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Published on: 23 July 2020

Statement No. 1147

**STATEMENT TO CHANGE THE IMPLEMENTATION CONDITIONS
APPLYING TO A PROPOSAL
(Section 46 of the *Environmental Protection Act 1986*)**

BUCKLAND PROJECT

Proposal: To develop and operate an iron ore mine, processing facilities and supporting infrastructure, 45 km south-south-east of Pannawonica in the Shire of Ashburton, and a 176 km haul road from the mine site to the customer delivery point near Cape Preston.

Proponent: BC Pilbara Iron Ore Pty Ltd
Australian Company Number 107 492 517

Proponent Address: Level 2, 1 Altona Street
West Perth WA 6872

Report of the Environmental Protection Authority: 1678

Preceding Statement/s Relating to this Proposal: 960

Pursuant to section 45 of the *Environmental Protection Act 1986*, as applied by section 46(8), it has been agreed that the implementation conditions set out in Ministerial Statement No. 960, be changed as specified in this Statement.

Condition 3 of Ministerial Statement 960 is deleted and replaced with:

3 Time Limit for Proposal Implementation

3-1 The proponent shall not commence implementation of the proposal after 12 February 2024, and any commencement, prior to this date, must be substantial.

3-2 Any commencement of implementation of the proposal, on or before 12 February 2024, must be demonstrated as substantial by providing the CEO with written evidence, on or before 12 February 2024.

Condition 8 of Ministerial Statement 960 is deleted and replaced with:

8 Residual Impacts and Risk Management Measures

- 8-1 The proponent shall contribute funds to the **Pilbara Environmental Offsets Fund** calculated pursuant to condition 8-2, to achieve the objective of counterbalancing the significant residual impacts to 'Good' to 'Excellent' condition native vegetation, including the loss of denning/shelter habitat for northern quoll and foraging habitat for Pilbara leaf-nosed bat, subject to any reduction approved by the CEO under condition 8-10.
- 8-2 The proponent's contribution to the **Pilbara Environmental Offsets Fund** shall be paid biennially, with the amount to be contributed calculated based on the clearing undertaken in each year of the biennial reporting period in accordance with the rates in condition 8-3. The first biennial reporting period shall commence from ground disturbing activities of the environmental values identified in condition 8-3.
- 8-3 Calculated on the 2018-2019 financial year, the contribution rates are:
- (1) \$816 AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation cleared within the **Mine Development Envelope** within the Hamersley IBRA subregion; and
 - (2) \$816 AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation cleared within the **Haul Road Development Envelope** and **Central Services Facility Envelope** within the Hamersley IBRA subregion.
- 8-4 From the commencement of the 2018-2019 financial year, the rates in condition 8-3 will be adjusted annually each subsequent financial year in accordance with the percentage change in the CPI applicable to that financial year.
- 8-5 Prior to ground disturbing activities of the environmental values identified in condition 8-3, the proponent shall prepare and submit an Impact Reconciliation Procedure to the CEO.
- 8-6 The Impact Reconciliation Procedure required pursuant to condition 8-5 shall:
- (1) state that clearing calculations for the first biennial reporting period will commence from ground disturbing activities in accordance with condition 8-2 and end on the second 30 June following commencement of ground disturbing activities;
 - (2) state that clearing calculations for each subsequent biennial reporting period will commence on 1 July of the required reporting period, unless otherwise agreed by the CEO;

- (3) include a methodology to calculate the amount of clearing undertaken during each year of the biennial reporting period for each of the environmental values identified in condition 8-3;
 - (4) include a methodology for calculating the amount of temporary vegetation clearing within the **Haul Road Development Envelope** within the Hamersley IBRA subregion that has commenced rehabilitation within twelve (12) months of final commissioning of the haul road;
 - (5) identify that any areas cleared within the **Haul Road Development Envelope** within the Hamersley IBRA subregion that have not commenced rehabilitation within twelve (12) months of final commissioning of the haul road are to be included in the area of clearing subject to condition 8-2;
 - (6) indicate the timing and content of the Impact Reconciliation Reports; and
 - (7) be prepared in accordance with *Instructions on how to prepare Environmental Protection Act 1986 Part IV Impact Reconciliation Procedures and Impact Reconciliation Reports* (or any subsequent revisions).
- 8-7 The proponent shall not commence ground disturbing activities for the environmental values identified in condition 8-3, unless otherwise agreed by the CEO, until the CEO has confirmed in writing that the Impact Reconciliation Procedure satisfies the requirements of condition 8-6.
- 8-8 The proponent shall submit Impact Reconciliation Reports in accordance with the Impact Reconciliation Procedure approved under condition 8-7.
- 8-9 The Impact Reconciliation Reports required pursuant to condition 8-8 shall provide the location and spatial extent of the clearing undertaken within the **Mine Development Envelope, Central Services Facility Envelope and Haul Road Development Envelope** during each year of each biennial reporting period.
- 8-10 The proponent may apply in writing to seek the written approval of the CEO to reduce all or part of the contribution payable under condition 8-2 where:
- (1) a payment has been made to satisfy a condition of an approval under the *Environment Protection and Biodiversity Conservation Act 1999* in relation to the proposal;
 - (2) the payment is made for the purpose of counterbalancing impacts of the proposal on matters of national environmental significance; and
 - (3) the payment is made for the purpose of counterbalancing the significant residual impacts to the environmental values identified in condition 8-3.

Abbreviations and definitions

Acronym or Abbreviation	Definition or Term
Central Services Facility Envelope	The area delineated in Figure 2 and defined by the geographic coordinates in Table 5 of Ministerial Statement 960.
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the Environmental Protection Act 1986, or his delegate.
CPI	The All Groups Consumer Price Index numbers for Perth compiled and published by the Australian Bureau of Statistics.
Haul Road Development Envelope	The area delineated in Figure 2 and defined by the geographic coordinates in Tables 6 and 7 of Ministerial Statement 960.
IBRA	Interim Biogeographic Regionalisation for Australia.
Mine Development Envelope	The area delineated in Figure 1 and defined by the geographic coordinates in Table 4 of Ministerial Statement 960.
Pilbara Environmental Offsets Fund	The special purpose account that has been created pursuant to section 16(1)(d) of the <i>Financial Management Act 2006</i> by the Department of Water and Environmental Regulation.

[signed on 23 July 2020]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT