 Ramps providing egress points and/or fauna refuges providing suitable shelter from the sun and predators for trapped fauna are to be placed in the trench at intervals not exceeding 50 metres.

8-5 The proponent shall produce a report on fauna management within trenches at the completion of railway construction. The report shall be provided to the CEO and the Department of Environment and Conservation no later than 21 days after the completion of construction, and shall be made publicly available in a manner approved by the CEO. The report shall include the following:

1. details of all fauna inspections;

2. the number and type of fauna cleared from trenches;

3. fauna mortalities; and

4. all actions taken.

9 Indigenous Heritage

9-1 Prior to commencement of ground-disturbing activities, the proponent shall prepare a detailed and project specific Cultural Heritage Management Plan to the satisfaction of the CEO on advice of the Department of Indigenous Affairs. The objective of the Cultural Heritage Management Plan is to ensure that there is no impact to cultural heritage values, artefacts or traditional land uses associated with the proposal, unless otherwise approved under the *Aboriginal Heritage Act 1972.*

9-2 The Cultural Heritage Management Plan shall:

1. demonstrate that public consultation with Traditional Owners has been carried out in a suitable and comprehensive manner, and provide a framework for future consultation if required;

2. demonstrate that archaeological and ethnographic surveys have been carried out in a suitable and comprehensive manner, or provide details of methodology planned to be used in future surveys;

3. identify management actions to be implemented in order to minimise potential impacts to Aboriginal Heritage including impacts arising from:

    i. clearing;

    ii. changes to surface and ground water quality and levels;

    iii. increased risk of fire;

    iv. vibration;

    v. blasting activities (e.g., fly rock); and

    vi. dust.

4. identify monitoring and reporting strategies suitable to determine the effectiveness of management actions required by condition 9-2(3);

5. identify contingency actions to be undertaken in the event that impacts to Aboriginal Heritage values are detected;

9-3 The proponent shall implement the Cultural Heritage Management Plan required by conditions 9-1 and 9-2.

10 Rehabilitation

10-1 Within five years of the completion of construction, the proponent shall rehabilitate temporarily disturbed areas to meet the following criteria:

1. The percentage cover and species diversity of living self sustaining native vegetation in all rehabilitation areas shall be comparable to that of undisturbed natural analogue sites as demonstrated by Ecosystem Function Analysis or other methodology acceptable to the CEO;

2. Weed management for the rehabilitation areas shall be carried out as per condition 7; and

3. Borrow pits shall be demonstrated to be suitably designed to not form permanent water bodies and to allow fauna to escape to the satisfaction of the CEO on advice from the Department of Environment and Conservation.

   Note: The methodology for Ecosystem Function Analysis is set out in Tongway DJ and Hindley 2004 *Landscape Function Analysis – Procedures for Monitoring and Assessing Landscapes*, Commonwealth Scientific and Industrial Research Organisation Sustainable Ecosystems, Canberra.

10-2 Rehabilitation activities shall continue until such time as the requirements of condition 10-1 are met, and are demonstrated by inspections, monitoring and reports to be met to the satisfaction of the CEO.

Notes

1. The Minister for Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.

JOHN DAY
MINISTER FOR PLANNING;
CULTURE AND THE ARTS;
ENVIRONMENT; YOUTH

Schedule 1

The Proposal (Assessment No. 1849)

The proposal is to construct and operate to construct and operate a railway of approximately 300 kilometre length and associated infrastructure to transport iron ore from the Roy Hill 1 Iron Ore Mining Project Stages 1 and 2 to facilities at Port Hedland.

The location of the various project components is shown in Figure 1. GIS coordinates delineating the two kilometre environmental approval corridor are provided in *Roy Hill Infrastructure Pty Ltd, Roy Hill Infrastructure Railway Environmental Referral Document* (October, 2010).

The main characteristics of the proposal are summarised in Table 1 below. A detailed description of the proposal is provided in section 4 of the project referral document, *Roy Hill Infrastructure Railway - Environmental Referral Document*, prepared by Roy Hill Infrastructure, Perth, Western Australia (July, 2010).

Table 1: Summary of Key Proposal Characteristics

Element	Description
Construction period	24 months
Operating life	20+ years
Length of railway	Up to 320 kilometres
Permanent disturbance area	Up to 2,200 hectares
Construction disturbance area	Up to 4,910 hectares
Support Infrastructure	Passing loops and refuge sidings, marshalling yard, locomotive and ore wagon maintenance facilities, fuel storage, locomotive provisioning hall, wagon and locomotive wash down facility, administration building, a communications backbone cable running the length of the rail corridor, radio communications towers and signalling system, water bores and 'turkeys nest' dams, borrow pits and ballast and sleeper storage areas, lay-down yards for construction, and construction accommodation camps.
Access and construction roads	An access road for construction and maintenance will follow the railway for its entire length, deviating away from the rail alignment where terrain does not permit it to be adjacent to the railway.

Figure (attached):
Figure 1: Roy Hill Infrastructure Location Map

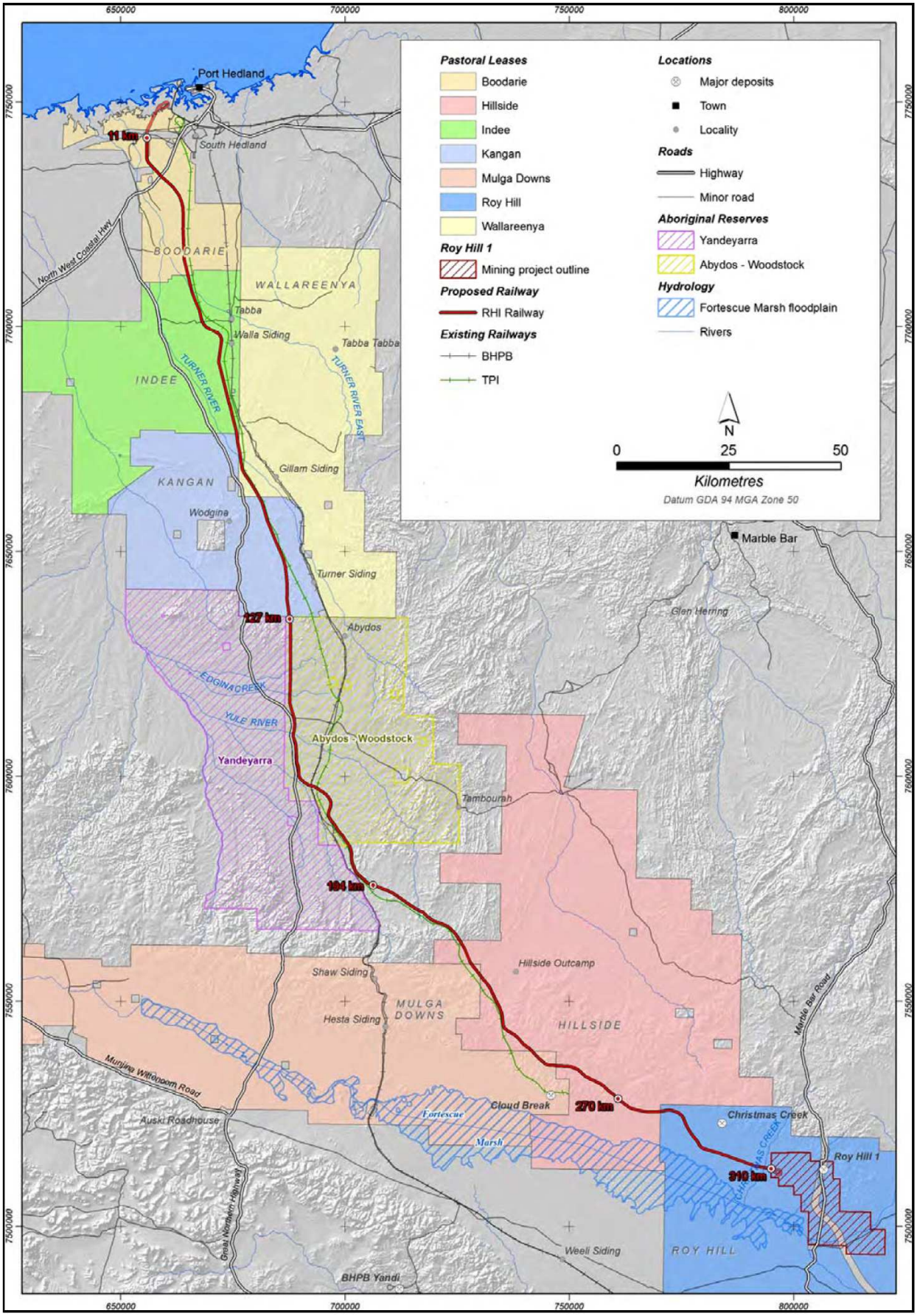

Figure 1: Roy Hill Infrastructure Location Map

Attachment 1 to Ministerial Statement 847

Change to Proposal

Proposal: Roy Hill Infrastructure Railway, Shire of Ashburton, Shire of East Pilbara, Town of Port Hedland

Proponent: Roy Hill Infrastructure Pty Ltd

Change: Change to Rail Corridor Alignment

The general location of the project is shown in Figure 2. GIS coordinates delineating the environmental approval corridor are provided in *Roy Hill Infrastructure Railway - Ministerial Statement 847 – Bonney Downs Rail Alignment – Proposed Change to Existing Environmental Approval, 100-RH-3000-EN-REP-2001,* Roy Hill Infrastructure Pty Ltd, Western Australia (18 May 2011).

Key Characteristics Table:

Element	Description of proposal	Description of approved change to proposal
Construction Period	24 months	24 months
Operating Life	20+ years	20+ years
Length of Railway	Up to 320 kilometres	**Up to 351 kilometres**
Permanent disturbance area	Up to 2,200 hectares	**Up to 2,500 hectares**
Construction disturbance area	Up to 4,910 hectares	**Up to 6,000 hectares**
Support Infrastructure	Passing loops and refuge sidings, marshalling yard, locomotive and ore wagon maintenance facilities, fuel storage, locomotive provisioning hall, wagon and locomotive wash down facility, administration building, a communications backbone cable running the length of the rail corridor, radio communications towers and signalling system, water bores and 'turkeys nest' dams, borrow pits and ballast and sleeper storage areas, lay-down yards for construction, and construction accommodation camps.	Passing loops and refuge sidings, marshalling yard, locomotive and ore wagon maintenance facilities, fuel storage, locomotive provisioning hall, wagon and locomotive wash down facility, administration building, a communications backbone cable running the length of the rail corridor, radio communications towers and signalling system, water bores and 'turkeys nest' dams, borrow pits and ballast and sleeper storage areas, lay-down yards for construction, and construction accommodation camps.
Access and construction roads	An access road for construction and maintenance will follow the railway for its entire length, deviating away from the rail alignment where terrain does not permit it to be adjacent to the railway.	An access road for construction and maintenance will follow the railway for its entire length, deviating away from the rail alignment where terrain does not permit it to be adjacent to the railway.

List of Figures:
Figure 2: Revised Rail Corridor Alignment (Bonney Downs Rail Alignment)

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Approval date: 20 May 2011

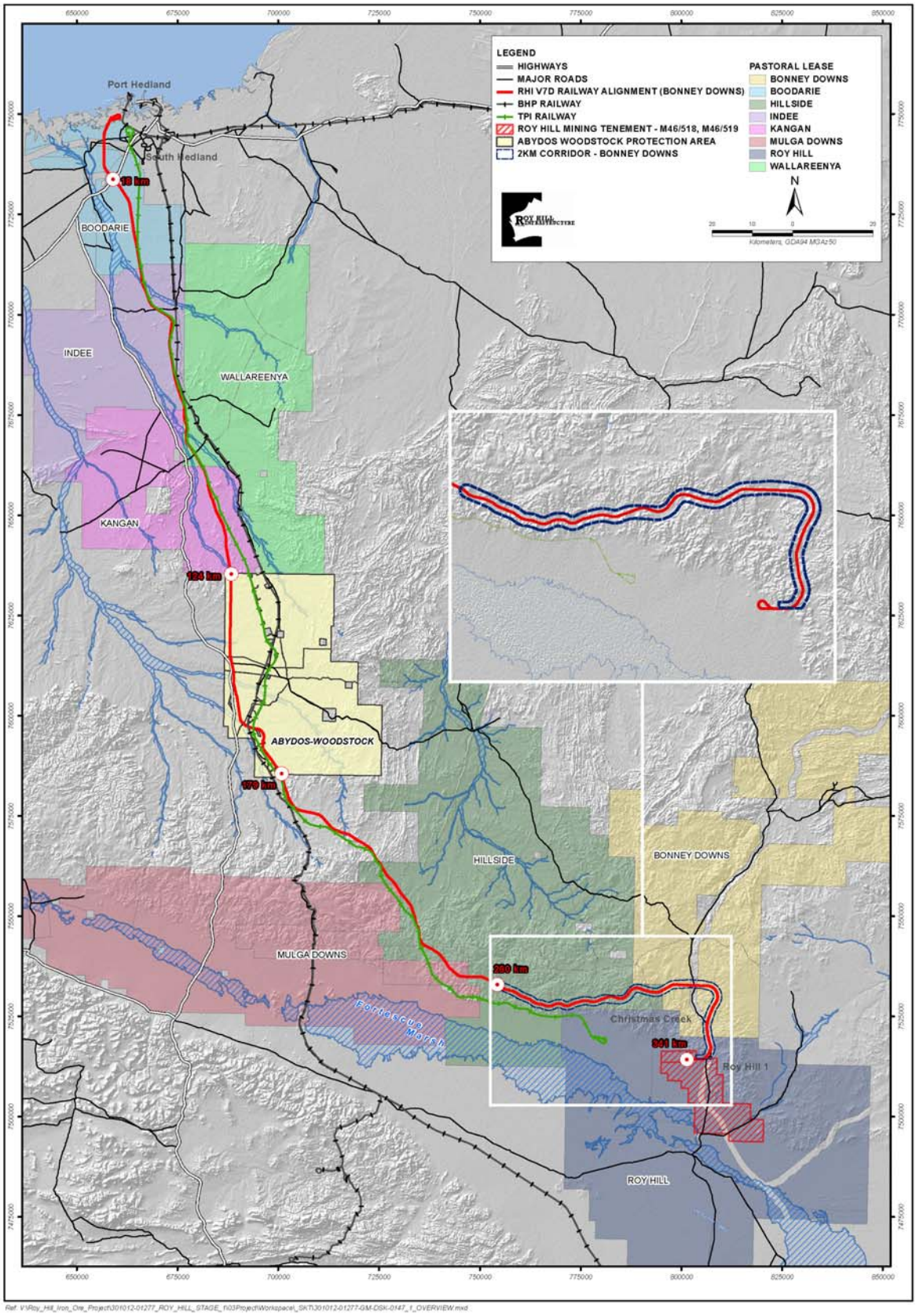

Figure 2: Revised Rail Corridor Alignment (Bonney Downs Rail Alignment)

Attachment 2 to Ministerial Statement 847

Change to proposal under s45C of the *Environmental Protection Act 1986*

Proposal: **Roy Hill Infrastructure Railway**
Shire of Ashburton, Shire of East Pilbara, Town of Port Hedland

Proponent: **Roy Hill Infrastructure Pty Ltd**

Change: Addition of a lateral access road extending outside the environmental approval corridor, and ancillary access roads within the environmental approval corridor.

Key Characteristics Table: This table replaces Table 1 in Schedule 1, and the Key Characteristics Table in Attachment 1

Element	Description of proposal	Description of approved change to proposal
Construction Period	24 months	24 months
Operating Life	20+ years	20+ years
Length of Railway	Up to 351 kilometres	Up to 351 kilometres
Permanent Disturbance Area	Up to 2,500 hectares	Up to 2,500 hectares
Construction Disturbance Area	Up to 6,000 hectares	Up to 6,000 hectares
Support Infrastructure	Passing loops and refuge sidings, marshalling yard, locomotive and ore wagon maintenance facilities, fuel storage, locomotive provisioning hall, wagon and locomotive wash down facility, administration building, a communications backbone cable running the length of the rail corridor, radio communications towers and signalling system, water bores and 'turkey's nest' dams, borrow pits and ballast and sleeper storage areas, lay-down yards for construction, and construction accommodation camps.	Passing loops and refuge sidings, marshalling yard, locomotive and ore wagon maintenance facilities, fuel storage, locomotive provisioning hall, wagon and locomotive wash down facility, administration building, a communications backbone cable running the length of the rail corridor, radio communications towers and signalling system, water bores and 'turkey's nest' dams, borrow pits and ballast and sleeper storage areas, lay-down yards for construction, and construction accommodation camps.

Access and construction roads	An access road for construction and maintenance will follow the railway for its entire length, deviating away from the alignment where terrain does not permit it to be adjacent to the railway.	An access road for construction and maintenance will follow the railway for its entire length, deviating away from the alignment where terrain does not permit it to be adjacent to the railway. **Ancillary access roads will be constructed as required within the environmental approval corridor.** **A lateral access road extending outside the environmental approval corridor will be constructed within the development envelope as shown in Figure 3.**

Note: Text in **bold** in the Key Characteristics Table, indicates change/s to the proposal.

New Figure:
Figure 3. Lateral Access Road

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Approval date: 10 May 2013

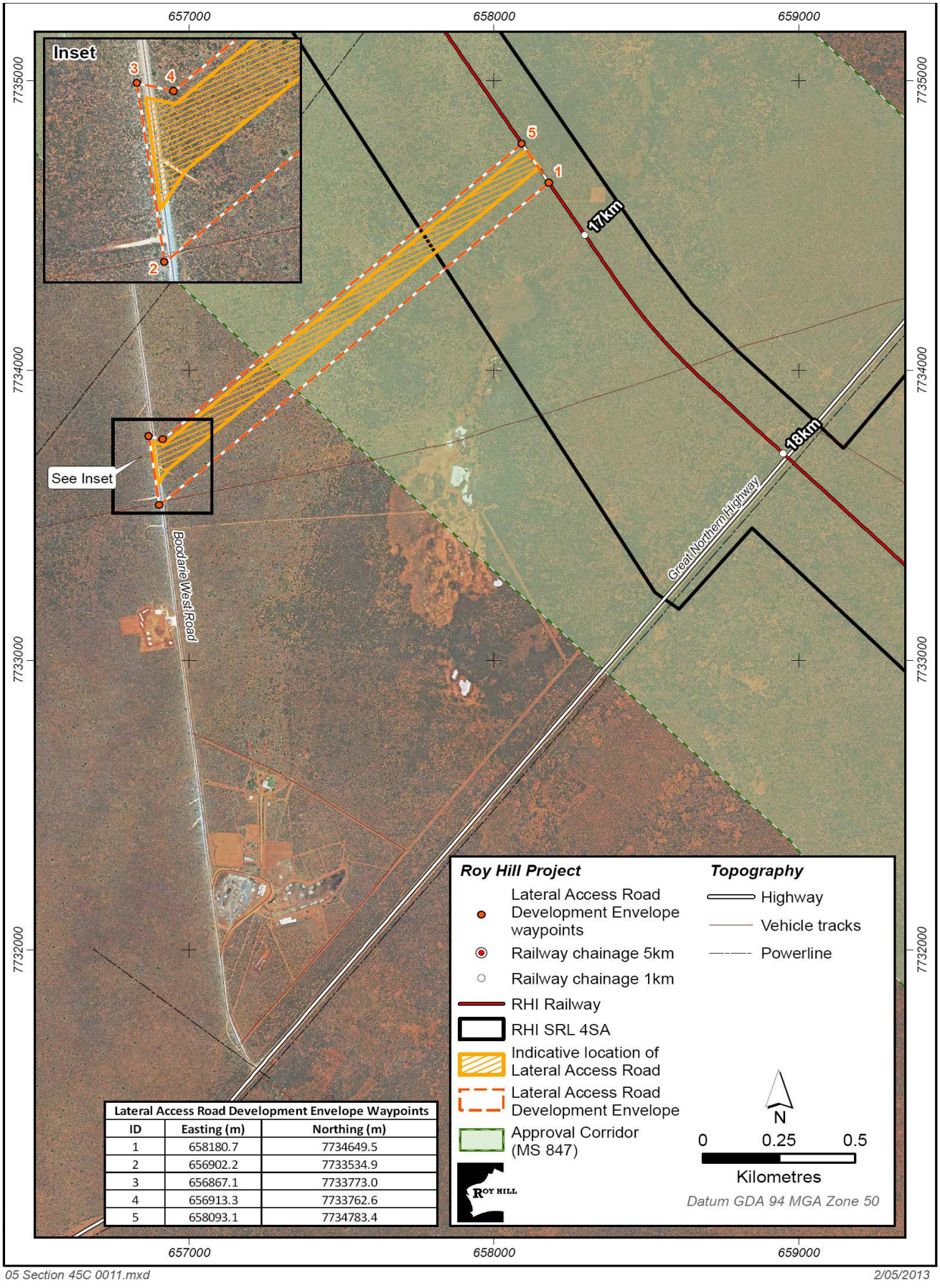

Figure 3. Lateral Access Road

Attachment 3 to Ministerial Statement 847

Change to proposal under s45C of the *Environmental Protection Act 1986*

This Attachment replaces Schedule 1, Attachment 1 and Attachment 2 in Ministerial Statement 847

Proposal: **Roy Hill Infrastructure Railway**
Shire of Ashburton, Shire of East Pilbara, Town of Port Hedland

Proponent: **Roy Hill Infrastructure Pty Ltd**

The Proposal (Assessment No.1849)
The proposal is to construct and operate to construct and operate a railway of approximately 300 kilometre length and associated infrastructure to transport iron ore from the Roy Hill 1 Iron Ore Mining Project Stages 1 and 2 to facilities at Port Hedland.

The location of the various project components is shown in Figure 1. GIS coordinates delineating the two kilometre environmental approval corridor are provided in *Roy Hill Infrastructure Pty Ltd, Roy Hill Infrastructure Railway Environmental Referral Document* (October, 2010).

The main characteristics of the proposal are summarised in the Key Characteristics Table below. A detailed description of the proposal is provided in section 4 of the project referral document, *Roy Hill Infrastructure Railway - Environmental Referral Document*, prepared by Roy Hill Infrastructure, Perth, Western Australia (July, 2010).

Change: Increase in the area of construction disturbance from 6,000 ha to 7,400 ha.

Key Characteristics Table:

Element	Description of proposal	Description of approved change to proposal
Construction Period	24 months	24 months
Operating Life	20+ years	20+ years
Length of Railway	Up to 351 kilometres	Up to 351 kilometres
Permanent Disturbance Area	Up to 2,500 hectares	Up to 2,500 hectares
Construction Disturbance Area	Up to 6,000 hectares	Up to **7,400 hectares**
Support Infrastructure	Passing loops and refuge sidings, marshalling yard, locomotive and ore wagon maintenance facilities, fuel storage, locomotive provisioning hall, wagon and locomotive wash down	Passing loops and refuge sidings, marshalling yard, locomotive and ore wagon maintenance facilities, fuel storage, locomotive provisioning hall, wagon and locomotive wash down

	facility, administration building, a communications backbone cable running the length of the rail corridor, radio communications towers and signalling system, water bores and 'turkey's nest' dams, borrow pits and ballast and sleeper storage areas, lay-down yards for construction, and construction accommodation camps.	facility, administration building, a communications backbone cable running the length of the rail corridor, radio communications towers and signalling system, water bores and 'turkey's nest' dams, borrow pits and ballast and sleeper storage areas, lay-down yards for construction, and construction accommodation camps.
Access and construction roads	An access road for construction and maintenance will follow the railway for its entire length, deviating away from the alignment where terrain does not permit it to be adjacent to the railway. Ancillary access roads will be constructed as required within the environmental approval corridor. A lateral access road extending outside the environmental approval corridor will be constructed within the development envelope as shown in Figure 3.	An access road for construction and maintenance will follow the railway for its entire length, deviating away from the alignment where terrain does not permit it to be adjacent to the railway. Ancillary access roads will be constructed as required within the environmental approval corridor. A lateral access road extending outside the environmental approval corridor will be constructed within the development envelope as shown in Figure 3.

Note: Text in **bold** in the Key Characteristics Table, indicates change/s to the proposal.

List of Figures and Schedules

Figure 1 Roy Hill Infrastructure Location Map
Figure 2 Revised Rail Corridor Alignment (Bonney Downs rail Alignment)
Figure 3 Lateral Access Road

[Signed 28 November 2013]

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

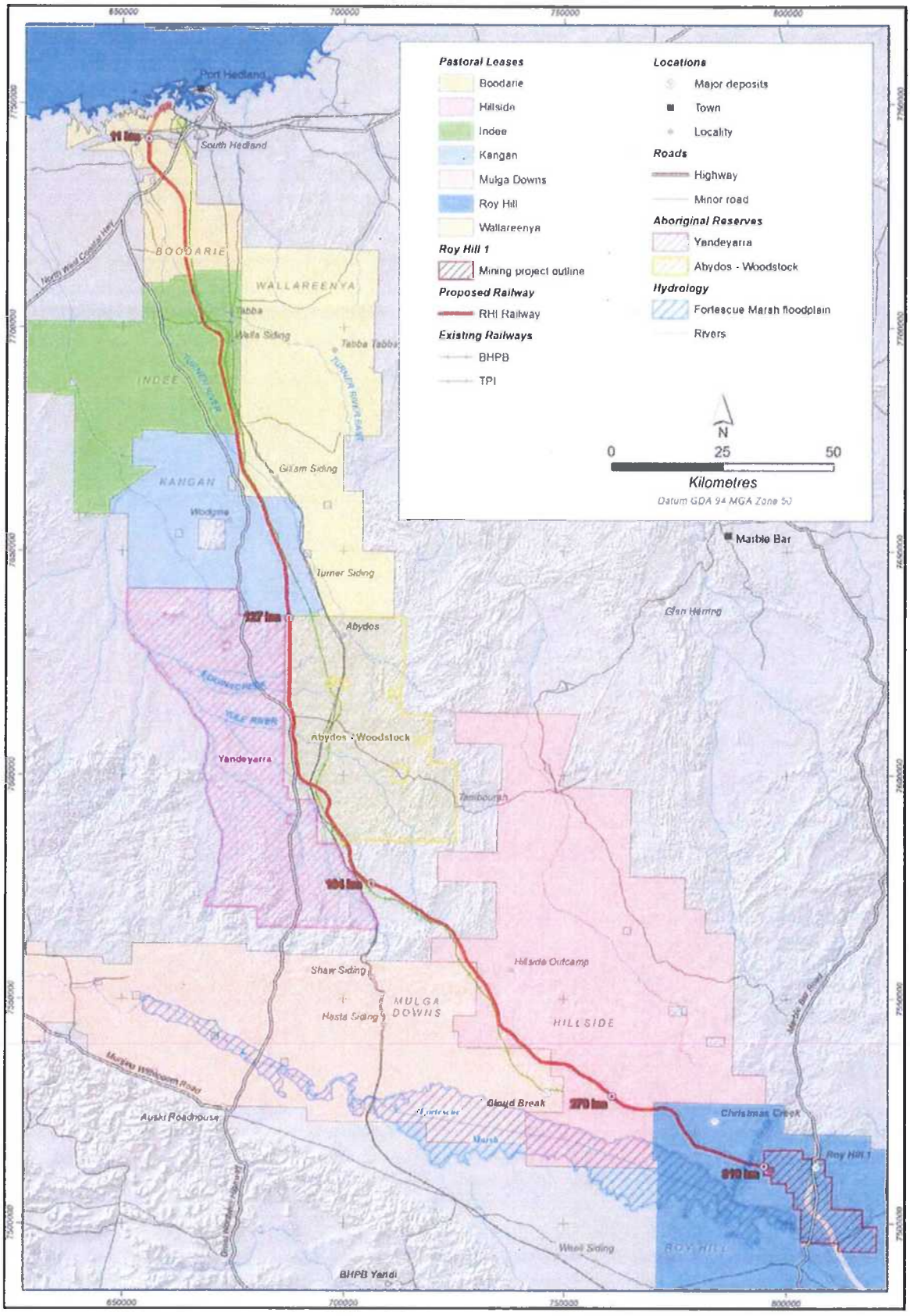

Figure 1: Roy Hill Infrastructure Location Map

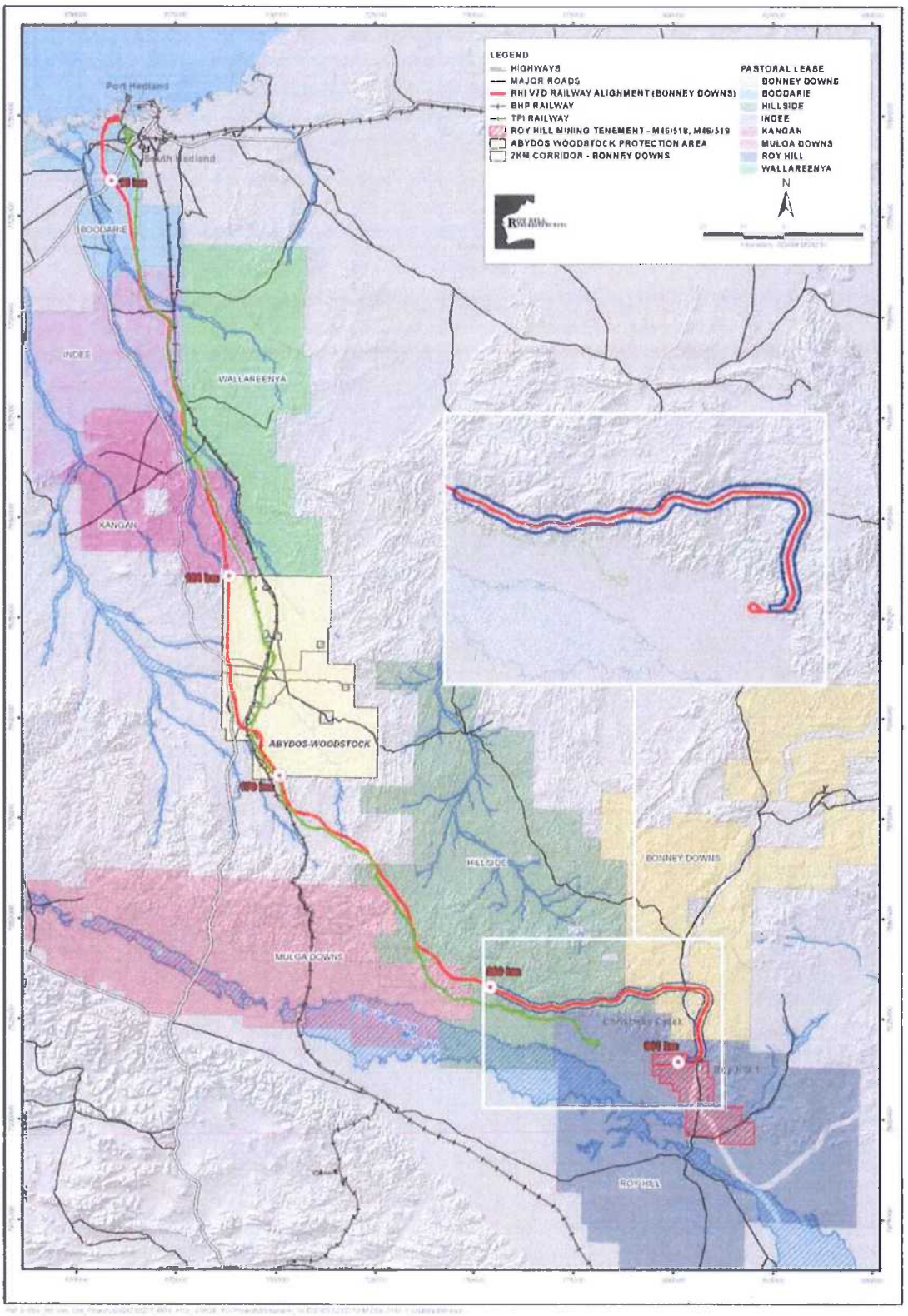

Figure 2: Revised Rail Corridor Alignment (Bonney Downs Rail Alignment)

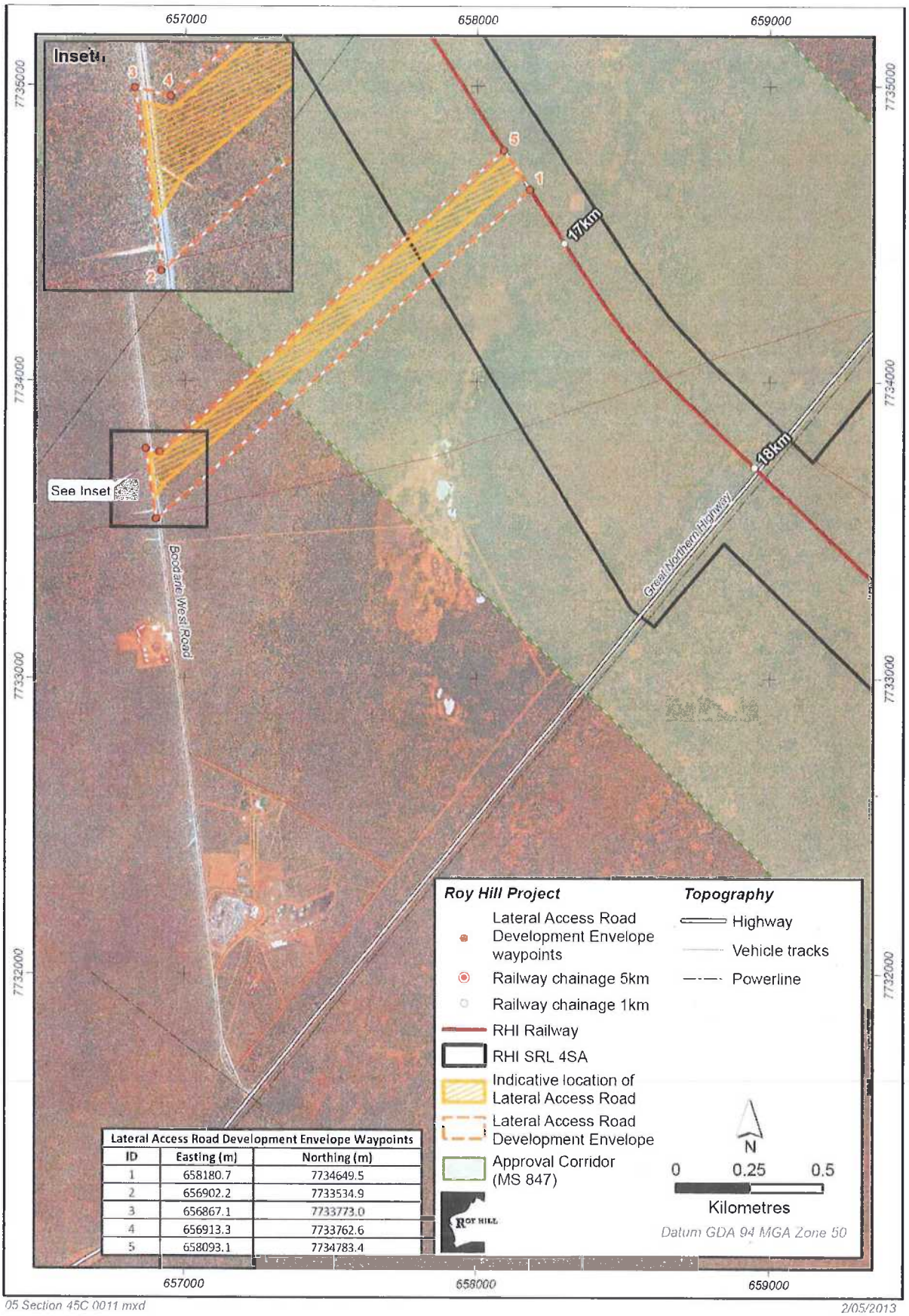

Figure 3. Lateral Access Road