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Published on: 19 May 2022

Statement No. 1189

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED**  
**(*Environmental Protection Act 1986*)**

**REVISED PROPOSAL FOR THE ROY HILL IRON ORE MINE**

**Proposal:** The revised proposal is to mine and process iron ore from on the southern slopes of the Chichester Range and to develop and operate associated infrastructure 110 km north of Newman in the Pilbara region of Western Australia.

**Proponent:** Roy Hill Iron Ore Pty Ltd  
Australian Company Number: 123 722 038

**Proponent Address:** 5 Whitham Road  
PERTH AIRPORT WA 6105

**Assessment Number:** 2214

**Report of the Environmental Protection Authority:** 1716

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described in Table ESO-2 of the proponent's referral document dated 1 March 2019, as amended by the section 43A notice issued by the EPA on 31 August 2021, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures.

Statements 824, 829, 979 and 980 are repealed on the date of this Statement.

**1 Revised Proposal Implementation**

1-1 When implementing the revised proposal, the proponent shall ensure the proposal does not exceed the following extents:

Proposal element	Location	Limitation or maximum extent
Physical elements		
Development envelope	Figures 1a and 1b	94,474 ha

<b>Proposal element</b>	<b>Location</b>	<b>Limitation or maximum extent</b>
Indicative Disturbance footprint	Figures 1a and 1b	No more than 17,395 ha
Location of disturbance footprint	Figures 1a and 1b	<p>Within the development envelope</p> <p>Not within the <b>Flora Exclusion Area</b></p> <p>Not within the <b>Ghost Bat Exclusion Area</b></p> <p>Not within the <b>Heritage Exclusion Area</b> except for the purposes of:</p> <ul style="list-style-type: none"> <li>• an access road</li> <li>• rehabilitation of existing disturbed areas</li> <li>• environmental monitoring activities</li> </ul> <p>Not within the <b>sheet flow buffer area</b> except for the purpose of South-West Injection Borefield infrastructure</p>
Location of borefields	Figure 2	Within the indicative borefield envelopes
In-pit tailings storage facilities	Figure 3	Only in the mine pits shown in Figure 3
<b>Evaporation ponds</b> and SWIB recharge basins	Figure 4	Avoid the drainage lines (watercourse) shown in Figure 4
<b>Operational elements</b>		
Depth of pits	n/a	No more than 120 m below ground level
Mine pit dewatering water volume	n/a	No more than 626 GL
<b>Excess water</b> disposal by aquifer injection and recharge basins at: <ul style="list-style-type: none"> <li>• South-West Injection borefield</li> <li>• Remote MAR borefield</li> <li>• Southern borefield</li> <li>• Stage 1 borefield</li> <li>• Mine borefield</li> </ul>	Figure 2	No more than 508 GL
<b>Excess water</b> used for dust suppression	n/a	No more than 7.4 GL in total up to 50,000 mg/L TDS
Disposal of <b>excess water</b> to evaporation ponds	n/a	No more than 540 ha

Proposal element	Location	Limitation or maximum extent
Volume of water supply from Southern Borefield	n/a	No more than 150 GL
Timing elements		
Mine life	n/a	Ends 30 June 2032

## 2 Inland Waters and Subterranean Fauna

2-1 To avoid impacts to the Fortescue Marsh and to vegetation outside the disturbance footprint, the proponent must ensure the following outcomes are met:

- (1) no **indirect disturbance** to vegetation outside the disturbance footprint regardless of whether the outcomes of conditions 2-1(2), 2-1(3), 2-1(4), 2-1(5), 2-1(6) and 2-1(7) are met;
- (2) groundwater levels in the superficial aquifer at individual injection bores within the South-West Injection borefield remain more than 5 mbgl as measured in monitoring bores adjacent to injection bores;
- (3) no increase to groundwater levels in the superficial aquifer at monitoring bores RHPZ0292S and RHPZ0293S shown in Figure 5 or other monitoring bore locations approved by the CEO caused by **aquifer injection** in the South-West Injection borefield;
- (4) no change to groundwater quality in the superficial aquifer at monitoring bores RHPZ0292S and RHPZ0293S shown in Figure 5 or other monitoring bore locations approved by the CEO caused by **aquifer injection** in the South-West Injection borefield;
- (5) the extent of groundwater drawdown caused by mine pit dewatering is no more than the increase in drawdown footprint extent delineated in Figure 5;
- (6) any increased drawdown effect caused by overlap of the revised proposal groundwater drawdown extent with the Christmas Creek Iron Ore Mine drawdown extent is contained to meet the outcome of condition 2-1(5); and
- (7) taking into account background levels the quality of groundwater and surface water downgradient and downstream of tailings storage facilities and waste rock dumps does not exceed the site specific water quality values as determined by **Water Quality Guidelines** or its revisions as a result of the revised proposal.

2-2 Prior to **aquifer injection** and mine pit dewatering exceeding the extent of the **original authorised proposal**, the proponent shall revise the *Water Management Plan – Mine OP-PLN-00300 Rev 1* and *Roy Hill Iron Ore*

*Vegetation Management Plan OP-PLN-00344 Rev 1* to meet the outcomes specified in condition 2-1 and submit the revised Management Plans to the CEO.

- 2-3 The proponent shall not commence **aquifer injection** or mine pit dewatering exceeding the extent of the **original authorised proposal** until the CEO has confirmed by notice in writing that the Management Plans required by condition 2-2 are suitable to meet the outcomes specified by condition 2-1.
- 2-4 The Management Plans required by condition 2-2 shall:
- (1) when implemented, substantiate and ensure that the outcomes specified in condition 2-1 will be met;
  - (2) specify trigger criteria that will trigger the implementation of response actions to prevent non-compliance with the outcomes in condition 2-1;
  - (3) specify threshold criteria to demonstrate compliance with the outcomes in condition 2-1;
  - (4) specify the methodology of a monitoring program to determine if trigger criteria and threshold criteria have been met;
  - (5) specify response actions to be implemented if the trigger criteria and/or the threshold criteria have not been met, which shall include but will not be limited to:
    - (a) cessation of aquifer injection at any borefield where **aquifer injection** has caused the threshold criteria aligned with the outcome in condition 2-1(1) to be exceeded;
    - (b) within 24 hours cessation of aquifer injection in individual injection bores in the South-West Injection borefield if the threshold criteria in condition 2-1(2) has not been met;
    - (c) cessation of aquifer injection in individual injection bores in the South-West Injection borefield if the threshold criteria aligned with meeting the outcome in condition 2-1(3) or condition 2-1(4) has not been met;
    - (d) redirection of excess water to alternative borefield(s) able to receive **excess water** within 24 hours in the event any threshold criteria aligned with meeting the outcomes in conditions 2-1(1), 2-1(3) and 2-1(4) have been exceeded; and
  - (6) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that the outcomes in condition 2-1 have been met over the reporting period in the Compliance Assessment Report required by condition 15-6.

- 2-5 The exceedance of a threshold criteria, regardless of whether management actions or threshold response actions have been or are being implemented, constitutes non-compliance with these conditions.
- 2-6 The proponent shall implement the most recent version of the Management Plans which the CEO has confirmed by notice in writing, addresses the requirements of condition 2-4.
- 2-7 In the event that the environmental outcomes in condition 2-1 are exceeded, or if monitoring or investigations at any time indicate an exceedance of threshold criteria specified in either the **Confirmed** Water Management Plan and **Confirmed** Vegetation Management Plan, the proponent shall:
- (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified;
  - (2) implement the threshold response actions required by the **Confirmed** Water Management Plan and **Confirmed** Vegetation Management Plan immediately in the case of the response required by condition 2-4(5) or otherwise within seven (7) days of the exceedances being reported and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and implementation of the threshold contingency actions are no longer required;
  - (3) investigate to determine the cause of the threshold criteria being exceeded;
  - (4) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded;
  - (5) provide a further report to the CEO within twenty-one (21) days of the threshold criteria exceedance being reported as required by condition 2-7(1). The report shall include:
    - (a) details of threshold response actions implemented;
    - (b) the effectiveness of the threshold response actions implemented against the threshold criteria;
    - (c) the findings of the investigations required by conditions 2-7(3) and 2-7(4);
    - (d) measures to prevent the threshold criteria being exceeded in the future;
    - (e) measures to prevent, control or abate impacts which may have occurred; and

- (f) justification of the threshold criteria remaining, or being adjusted based on better understanding, demonstrating that the outcomes specified in condition 2-1 will be met.

2-8 The proponent:

- (1) may review and submit proposed amendments to the **Confirmed** Water Management Plan and **Confirmed** Vegetation Management Plan;
- (2) shall review and submit proposed amendments to the **Confirmed** Water Management Plan and/or the **Confirmed** Vegetation Management Plan as and when directed by the CEO; and
- (3) shall review the **Confirmed** Water Management Plan and/or the **Confirmed** Vegetation Management Plan every five (5) years and submit the outcomes of the review to the CEO.

2-9 The proponent shall continue to implement the **Confirmed** Water Management Plan and/or **Confirmed** Vegetation Management Plan or any subsequent revisions the CEO has confirmed by notice in writing, address the requirements of condition 2-4, until the CEO has confirmed by notice in writing that the proponent has demonstrated that implementation of the plan is no longer required to meet the outcomes specified in condition 2-1.

### 3 Inland Waters – Evaporation Pond

3-1 The proponent shall ensure that the following outcomes are met:

- (1) the **evaporation pond** avoids the drainage lines in Figure 4;
- (2) overtopping and seepage of the **evaporation pond** is avoided; and
- (3) taking into account background levels the quality of groundwater and surface water downgradient and downstream of the **evaporation pond** does not exceed site specific water quality values as determined by the **Water Quality Guidelines** or its revisions as a result of the revised proposal.

3-2 The Evaporation Pond Design and Management Plan shall demonstrate the outcomes required in condition 3-1:

- (1) detail the design and construction characteristics of the evaporation pond, including but not limited to:
  - (a) construction **material characteristics**;
  - (b) total capacity and freeboard; and
  - (c) decommissioning, capping and rehabilitation.

- (2) specify trigger criteria that will trigger the implementation of response actions to prevent non-compliance with the outcomes in condition 3-1;
  - (3) specify threshold criteria to demonstrate compliance with the outcomes in condition 3-1;
  - (4) specify the methodology of a monitoring program to determine if trigger criteria and threshold criteria have been met;
  - (5) specify response actions to be implemented if the trigger criteria and/or the threshold criteria have not been met, and
  - (6) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that the outcomes in condition 3-1 have been met over the reporting period in the Compliance Assessment Report required by condition 15-6.
- 3-3 The proponent shall not construct the **evaporation pond** until the CEO has confirmed by notice in writing that the Evaporation Pond Design and Management Plan is suitable to meet the outcomes in condition 3-1.
- 3-4 The proponent shall not construct the **evaporation pond** other than in accordance with the Evaporation Pond Design and Management Plan that the CEO has confirmed by notice in writing is suitable to meet the outcomes in condition 3-1.

#### **4 Flora and Vegetation – Priority Flora**

- 4-1 The proponent must not clear more than:
- (1) 31% of **local records** of the flora species *Rhagodia* sp. Hamersley; and
  - (2) 7.66% of **local records** of the flora species *Eremophila pilosa* (Figure 7).

#### **5 Flora and Vegetation – Water Infrastructure Plan**

- 5-1 The proponent shall implement the revised proposal **water pipeline**, Remote MAR borefield and Southern borefield to meet the following objective:
- (1) avoid and otherwise minimise clearing of priority flora regardless of condition 4-1.
- 5-2 The proponent shall prepare and submit to the CEO a Flora Survey Plan or Survey Plan(s) for the **water pipeline**, Remote MAR Borefield and Southern Borefield that, when implemented, provide sufficient information that enables the objective in condition 5-1(1) to be met and it to be substantiated whether the objective is met.
- 5-3 Prior to clearing for the revised proposal **water pipeline**, Remote MAR borefield or Southern borefield, the proponent shall:

- (1) implement the Flora Survey Plan(s) that the CEO has confirmed by notice in writing meets condition 5-2; and
  - (2) prepare and submit to the CEO a Final **Confirmed** Water Infrastructure Plan or Plans for the revised proposal **water pipeline**, Remote MAR borefield and Southern borefield that is informed by the Flora Survey Plan(s) that will, when implemented, meet the objective in condition 5-1(1).
- 5-4 The proponent shall not commence **clearing** for the **water pipeline**, Remote MAR borefield or Southern borefield until the CEO has confirmed by notice in writing that the Final **Confirmed** Water Infrastructure Plan or Plans are suitable to meet the objective specified in condition 5-1(1).
- 5-5 The proponent shall not implement the revised proposal **water pipeline**, Remote MAR borefield or Southern borefield other than in accordance with the Final **Confirmed** Water Infrastructure Plan or Plans that the CEO has confirmed by notice in writing as suitable to meet the objective in condition 5-1(1).

## **6 Terrestrial Fauna – Water Infrastructure Plan**

- 6-1 The proponent shall implement the revised proposal **water pipeline**, Remote MAR borefield and Southern borefield to meet the following outcomes:
- (1) avoid direct and indirect impacts to Claypans, Chenopod shrubland and Semi-permanent water bodies delineated in Figures 6(a) and 6(b); and
  - (2) avoid direct and indirect impacts to active greater bilby burrows as delineated in Figures 6(a) and 6(b) and any other greater bilby burrows recorded throughout life of the revised proposal.
- 6-2 The proponent shall implement the revised proposal **water pipeline**, Remote MAR borefield and Southern borefield to meet the following objective:
- (1) avoid, or otherwise minimise clearing of night parrot habitat.
- 6-3 The proponent shall prepare and submit to the CEO a Fauna Survey Plan or Fauna Survey Plan(s) for the **water pipeline**, Remote MAR borefield and Southern borefield that:
- (1) are consistent with *Technical Guidance - Terrestrial vertebrate fauna surveys for environmental impact assessment* (EPA June 2020) or its revisions;
  - (2) when implemented, provide sufficient information to enable the outcomes in condition 6-1 and objective in condition 6-2 to be met.
- 6-4 Without limiting the requirements of a Survey Plan that may be necessary to enable conditions 6-1 and 6-2 to be met, the Survey Plan(s) required by condition 6-3 shall include specialist methods for identifying roosting and

nesting habitat and potential roosting and breeding habitat for the night parrot and rationale for excluding habitat as potential roosting and nesting habitat for the night parrot.

6-5 Prior to clearing for the revised proposal **water pipeline**, Remote MAR borefield or Southern borefield, the proponent shall:

- (1) implement the Fauna Survey Plan(s) that the CEO has confirmed by notice in writing meet the requirements of condition 6-3 and condition 6-4.
- (2) prepare and submit to the CEO and DAWE a report on the survey or surveys undertaken in accordance with the Fauna Survey Plan(s) consistent with the reporting requirements in the *Technical Guidance - Terrestrial vertebrate fauna surveys for environmental impact assessment* (EPA June 2020) or its revisions;
- (3) prepare and submit to the CEO a Final **Confirmed** Water Infrastructure Plan or Plans for the revised proposal **water pipeline**, Remote MAR borefield and Southern borefield that is informed by the Fauna Survey Plan(s) that will, when implemented, meet outcomes of condition 6-1 and the objective of condition 6-2.

## 7 Terrestrial Fauna – Ghost Bat

7-1 The proponent shall implement the revised proposal to meet the following outcome:

- (1) no **adverse impact** to the structural integrity or viability of the ghost bat cave shown in Figure 1(a) as a diurnal roost habitat for the ghost bat (ghost bat cave), regardless of the exclusion of the **Ghost Bat Exclusion Area** required by condition 1-1.

## 8 Subterranean Fauna

8-1 The proponent shall evaluate:

- (1) connectivity of troglofauna habitat between the **troglofauna impact area** with habitat outside that area; and
- (2) connectivity of stygofauna habitat between the **stygofauna impact area** with habitat outside that area.

8-2 To confirm habitat connectivity in accordance with condition 8-1 the proponent shall:

- (1) define and illustrate the extent of the **troglofauna impact area** and **stygofauna impact area** using maps and cross sections;
- (2) characterise the subterranean fauna habitats within and connected to the impact areas using:

- (a) geological and hydrogeological information including information from drill logs and cores from the impact areas and connected potential habitat areas; and
  - (b) subterranean fauna records from the impact areas and connected potential habitat areas;
- (3) conduct subterranean fauna sampling within and connected to the impact areas outlined in Figure 5 in accordance with the *Technical Guidance – Sampling methods for subterranean fauna* (EPA 2016) or its revisions, where access is permitted including targeted sampling for *Bathynella* sp. B02, prepare a report on the sampling conducted and the results; and
- (4) assess habitat connectivity and the likely extent of connected habitats outside the impact areas on the information obtained from conditions 8-2(2) and 8-2(3).
- 8-3 The proponent shall prepare and submit to the CEO a report addressing the requirements of condition 8-2 evaluating habitat connectivity in accordance with condition 8-1.
- 8-4 In the event habitat connectivity cannot be verified for one or more species the proponent shall prepare and submit to the CEO a management plan with the objective of minimising impacts to those species.
- 8-5 The proponent shall not commence **aquifer injection** or mine pit dewatering exceeding the extent of the **original authorised proposal** until the report required under condition 8-3 has been approved by the CEO.
- 8-6 The proponent shall implement the management plan required by condition 8-4 that the CEO has confirmed by notice in writing is suitable to minimise impacts to the relevant subterranean fauna species identified in accordance with condition 8-4.

## 9 Greenhouse Gas Emissions

- 9-1 Subject to condition 9-2, the proponent shall take measures to ensure that **net GHG emissions** do not exceed:
- (1) 2,250,000 tonnes of CO<sub>2</sub>-e for the period from 1 July 2021 until 30 June 2026;
  - (2) 1,848,215 tonnes of CO<sub>2</sub>-e for the period between 1 July 2026 and 30 June 2031; and
  - (3) 289,286 tonnes of CO<sub>2</sub>-e for the period between 1 July 2031 and 30 June 2032.

9-2 Where the time between the **Commencement Date** and the end of a period specified in condition 9-1 is less than five years, the **net GHG emissions** limit for that period is to be determined in accordance with the following formula:

$$\text{Reduced net GHG emissions limit} = (A \div 1825) \times B$$

Where:

A is the **net GHG emissions** limit for the period as specified in condition 9-1.

B is the number of days between the **Commencement Date** and the end of the relevant period specified in condition 9-1.

9-3 The Compliance Assessment Report submitted in accordance with condition 15-6 shall specify:

- (1) the quantity of **revised proposal GHG emissions** and iron ore produced; and
- (2) the **emissions intensity** for the revised proposal

for the financial year preceding the submission of the Compliance Assessment Report.

9-4 The first Compliance Assessment Report submitted in accordance with condition 15-6, and every fifth Compliance Assessment Report thereafter shall include:

- (1) a report specifying:
  - (a) for each of the preceding five (5) financial years, the matters referred to in conditions 9-3(1) and (2);
  - (b) for the period specified in condition 9-1, that ended on 30 June of the year before the report is due:
    - (i) the quantity of **revised proposal GHG emissions**;
    - (ii) the **net GHG emissions**;
    - (iii) the type, quantity, identification or serial number, and date of retirement or cancellation of any **authorised offsets** which have been retired or cancelled and which have been used to calculate the **net GHG emissions** referred to in condition 9-4(1)(b)(ii), including written evidence of such retirement or cancellation; and
    - (iv) any measures that have been implemented to avoid or reduce **revised proposal GHG emissions**.

- (2) an audit and peer review of the report required by condition 9-4(1), carried out by an independent person or independent persons with suitable technical experience dealing with the suitability of the methodology used to determine the matters set out in the report, whether the report is accurate and whether the report is supported by credible evidence.
- 9-5 Subject to, and consistently with condition 9-1, the proponent shall implement:
- (1) *Greenhouse Gas Management Plan* Rev 4 dated 22 July 2021; or
  - (2) the most recent version of the **Confirmed greenhouse gas management plan**.
- 9-6 The proponent:
- (1) may revise and submit to the CEO the **greenhouse gas management plan** at any time;
  - (2) must revise and submit to the CEO the **greenhouse gas management plan** if there is a change to the revised proposal which means there is a material risk that condition 9-1 will not be achieved;
  - (3) must revise and submit to the CEO the **greenhouse gas management plan** by 31 December 2022;
  - (4) must revise and submit to the CEO the **greenhouse gas management plan** at least every five (5) years to align with the five (5) yearly reporting requirements specified in condition 9-4; and
  - (5) must revise and submit to the CEO the **greenhouse gas management plan** as and when directed to by the CEO, within the time specified by the CEO.
- 9-7 Each revision of the **greenhouse gas management plan** referred to in condition 9-6 which is submitted to the CEO shall:
- (1) be consistent with the achievement of the **net GHG emissions** limits in condition 9-1 (or achievement of emission reductions beyond those required by the emission limits);
  - (2) specify the estimated **revised proposal GHG emissions** and **emissions intensity** for the life of the revised proposal;
  - (3) include comparison of the estimated **revised proposal GHG emissions** and **emissions intensity** for the remainder of the life of the revised proposal against other comparable projects, including commitments on emissions reductions published by the proponents of comparable projects to 2030 and most recent emissions intensity;

- (4) identify and describe any measures that the proponent will implement to avoid, reduce and/or offset **proposal GHG emissions** or reduce the **emissions intensity** of the revised proposal; and
  - (5) provide for a program for the future review of the plan to:
    - (a) assess the effectiveness of measures referred to in condition 9-7(4); and
    - (b) identify and describe options for future measures that the proponent may or could implement to avoid, reduce and/or offset **revised proposal GHG emissions** and/or reduce the **emissions intensity** of the revised proposal.
- 9-8 A summary document comprising of a summary plan and progress statement outlining key information from the **greenhouse gas management plan** (and reports to that time) must be provided within:
- (1) one month of the date of this Statement and any revision of the **greenhouse gas management plan** under condition 9-6; and
  - (2) every five (5) years in conjunction with the report provided in accordance with condition 9-4(1) and also if the **greenhouse gas management plan** is revised under condition 9-6.
- 9-9 The summary document required by condition 9-8, where feasible must include:
- (1) a graphical comparison of **net GHG emissions** with the **net GHG emissions** limits detailed in condition 9-1 (subject to the adjustment provided for in condition 9-2);
  - (2) revised proposal **emissions intensity** compared to comparable facilities;
  - (3) a summary of measures to reduce the **revised proposal GHG emissions** undertaken by the proponent for compliance periods detailed in condition 9-1; and
  - (4) a clear statement as to whether limits for **net GHG emissions** set out in condition 9-1 have been met, and whether future **net GHG emissions** limits are likely to be met, including a description of any reasons why those limits have not been, and/or are unlikely to be met.
- 9-10 The proponent shall make all **Confirmed greenhouse gas management plans** and all reports required by condition 9 publicly available on the proponent's website within the timeframes specified below for the life of the revised proposal, or in any other manner or time specified by the CEO:
- (1) the **greenhouse gas management plan** referred to in condition 9-5(1) within two (2) weeks of the date of the Statement;

- (2) any **Confirmed greenhouse gas management plan** referred to in condition 9-5(2) within two (2) weeks of receiving confirmation from the CEO in writing meets the requirements of condition 9-7; and
- (3) the summary of any **Confirmed greenhouse gas management plan** referred to in condition 9-8 and the reports referred to in conditions 9-3, 9-4 and 9-9 within two (2) weeks of submitting the document to the CEO.

## 10 Heritage Exclusion Area Access Road

10-1 In constructing the access road within the **Heritage Exclusion Area**, the proponent shall meet the following environmental objectives:

- (1) social, cultural, heritage, and archaeological values within and adjacent to the **Heritage Exclusion Area** have been avoided, if possible, or the impact on these values otherwise minimised;
- (2) impacts to the flora species *Triodia veniciae* in the **Heritage Exclusion Area** have been avoided, if possible, or minimised;
- (3) impacts to the following terrestrial fauna habitats in the **Heritage Exclusion Area** have been avoided, if possible, or minimised:
  - (a) Low rocky hills, Spinifex stony plain and Major and minor drainage lines; and
- (4) any residual impacts to the values in conditions 10-1(1), (2) and (3) are not significant.

10-2 Prior to commencing any ground disturbing activities within the **Heritage Exclusion Area** to demonstrate that the environmental objectives in condition 10-1(1) will be met, the proponent shall provide a report to the CEO demonstrating:

- (1) consultation with the Nyiyaparli People about:
  - (a) social, cultural, heritage, and archaeological values within and adjacent to the **Heritage Exclusion Area**;
  - (b) the purpose of the road and the reasons construction of a road through the **Heritage Exclusion Area** cannot be avoided;
  - (c) the extent of the road, the road corridor and infrastructure associated with the road including but not necessarily limited to drainage infrastructure;
  - (d) alternative options for siting the road;
  - (e) how the options perform in terms of avoiding and minimising direct and project attributable indirect impacts to the values in condition 10-1(1); and

- (f) the Nyiyaparli People's preference(s) for siting the road to avoid, where possible, and minimise direct and project attributable indirect impacts.

10-3 The proponent shall not commence ground disturbing activities in the **Heritage Exclusion Area** for the purpose of an access road until the report in condition 10-2 has been approved by the CEO.

10-4 The proponent shall not construct an access road in the **Heritage Exclusion Area** other than in accordance with the final proposed access road disturbance footprint that the report in condition 10-2 has been approved by the CEO.

## 11 Social Surroundings – Cultural Heritage Management Plan

11-1 The proponent shall implement the revised proposal to meet the following objectives:

- (1) avoid, where possible, and minimise direct and project attributable indirect impacts to social, cultural, heritage, and archaeological values within and surrounding the development envelope; and
- (2) enable traditional owner access to the development envelope following decommissioning of the revised proposal.

11-2 Prior to implementing activities outside the scope of the **original authorised proposal**, the proponent shall develop in consultation with the Nyiyaparli People **registered native title body corporate** and submit to the CEO an amended Cultural Heritage Management Plan to meet the environmental objectives specified in condition 11-1.

11-3 The Cultural Heritage Management Plan required by condition 11-2 shall include (but not be limited to):

- (1) a framework for consultation with the Nyiyaparli People during the life of the revised proposal;
- (2) implementation of a cultural mapping project in consultation with the within the Nyiyaparli People and consideration of cultural mapping project outcomes in mine planning and closure;
- (3) a commitment that any previously unrecorded heritage place shall be avoided until the Nyiyaparli People have been consulted about the heritage place and mitigation of **adverse impacts** to the place;
- (4) a commitment that staff and contracting personnel are made aware of their obligations under the *Aboriginal Heritage Act 1972* and the *Aboriginal Cultural Heritage Act 2021*;
- (5) risk-based management actions that will be implemented to demonstrate compliance with the objectives specified in condition 11-1;

- (6) measurable management target(s) to determine the effectiveness of the risk-based management actions;
  - (7) monitoring to measure the effectiveness of management actions against management targets;
  - (8) mitigation actions to be implemented in the event that monitoring demonstrates that management targets will not be met;
  - (9) involvement of Niyaparli People in heritage and environmental monitoring;
  - (10) a process for review and revision of the Cultural Heritage Management Plan in consultation with the Niyaparli People **registered native title body corporate**; and
  - (11) reporting on compliance with the objectives in condition 11-1 to the Niyaparli People and the CEO including timing and format of report(s).
- 11-4 Unless otherwise agreed by the CEO, the proponent shall not conduct activities outside the scope of the **original authorised proposal** until the CEO has confirmed by notice in writing that the **Confirmed** Cultural Heritage Management Plan submitted under condition 11-2 addresses the requirements of condition 11-3.
- 11-5 The proponent must implement the most recent version of the **Confirmed** Cultural Heritage Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objectives specified in condition 11-1 have been met.
- 11-6 Without limiting condition 11-5 (implementation of the plan), the proponent must not cause or allow:
- (1) a failure to implement one or more management actions specified in the **Confirmed** Cultural Heritage Management Plan, and/or
  - (2) failure to comply with the requirements of the **Confirmed** Cultural Heritage Management Plan.
- 11-7 The proponent:
- (1) may review and revise the Cultural Heritage Management Plan in consultation with the Niyaparli People and submit it to the CEO; and
  - (2) shall review and revise the Cultural Heritage Management Plan in consultation with the Niyaparli People and submit it to the CEO as and when directed by the CEO.

## 12 Offsets

12-1 The proponent shall contribute funds to the **Pilbara Environmental Offsets Fund** calculated pursuant to condition 12-2, to counterbalance the significant residual impacts to:

- (1) 'Good' to 'Excellent' condition native vegetation;
- (2) Priority 3 **PEC** – Narbung Land System;
- (3) Groundwater-dependent vegetation;
- (4) Riparian vegetation;
- (5) Sheet flow-dependent Mulga;
- (6) Perennial tussock grassland vegetation;
- (7) Vegetation Type 30 (resembles the Narbung Land System PEC description);
- (8) Vegetation supporting **conservation significant flora species**; and
- (9) critical habitat for the northern quoll, ghost bat, Pilbara olive python, night parrot and greater bilby.

12-2 The proponent's provisional contribution to the **Pilbara Environmental Offsets Fund** shall be paid after the conclusion of the biennial reporting period specified in conditions 12-6(4) and 12-6(5), with the provisional amount to be contributed calculated based on the **clearing** undertaken during that biennial reporting period in accordance with the highest applicable rate specified in condition 12-3 for the relevant type of vegetation.

12-3 Calculated on the 2021–2022 financial year, the contribution rates are:

- (1) \$1,653AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation within the Fortescue IBRA subregion;
- (2) \$781AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation within the Chichester IBRA subregion;
- (3) \$3,306AUD (excluding GST) per hectare of Priority 3 Narbung Land System **PEC** within the Fortescue IBRA subregion;
- (4) \$3,306AUD (excluding GST) per hectare of groundwater-dependent vegetation within the Fortescue IBRA subregion;
- (5) \$1,563AUD (excluding GST) per hectare of groundwater-dependent vegetation within the Chichester IBRA subregion;
- (6) \$3,306AUD (excluding GST) per hectare of riparian vegetation, within the Fortescue IBRA subregion;

- (7) \$3,306AUD (excluding GST) per hectare of sheet flow-dependent Mulga vegetation within the Fortescue IBRA subregion;
  - (8) \$3,306AUD (excluding GST) per hectare of perennial tussock grassland vegetation within the Fortescue IBRA subregion;
  - (9) \$3,306AUD (excluding GST) per hectare of vegetation type 30 within the Fortescue IBRA subregion;
  - (10) \$3,306AUD (excluding GST) per hectare of vegetation types supporting **conservation significant flora species**;
  - (11) \$3,306AUD (excluding GST) per hectare of critical habitat for the northern quoll, ghost bat, Pilbara leaf-nosed Bat, Pilbara olive python, and greater bilby within the Fortescue IBRA subregion; and
  - (12) \$1,653AUD (excluding GST) per hectare of supporting habitat for the northern quoll, ghost bat, Pilbara leaf-nosed bat, Pilbara olive python, and greater bilby within the Chichester IBRA subregion.
- 12-4 The rates in condition 12-3 change annually each subsequent financial year in accordance with the percentage change in the **CPI** applicable to that financial year.
- 12-5 Where offsets are required for an area of land under any of the parts of condition 12-3 that is also subject to offsets under one of more other parts of condition 12-3, the higher amount shall apply.
- 12-6 The proponent must prepare and submit a Roy Hill Impact Reconciliation Procedure to the CEO prior to **clearing** exceeding the extent of the **original authorised proposal**. This procedure shall:
- (1) spatially define the environmental value(s) identified in condition 12-1;
  - (2) spatially define the areas in respect of which offsets required by condition 12-1 are to be calculated;
  - (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 12-1;
  - (4) state that clearing calculation for the first biennial reporting period will commence from the first date of **clearing** in accordance with condition 12-2 and end on the second 30 June following the commencement of **clearing** that exceeds the extent of the **original authorised proposal**;
  - (5) 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;
  - (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).
- 12-7 The proponent must not commence **clearing** exceeding the extent of the **original authorised proposal** until the CEO has confirmed by notice in writing that the **Confirmed** Impact Reconciliation Procedure satisfies the requirements of condition 12-6.
- 12-8 The proponent:
- (1) may review and revise the **Confirmed** Impact Reconciliation Procedure;  
or
  - (2) shall review and revise the **Confirmed** Impact Reconciliation Procedure as and when directed by the CEO by a notice in writing.
- 12-9 The proponent shall submit an Impact Reconciliation Reports in accordance with the **Confirmed** Impact Reconciliation Procedure confirmed by the CEO under condition 12-7.
- 12-10 Despite payment of the provisional contribution, the proponent's liability to make a contribution under this condition shall be finally determined:
- (1) by the Minister upon application by the proponent in writing to the Minister to reduce in part or whole the proponent's liability under this condition where:
    - (a) 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; and/or
    - (b) the payment is made for the purpose of counterbalancing impacts of the proposal on matters of national environmental significance identified in condition 12-1; or
  - (2) to be equivalent to the provisional contribution if no application of the kind described in condition 12-10(1) is made within twelve (12) months of the conclusion of the relevant biennial reporting period.

### **13 Environmental Performance Report**

- 13-1 The proponent shall submit a five yearly Environmental Performance Report to the CEO within three months of the expiry of the ten-year period commencing from the clearing exceeding the extent of the **original authorised proposal**, or such other time as may be approved in writing by the CEO.
- 13-2 Each Environmental Performance Report shall report on revised proposal impacts on the following environmental values:

- (1) state of Fortescue Marsh;
- (2) state of vegetation and fauna habitat outside the authorised clearing area;
- (3) state of groundwater;
- (4) state of surface water;
- (5) holistic assessment of revised proposal impacts against environmental values, including a comparison of the state of each environmental value at the beginning and end of the ten-year period; and
- (6) proposed adaptive management and continuous improvement strategies.

13-3 The Environmental Performance Report must include:

- (1) a comparison of the environmental values identified in condition 13-3 at the end of the five (5) year period; against the state of each environmental value at the beginning of the five year period;
- (2) a comparison of the environmental values identified in condition 13-3 at the end of the five (5) year period; against the state of the environmental values identified in first Environmental Performance Report submitted in accordance with condition 13-2; and
- (3) proposed **adaptive** management and continuous improvement strategies.

13-4 The Environmental Performance Report may be in whole or part prepared in conjunction with other proponents where there are cumulative impacts from their proposals.

## **14 Contact Details**

14-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

## **15 Compliance Reporting**

15-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least one month before the first Compliance Assessment Report required under condition 15-6 is submitted.

15-2 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.
- 15-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 15-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 15-1.
- 15-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 15-1 and shall make those reports available when requested by the CEO.
- 15-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 15-6 The proponent shall submit to the CEO the Compliance Assessment Report by 23 March each year, or as otherwise agreed in writing by the CEO.
- 15-7 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 15-1.

## **16 Public Availability of Data**

- 16-1 Subject to condition 16-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the revised proposal, the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)),

management plans and reports relevant to the assessment of the revised proposal and implementation of this Statement.

16-2 If any data referred to in condition 16-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information,

the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

[signed on 19 May 2022]

Hon Reece Whitby MLA  
**MINISTER FOR ENVIRONMENT; CLIMATE ACTION**

<b>Key decision-making authorities consulted under section 45(2):</b>
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Minister for Water
Minister for Aboriginal Affairs
Minister for Mines and Petroleum

**Table 1: Abbreviations and definitions**

<b>Acronym or abbreviation</b>	<b>Definition or term</b>
<b>adaptive</b>	Means having the ability or tendency to adapt in response to evidence in a manner which is most effective at achieving the specified outcomes
<b>adverse impact</b>	Any negative change that could result in a loss of health, diversity or abundance of the receptor/s being impacted.
<b>AEP</b>	Annual exceedance probability. The probability that a given rainfall total accumulated over a given duration will be exceeded in any one year
<b>aquifer injection</b>	The disposal of <b>excess water</b> by groundwater bore injection to aquifers
<b>authorised offsets</b>	<p>Units representing GHG emissions issued under one of the following schemes and cancelled or retired in accordance with any rules applicable at the relevant time governing the cancellation or retiring of units of that kind:</p> <ul style="list-style-type: none"> <li>(a) Australian Carbon Credit Units issued under the <i>Carbon Credits (Carbon Farming Initiative) Act 2011</i> (Cth);</li> <li>(b) Verified Emission Reductions issued under the Gold Standard program;</li> <li>(c) Verified Carbon Units issued under the Verified Carbon Standard program; or</li> <li>(d) other offset units that the CEO has notified the proponent in writing meet integrity principles and are based on clear, enforceable and accountable methods.</li> </ul>
<b>CO<sub>2</sub>-e</b>	Carbon dioxide equivalent. A metric used to compare emissions from various greenhouse gases by converting amounts of other gases to the equivalent amount of CO <sub>2</sub> based on their Global Warming Potential.
<b>CEO</b>	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his/her delegate.
<b>clearing</b>	Has the same meaning as in section 51A of the <i>Environmental Protection Act 1986</i>
<b>commencement date</b>	The date of this Statement
<b>Confirmed</b>	Means, at the relevant time, in relation to a plan required to be made and submitted to the CEO, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.
<b>conservation significant flora species</b>	Threatened flora as defined by the <i>Biodiversity Conservation Act 2016</i> and flora listed by DBCA as priority flora in accordance with the <i>Conservation Codes For Western Australian Flora and Fauna</i> dated 3 January 2019 or its revisions.

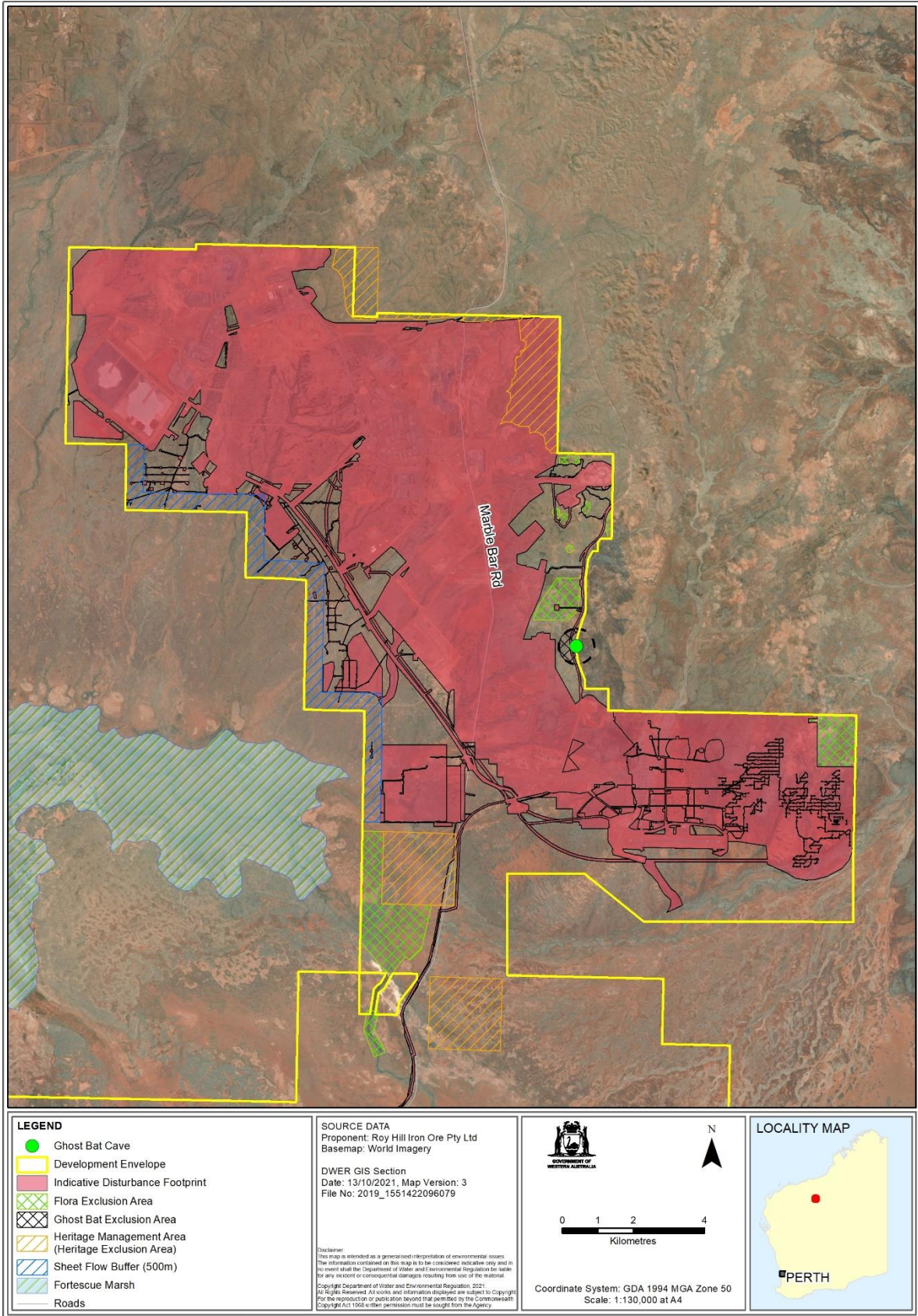
Acronym or abbreviation	Definition or term
<b>CPI</b>	The All Groups Consumer Price Index numbers for Perth compiled and published by the Australian Bureau of Statistics.
<b>DAWE</b>	The Commonwealth Department of Agriculture, Water and the Environment, or any of its successors responsible for the administration of the <i>Environment Protection and Biodiversity Conservation 1999</i> .
<b>DBCA</b>	The Western Australian Department of Biodiversity, Conservation and Attractions, or any of its successors responsible for the administration of the <i>Biodiversity Conservation Act 2016</i> .
<b>DWER</b>	The Western Australian Department of Water and Environmental Regulation, or any of its successors responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> .
<b>emissions intensity</b>	Revised proposal scope 1 and 2 GHG emissions per tonne of ore shipped, or such other production value determined by the CEO as applicable to allow comparison with other producers.
<b>excess water</b>	Mine dewatering water unsuitable for, or surplus to, water supply requirements, TSF decant water, and treated wastewater from water treatment plants.
<b>evaporation pond</b>	Artificial pond used for the disposal of <b>excess water</b> by evaporation.
<b>Flora Exclusion Area</b>	The Flora Exclusion Area delineated in Figure 1(a)
<b>GHG emissions</b>	Greenhouse gas emissions expressed in tonnes of carbon dioxide equivalent (CO <sub>2</sub> -e) as calculated in accordance with the definition of 'carbon dioxide equivalence' in section 7 of the <i>National Greenhouse and Energy Reporting Act 2007</i> (Cth), or, if that definition is amended or repealed, the meaning set out in an Act, regulation or instrument concerning greenhouse gases as specified by the CEO.
<b>Ghost Bat Exclusion Area</b>	The Ghost Bat Exclusion Area (500 m radius) as delineated in Figure 1(a).
<b>GL</b>	gigalitres
<b>Greenhouse gas or GHG</b>	Has the meaning given by section 7A of the <i>National Greenhouse and Energy Reporting Act 2007</i> (Cth) or, if that definition is amended or repealed, the meaning set out in an Act, regulation or instrument concerning greenhouse gases as specified by the CEO.
<b>greenhouse gas management plan</b>	<i>Greenhouse Gas Management Plan</i> Rev 4 dated 22 July 2021 or subsequent versions of the plan that the CEO has confirmed in writing meets the requirements of condition 9-7 of this Statement.
<b>ha</b>	hectare

<b>Acronym or abbreviation</b>	<b>Definition or term</b>
<b>Heritage Exclusion Area</b>	The Heritage Exclusion Area delineated in Figure 1(a)
<b>km</b>	kilometres
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>Indirect disturbance</b>	Damage to native vegetation which does not, or is not likely to, recover within five (5) years, and is not trivial or negligible
<b>local records</b>	Records of the priority flora species within the development envelope including records discovered after the date of this Statement.
<b>Pilbara Environmental Offsets Fund</b>	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
<b>original authorised proposal</b>	The sum of the Authorised Extent of physical and operational elements in Table 2 of Attachment 8 to Ministerial Statement 824 and Table 2 in Attachment 5 to Ministerial Statement 829.
<b>m</b>	metres
<b>Material characteristic</b>	Geology and soil properties including dispersive and/or erosive material that is capable of compromising the structure and stability of evaporation pond. Any materials capable of generating acid and metalliferous drainage, including neutral drainage and saline drainage.
<b>mbgl</b>	metres below ground level
<b>mg/L</b>	milligrams per litre
<b>net GHG emissions</b>	Revised proposal scope 1 GHG emissions for a period less any reduction in GHG emissions represented by the cancellation or retirement of authorised offsets which: <ul style="list-style-type: none"> <li>(a) were cancelled or retired between the first day of the period until 1 March in the year after the period has ended;</li> <li>(b) have been identified in the report for that period as required by condition 9-4(1)(b)(iii);</li> <li>(c) have not been identified as cancelled or retired in the report for that period as required by condition 9-4(1)(b)(iii);</li> <li>(d) have not been used to offset GHG emissions other than revised proposal GHG emissions; and</li> <li>(e) were not generated by avoiding revised proposal GHG emissions.</li> </ul>
<b>PEC</b>	Priority Ecological Community
<b>registered native title body corporate</b>	Has the same meaning as in the <i>Native Title Act 1993</i> (Cth)

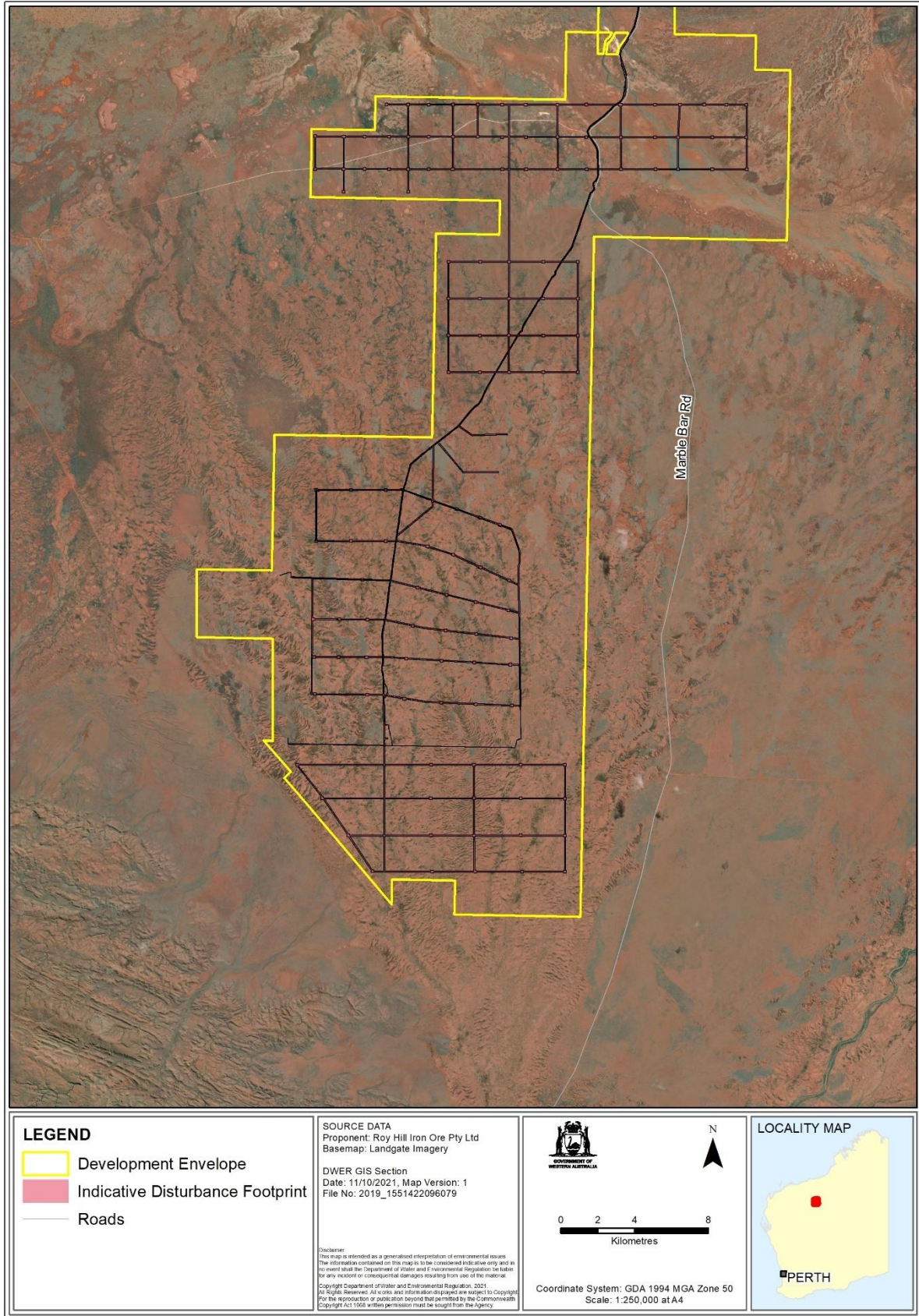
Acronym or abbreviation	Definition or term
<b>revised proposal GHG emissions</b>	GHG emissions released to the atmosphere as a direct result of an activity or series of activities that comprise/s or form/s part of the revised proposal.
<b>sheet flow buffer area</b>	The sheet flow buffer delineated in Figure 1(a).
<b>SWIB</b>	South-West Injection borefield
<b>stygofauna impact area</b>	The space below ground level in which decreases to groundwater levels relative to natural groundwater levels are predicted to occur from mine dewatering that exceeds the extent of the <b>original authorised proposal</b> .
<b>TDS</b>	Total Dissolved Solids
<b>troglofauna impact area</b>	The space below ground level in which increases to groundwater levels relative to natural ground water levels are predicted to occur from <b>aquifer injection</b> at the SWIB, Remote MAR borefield and Southern borefield.
<b>water pipeline</b>	The main water pipeline or water pipelines that convey mine dewatering <b>excess water</b> to the Remote MAR borefield and Southern borefield from the mine area and convey groundwater from the Southern Borefield.
<b>Water Quality Guidelines</b>	<i>Australian &amp; New Zealand Guidelines for Fresh &amp; Marine Water Quality</i> (ANZG 2018) or its revisions

### Figures attached

- Figure 1a: Development Envelope (North)
- Figure 1b: Development Envelope (South)
- Figure 2: Indicative borefield envelopes
- Figure 3: Indicative In-pit tailings storage facilities
- Figure 4: Drainage line (watercourse) avoidance – Evaporation pond and recharge basins
- Figure 5: Regional monitoring bores RHPZ0292S and RHPZ0293S
- Figure 6(a): Fauna habitats (development envelope north)
- Figure 6(b): Fauna habitats (development envelope south)
- Figure 7: Local records extent - *Eremophila pilosa*



**Figure 1a: Development Envelope (North)**



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**Figure 1b: Development Envelope (South)**

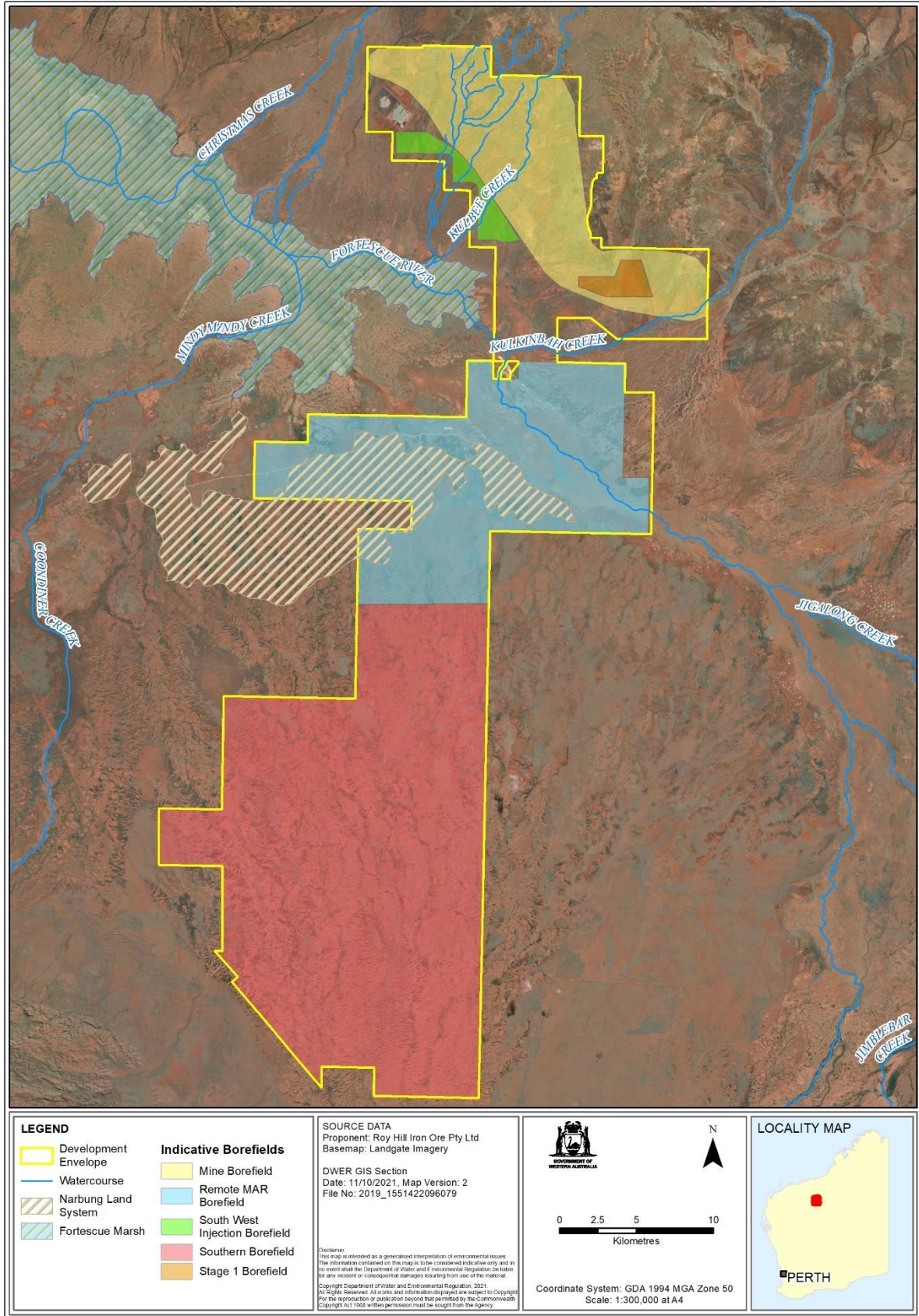
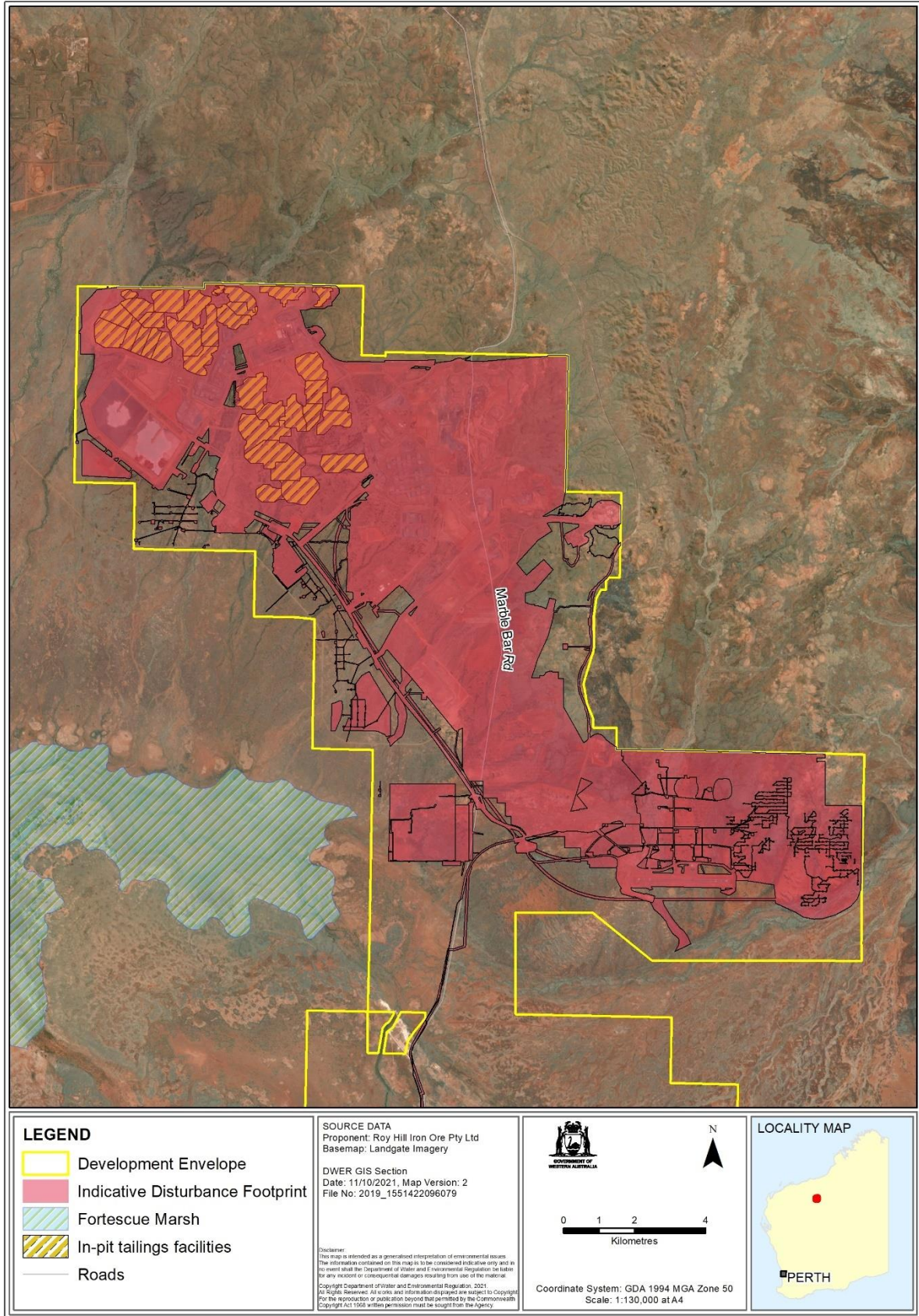
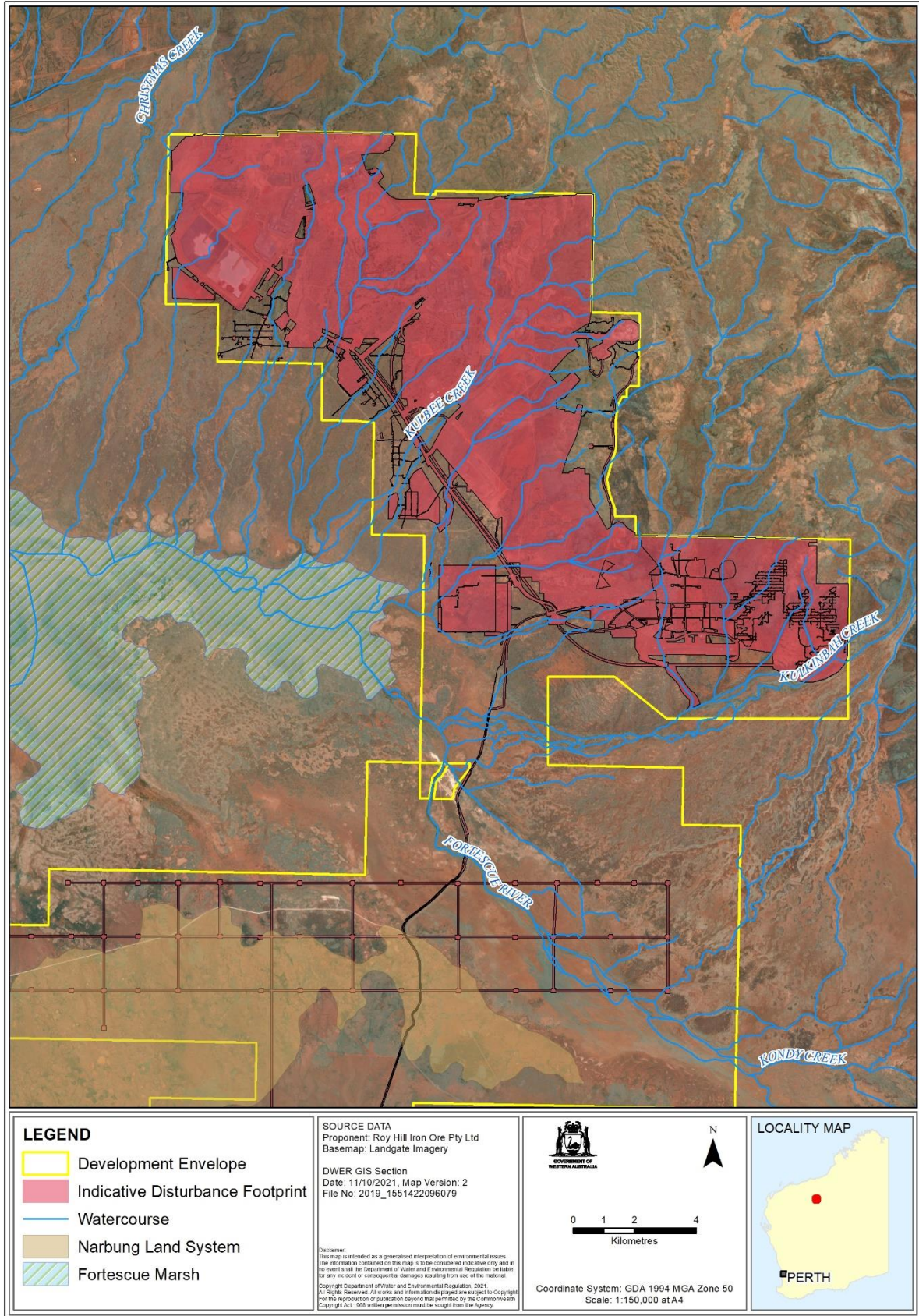


Figure 2: Indicative borefield envelopes



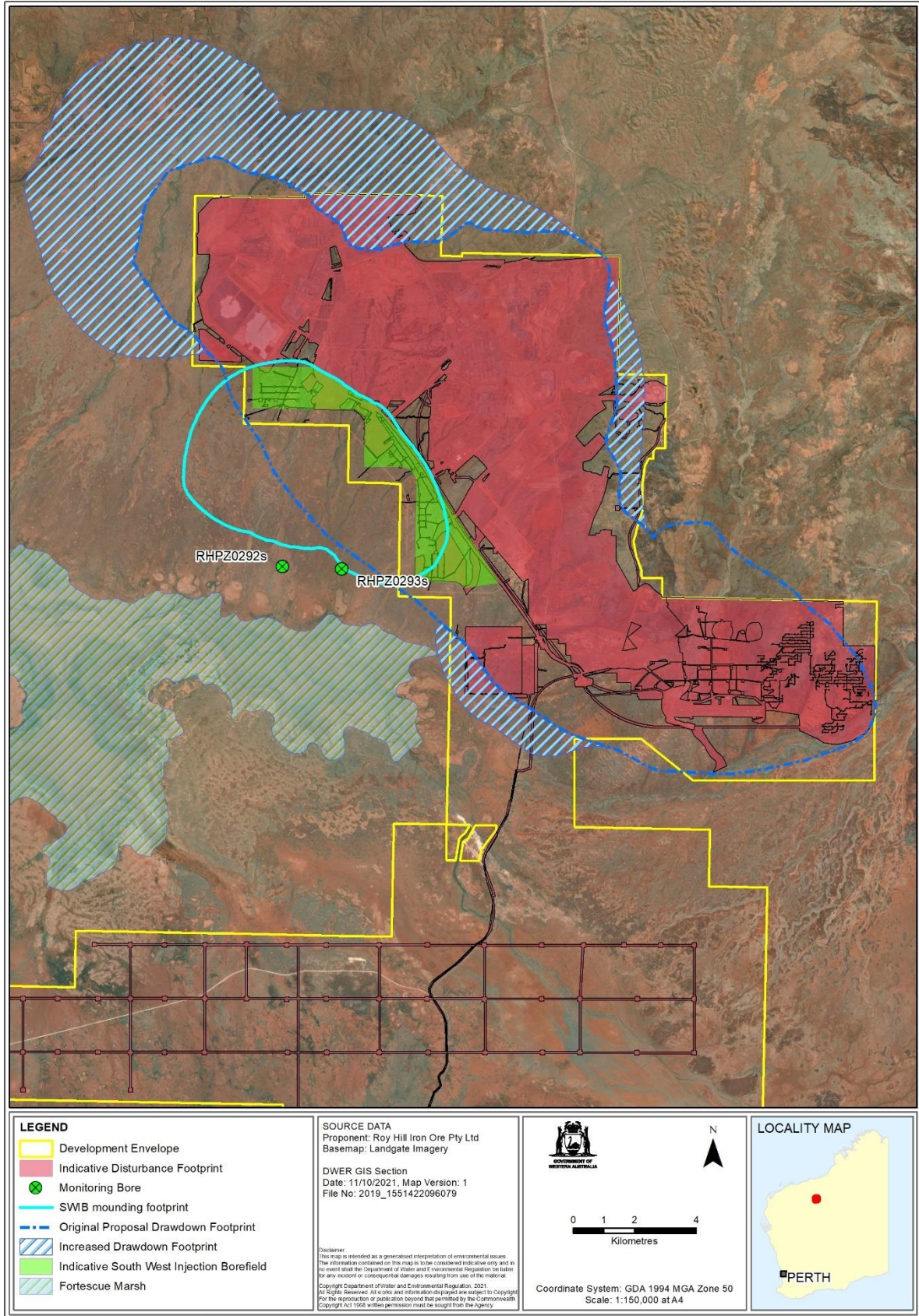
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**Figure 3: Indicative In-pit tailings storage facilities**



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**Figure 4: Drainage line (watercourse) avoidance – Evaporation pond and recharge basins**



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**Figure 5: Regional monitoring bores RHPZ0292S and RHPZ0293S**

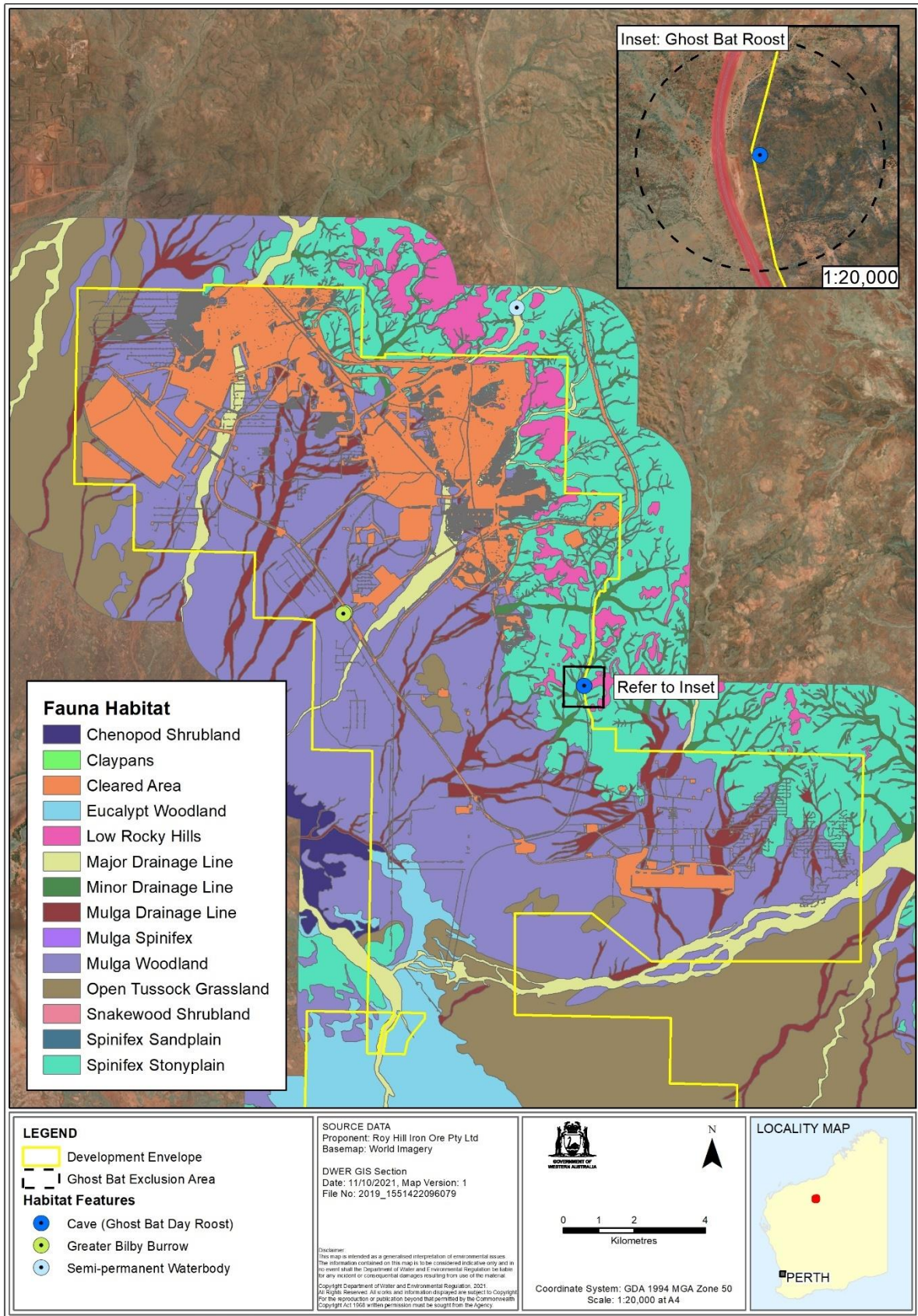


Figure 6(a): Fauna habitats (development envelope north)

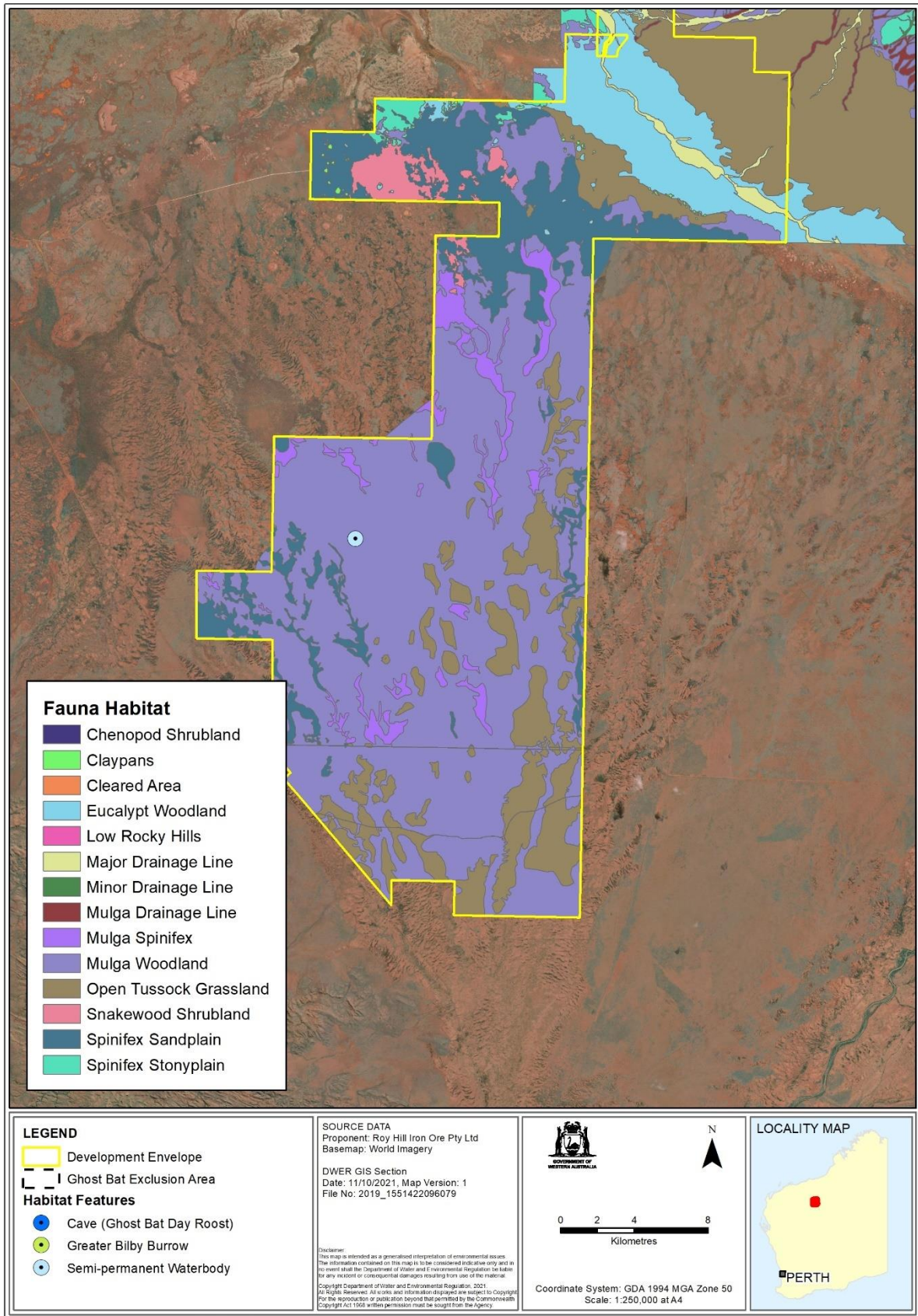
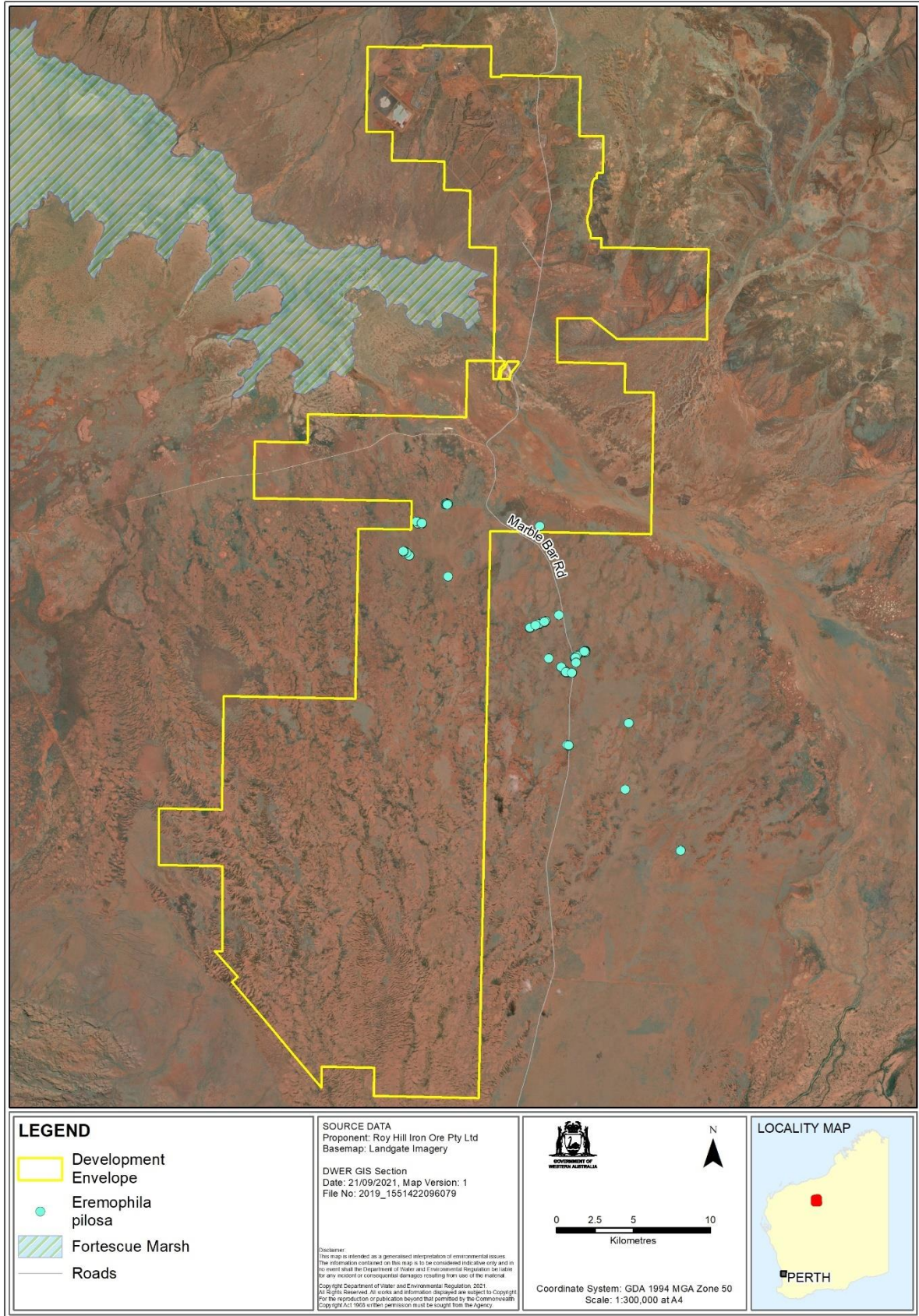


Figure 6(b): Fauna habitats (development envelope south)



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**Figure 7: Local records extent - *Eremophila pilosa***

## **Schedule 1**

All co-ordinates are in metres, listed in Map Grid of Australia Zone 51 (MGA Zone 51) datum of Geocentric Datum of Australia 1994 (GDA94)

Spatial data depicting the figures (1a to 7) in this schedule are held by the Department of Water and Environmental Regulation– [DWERDT515066]

Attachment 1 to Ministerial Statement 1189

NOTICE OF CHANGES TO IMPLEMENTATION CONDITIONS  
under section 45C(5) of the  
*Environmental Protection Act 1986*

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**Proposal:** Revised Proposal for the Roy Hill Iron Ore Mine

**Proponent:** Roy Hill Iron Ore Pty Ltd

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Pursuant to section 45C(5)(b)(i) of the *Environmental Protection Act 1986*, the implementation conditions applying to the above proposal are changed in accordance with this Notice. I consider these changes to be of a minor nature and desirable in order to correct an unintentional error in the implementation conditions.



**Prof Matthew Tonts**

CHAIR

Environmental Protection Authority

For the Minister for Environment under Notice of Delegation under section 18 of the  
*Environmental Protection Act 1986*

Approval date: 24 November 2022

1. Condition 12-3 is deleted, and replaced with:

*Condition 12-3 Calculated on the 2019-2020 financial year, the contribution rates are:*

- (1) \$1,653AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation within the Fortescue IBRA subregion;
- (2) \$781AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation within the Chichester IBRA subregion;
- (3) \$3,306AUD (excluding GST) per hectare of Priority 3 Narbung Land System PEC within the Fortescue IBRA subregion;
- (4) \$3,306AUD (excluding GST) per hectare of groundwater-dependent vegetation within the Fortescue IBRA subregion;
- (5) \$1,562AUD (excluding GST) per hectare of groundwater-dependent vegetation within the Chichester IBRA subregion;
- (6) \$3,306AUD (excluding GST) per hectare of riparian vegetation, within the Fortescue IBRA subregion;
- (7) \$3,306AUD (excluding GST) per hectare of sheet flow-dependent Mulga vegetation within the Fortescue IBRA subregion;

*(8) \$3,306AUD (excluding GST) per hectare of perennial tussock grassland vegetation within the Fortescue IBRA subregion;*

*(9) \$3,306AUD (excluding GST) per hectare of vegetation type 30 within the Fortescue IBRA subregion;*

*(10) \$3,306AUD (excluding GST) per hectare of vegetation types supporting conservation significant flora species;*

*(11) \$3,306AUD (excluding GST) per hectare of critical habitat for the northern quoll, ghost bat, Pilbara leaf-nosed Bat, Pilbara olive python, and greater bilby within the Fortescue IBRA subregion; and*

*(12) \$1,562AUD (excluding GST) per hectare of supporting habitat for the northern quoll, ghost bat, Pilbara leaf-nosed bat, Pilbara olive python, and greater bilby within the Chichester IBRA subregion.*

## Attachment 2 to Ministerial Statement 1189

Amendment to proposal and implementation conditions approved under section 45C of the *Environmental Protection Act 1986*


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This Attachment replaces the introduction and condition 1-1 of Ministerial Statement 1189.

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**Proposal:** Revised Proposal for the Roy Hill Iron Ore Mine

**Proponent:** Roy Hill Iron Ore Pty Ltd

---

**Changes:**

- Remove the total dissolved solid (TDS) limit of 50,000 mg/L for aquifer reinjection of excess mine dewater.
- Remove the TDS limit of 50,000 mg/L for dust suppression using excess mine dewater.
- Replace the introduction to reference a Proposal Content Document for the purposing of describing the approved proposal.
- Replace condition 1-1 to reflect the removal of the TDS limits.

**Table 1: Summary of the proposal**

Proposal title	Revised Proposal for the Roy Hill Iron Ore Mine
Short description	The revised proposal is to mine and process iron ore from on the southern slopes of the Chichester Range and to develop and operate associated infrastructure 110 km north of Newman in the Pilbara region of Western Australia.

---

**1. Introduction is deleted and replaced.**

The introduction of Ministerial Statement 1189 is deleted and replaced with:

Pursuant to section 45C of the *Environmental Protection Act 1986*, it has been agreed that the proposal described in the 'Proposal Content Document' dated 2 July 2024, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures.

Statements 824, 829, 979 and 980 are repealed on the date of Statement 1189.

## 2. Condition 1-1 is deleted and replaced.

Condition 1-1 of Ministerial Statement 1189 is deleted and replaced with:

- 1-1 When implementing the revised proposal, the proponent shall ensure the proposal does not exceed the following extents:

Proposal element	Location	Limitation or maximum extent
Physical elements		
Development envelope	Figures 1a and 1b	94,474 ha
Indicative disturbance footprint	Figures 1a and 1b	No more than 17,395 ha
Location of disturbance footprint	Figure 2	<p>Within the development envelope</p> <p>Not within the <b>Flora Exclusion Area</b></p> <p>Not within the <b>Ghost Bat Exclusion Area</b></p> <p>Not within the <b>Heritage Exclusion Area</b> except for the purposes of:</p> <ul style="list-style-type: none"> <li>• an access road</li> <li>• rehabilitation of existing disturbed areas</li> <li>• environmental monitoring activities</li> </ul> <p>Not within the <b>sheet flow buffer area</b> except for the purpose of South-West Injection Borefield infrastructure</p>
Location of borefields	Figure 3	Within the indicative borefield envelopes
In-pit tailings storage facilities	Figure 4	Only in the mine pits shown in Figure 3
<b>Evaporation ponds</b> and SWIB recharge basins		Avoid the drainage lines (watercourse) shown in Figure 4
Operational elements		
Depth of pits	n/a	No more than 120 m below ground level
Mine pit dewatering water volume	n/a	No more than 626 GL
<b>Excess water</b> disposal by aquifer injection and recharge basins at: <ul style="list-style-type: none"> <li>• South-West Injection borefield</li> <li>• Remote MAR borefield</li> <li>• Southern borefield</li> <li>• Stage 1 borefield</li> <li>• Mine borefield</li> </ul>	Figure 2	No more than 508 GL
<b>Excess water</b> used for dust suppression	n/a	No more than 7.4 GL
Disposal of <b>excess water</b> to evaporation ponds	n/a	No more than 540 ha
Volume of water supply from Southern Borefield	n/a	No more than 150 GL
Timing elements		
Mine Life	n/a	Ends 30 June 2032

A handwritten signature in black ink, appearing to read 'Lee McIntosh', with a stylized, cursive script.

**Ms Lee McIntosh**  
DEPUTY CHAIR  
Environmental Protection Authority  
under delegated authority

2 July 2024

## Attachment 3 to Ministerial Statement 1189

Amendment to proposal and implementation conditions approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces the proposal description, condition 1-1, condition 10, and Schedule 1 of Ministerial Statement 1189.

**Proposal: Revised Proposal for the Roy Hill Iron Ore Mine**

**Proponent: Roy Hill Iron Ore Pty Ltd**

**Changes:**

- Replace the proposal description to allow integration of externally sourced ore integration.
- Minor expansion of the development envelope to include miscellaneous tenement L46/129.
- Expansion of the Southwest Injection Borefield (SWIB) extent.
- Include an additional in-pit tailings storage facility (IPTSF) within the Delta 2 pit.
- Administrative change to remove the use of 'indicative' from condition 1-1 and Figures 3 and 4.
- Administrative change to correct the maximum extent of excess water used for dust suppression to 'no more than 7.4 GL per annum'.
- Change the purpose of the access road connecting to the Marble Bar Road to a haul road. Replace condition 1-1 and condition 10 to reflect this change.

**Table 1: Summary of the proposal.**

Proposal title	Revised Proposal for the Roy Hill Iron Ore Mine
Short description	The revised proposal is to mine and process iron ore <b>from on the southern slopes of the Chichester Range</b> and to develop and operate associated infrastructure 110 km north of Newman in the Pilbara region of Western Australia

Note: Text in **bold** in Table 1 indicates a change to the proposal.

**1. Proposal description is deleted and replaced.**

The proposal description of Ministerial Statement 1189 is deleted and replaced with:

**Proposal:**

The revised proposal is to mine and process Iron Ore and to develop and operate associated infrastructure 110 km north of Newman in the Pilbara region of Western Australia.

**2. Condition 1-1 is deleted and replaced.**

Condition 1-1 of Ministerial Statement 1189 is deleted and replaced with:

1-1 When implementing the revised proposal, the proponent shall ensure the proposal does not exceed the following extents:

Proposal element	Location	Limitation or maximum extent
Physical elements		
Development envelope	Figures 1a and 1b	94,474 ha
Disturbance footprint	Figures 1a and 1b	17,402 ha
Location of disturbance footprint	Figure 2	<p>Within the development envelope            Not within the <b>Flora Exclusion Area</b>            Not within the <b>Ghost Bat Exclusion Area</b>            Not within the <b>Heritage Exclusion Area</b> except for the purposes of:</p> <ul style="list-style-type: none"> <li>• a haul road</li> <li>• rehabilitation of existing disturbed areas</li> <li>• environmental monitoring activities</li> </ul> <p>Not within the <b>sheet flow buffer area</b> except for the purpose of South-West Injection Borefield infrastructure</p>
Location of borefields	Figure 3	Within the borefield envelopes
In-pit tailings storage facilities	Figure 4	Only in the mine pits shown in Figure 3
<b>Evaporation ponds</b> and SWIB recharge basins		Avoid the drainage lines (watercourse) shown in Figure 4
Operational elements		
Depth of pits	n/a	No more than 120 m below ground level
Mine pit dewatering water volume	n/a	No more than 626 GL
<b>Excess water</b> disposal by aquifer injection and recharge basins at: <ul style="list-style-type: none"> <li>• South-West Injection borefield</li> <li>• Remote MAR borefield</li> <li>• Southern borefield</li> <li>• Stage 1 borefield</li> <li>• Mine borefield</li> </ul>	Figure 2	No more than 508 GL
<b>Excess water</b> used for dust suppression	n/a	No more than 7.4 GL per annum
Disposal of <b>excess water</b> to evaporation ponds	n/a	No more than 540 ha
Volume of water supply from Southern Borefield	n/a	No more than 150 GL

Timing elements		
Mine Life	n/a	Ends 30 June 2032

Note: Text in **bold** in Table 2 indicates an abbreviation or definition described in MS 1189.

### 3. Condition 10 is deleted and replaced

Condition 10 of Ministerial Statement 1189 is deleted and replaced with:

#### 10 Heritage Exclusion Area Haul Road

10-1 In constructing the haul road within the Heritage Exclusion Area, the proponent shall meet the following environmental objectives:

- (1) social, cultural, heritage, and archaeological values within and adjacent to the Heritage Exclusion Area have been avoided, if possible, or the impact on these values otherwise minimised;
- (2) impacts to the flora species *Triodia veniciae* in the Heritage Exclusion Area have been avoided, if possible, or minimised;
- (3) impacts to the following terrestrial fauna habitats in the Heritage Exclusion Area have been avoided, if possible, or minimised:
  - (a) Low rocky hills, Spinifex stony plain and Major and minor drainage lines; and
- (4) any residual impacts to the values in conditions 10-1(1), (2) and (3) are not significant.

10-2 Prior to commencing any ground disturbing activities within the Heritage Exclusion Area to demonstrate that the environmental objectives in condition 10-1(1) will be met, the proponent shall provide a report to the CEO demonstrating:

- (1) consultation with the Nyiyaparli People about:
  - (a) social, cultural, heritage, and archaeological values within and adjacent to the Heritage Exclusion Area;
  - (b) the purpose of the road and the reasons construction of a road through the Heritage Exclusion Area cannot be avoided;
  - (c) the extent of the road, the road corridor and infrastructure associated with the road including but not necessarily limited to drainage infrastructure;
  - (d) alternative options for siting the road;
  - (e) how the options perform in terms of avoiding and minimising direct and project attributable indirect impacts to the values in condition 10-1(1); and

- (f) the Nyiyaparli People's preference(s) for siting the road to avoid, where possible, and minimise direct and project attributable indirect impacts.
- 10-3 The proponent shall not commence ground disturbing activities in the Heritage Exclusion Area for the purpose of a haul road until the report in condition 10-2 has been approved by the CEO.
- 10-4 The proponent shall not construct a haul road in the Heritage Exclusion Area other than in accordance with the final proposed haul road disturbance footprint that the report in condition 10-2 has been approved by the CEO.

### Schedule 1

Spatial data defining the figures are held by the Department of Water and Environmental Regulation (Document Reference Number: DWER-801164602-382034).

All co-ordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 2020 (GDA20).

#### Figures (attached)

- Figure 1a: Development envelope (north)  
Figure 1b: Development envelope (south)  
Figure 2: Borefield envelopes  
Figure 3: In-pit tailings storage facilities  
Figure 4: Drainage line (watercourse) avoidance – evaporation pond and recharge basins  
Figure 5: Regional monitoring bores RHPZ0292S and RHPZ0293S  
Figure 6a: Fauna habitats (development envelope north)  
Figure 6b: Fauna habitats (development envelope south)  
Figure 7: Local records extent - *Eremophila pilosa*



**Darren Walsh**  
CHAIR  
Environmental Protection Authority  
under delegated authority

Approval date: 07 May 2025

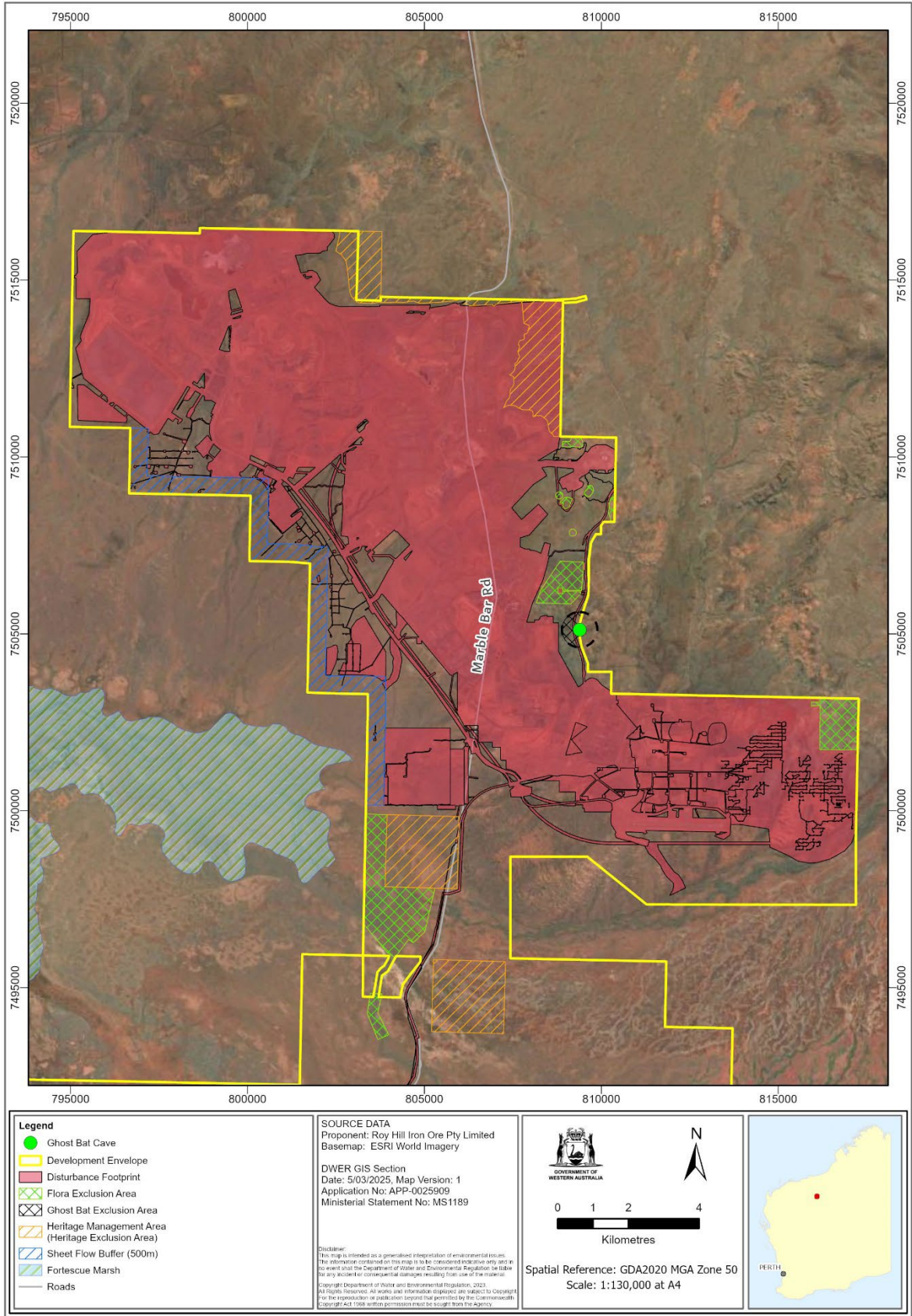


Figure 1a: Development envelope (north)

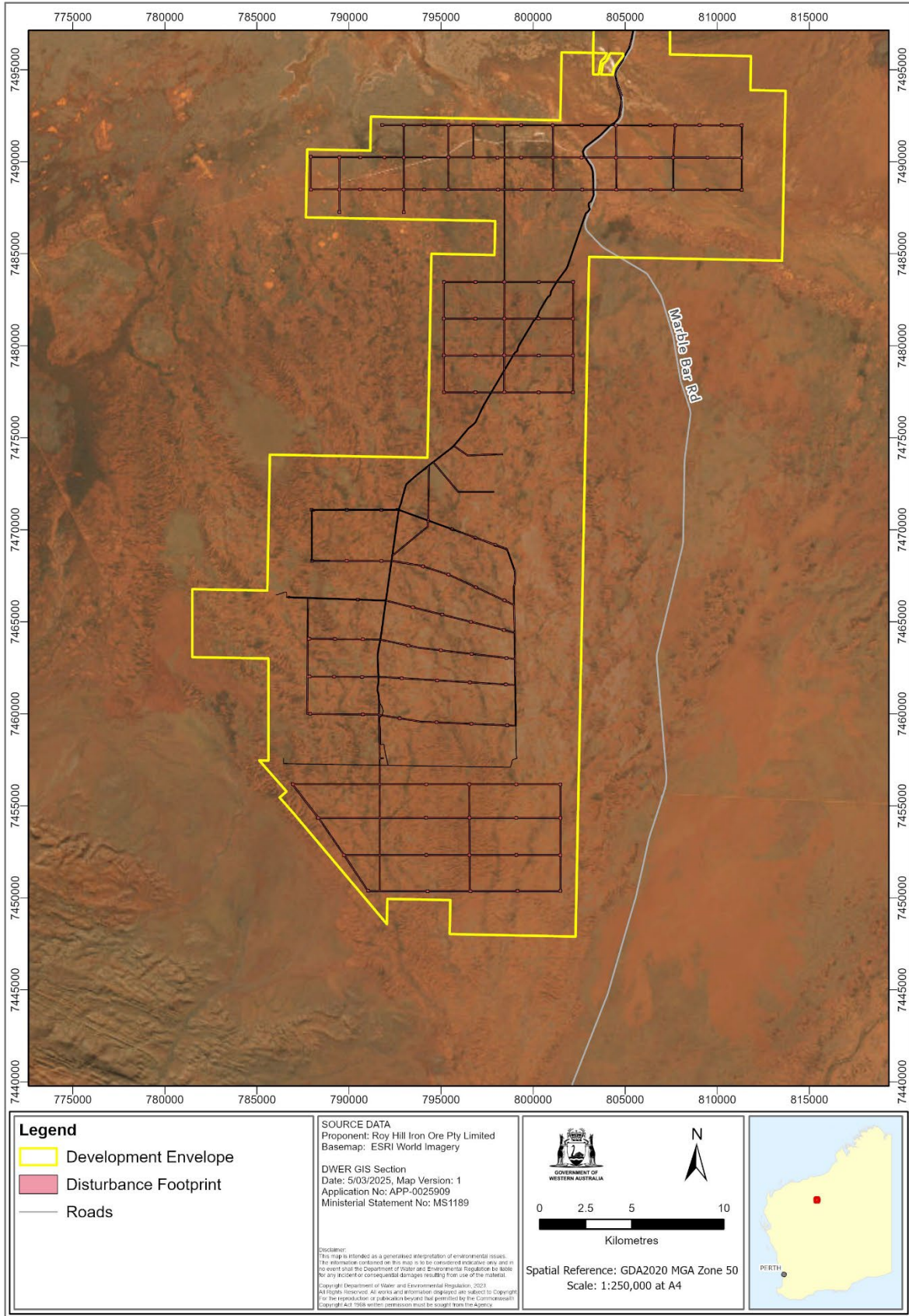


Figure 1b: Development envelope (south)

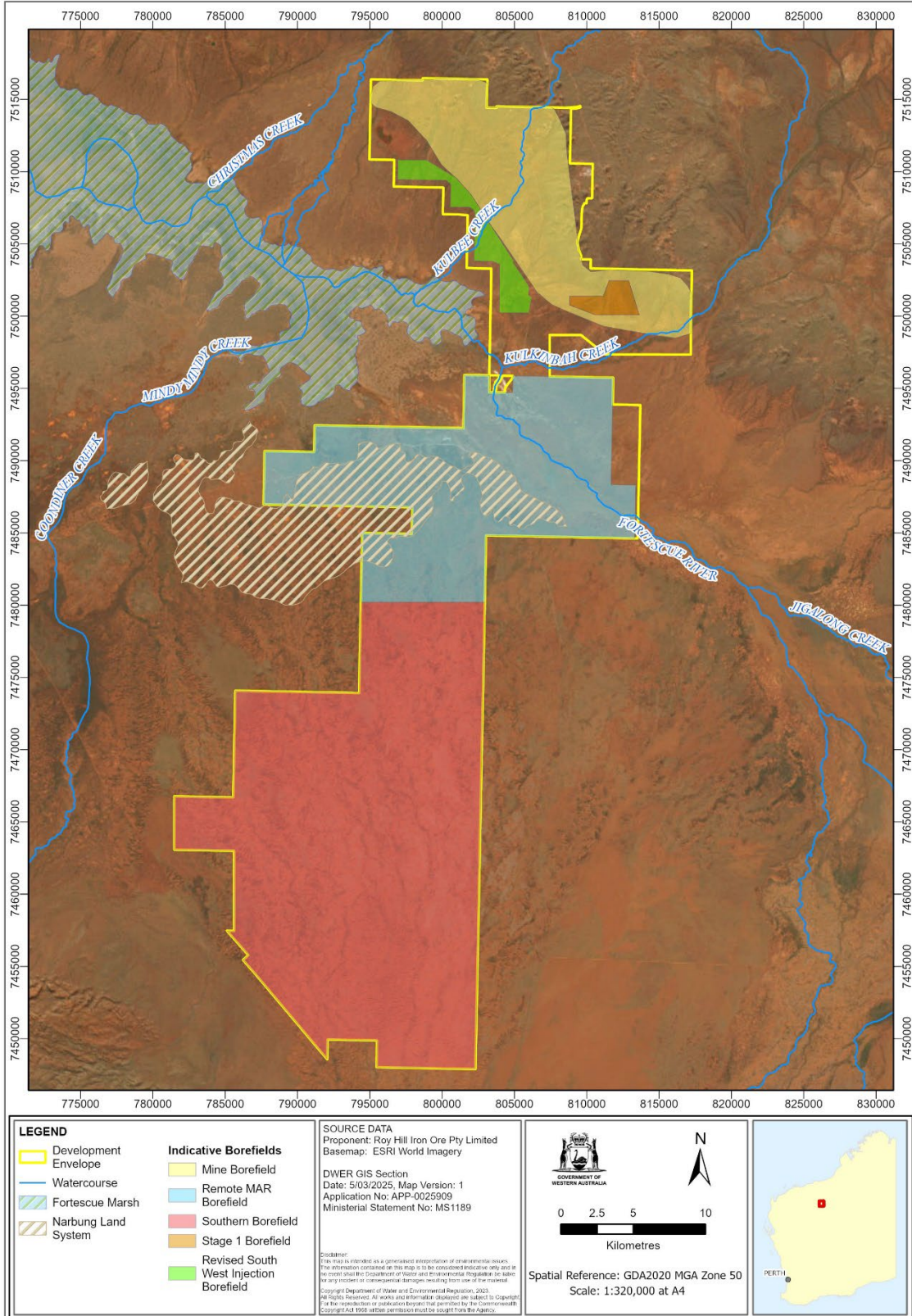


Figure 2: Borefield envelopes

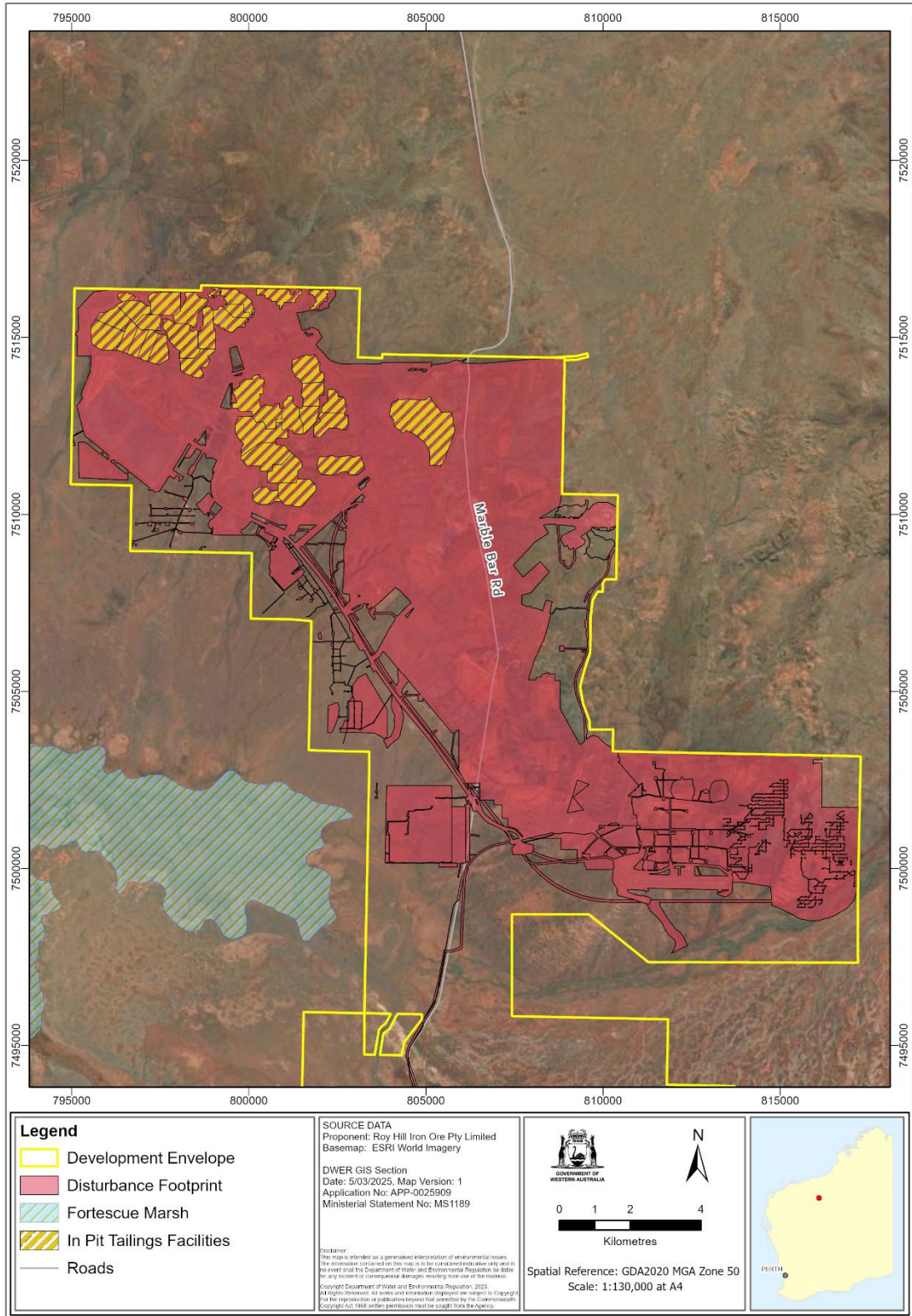


Figure 3: In-pit tailings storage facilities

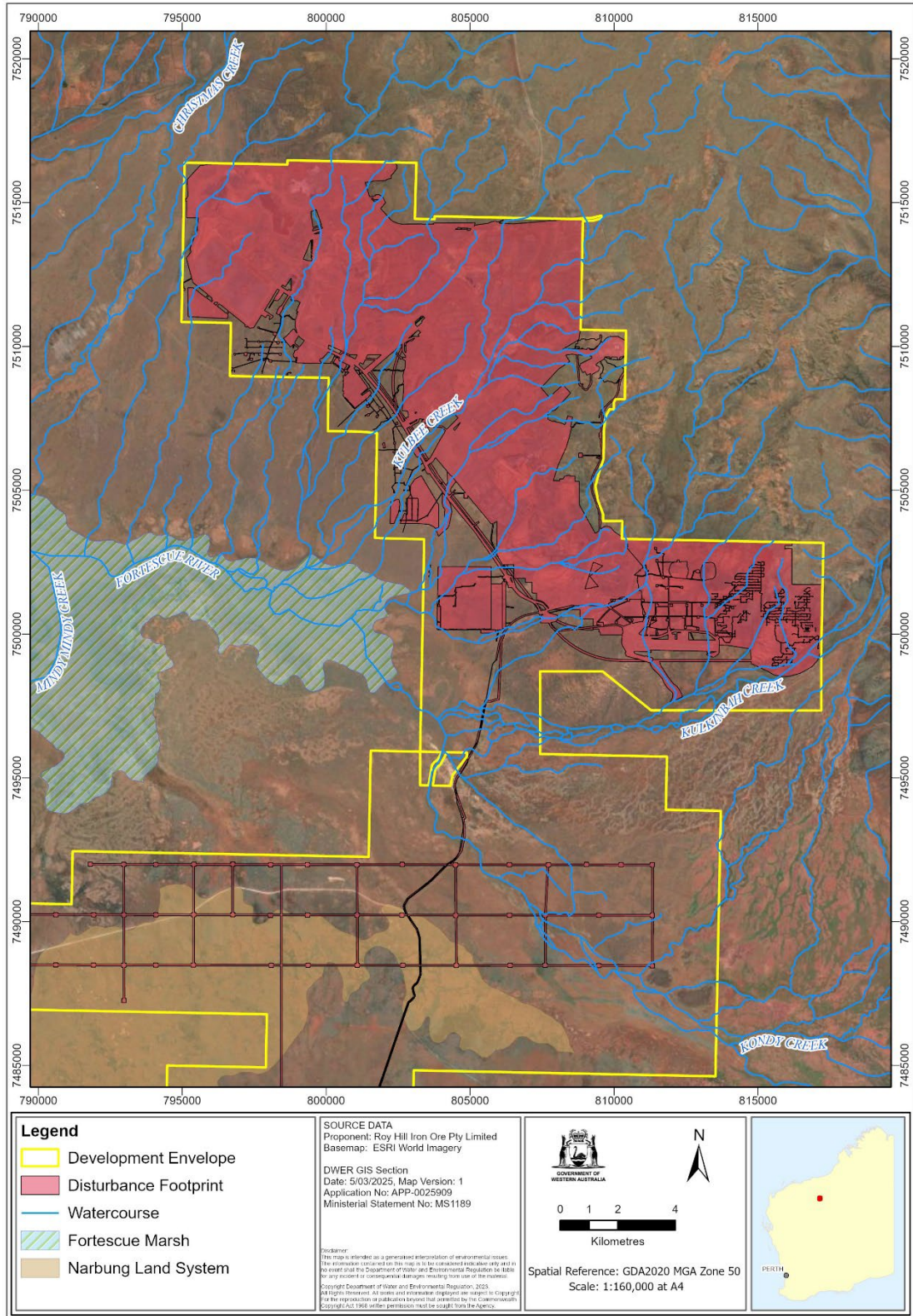


Figure 4: Drainage line (watercourse) avoidance – evaporation pond and recharge basins

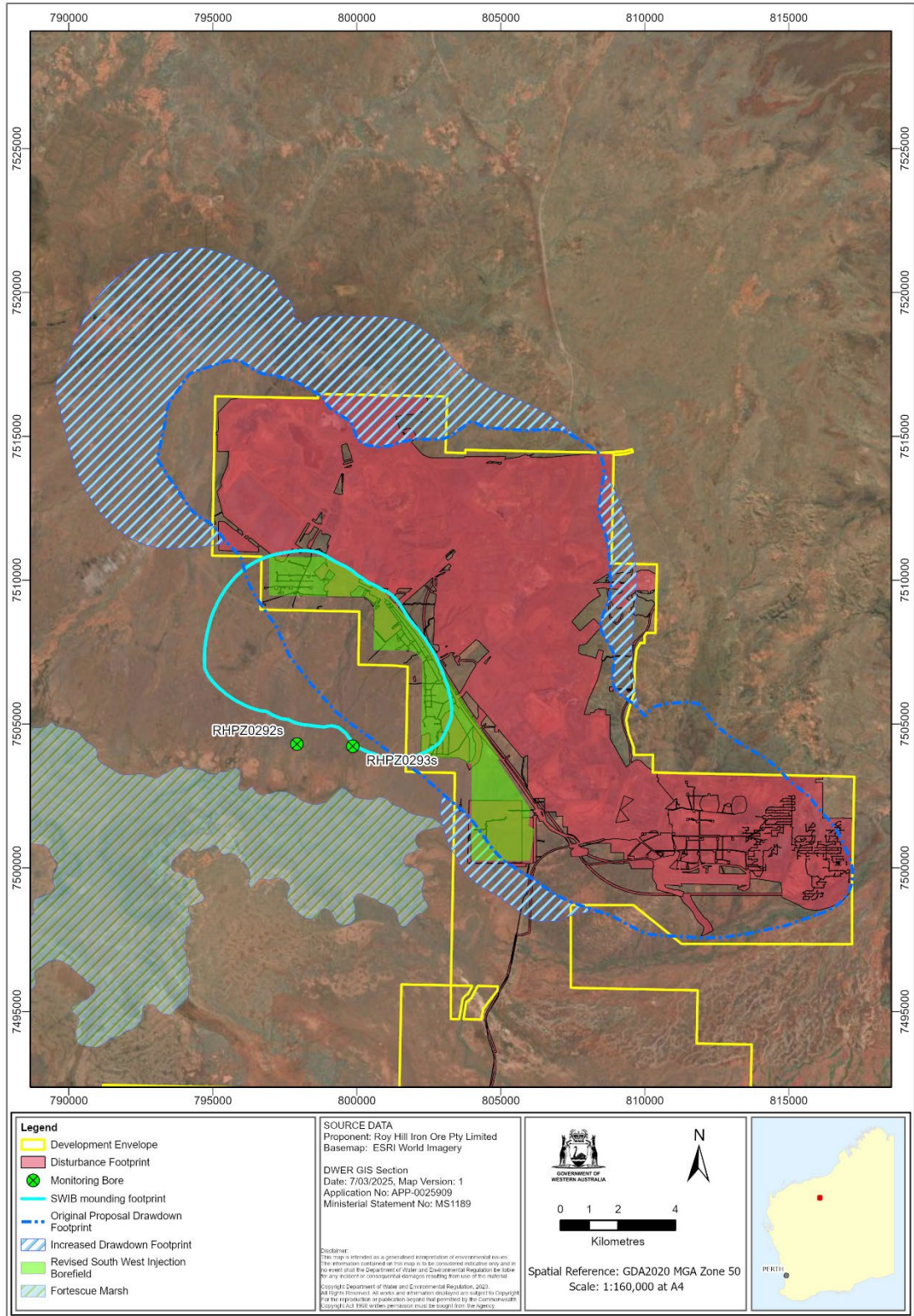


Figure 5: Regional monitoring bores RHPZ0292s and RHPZ0293s

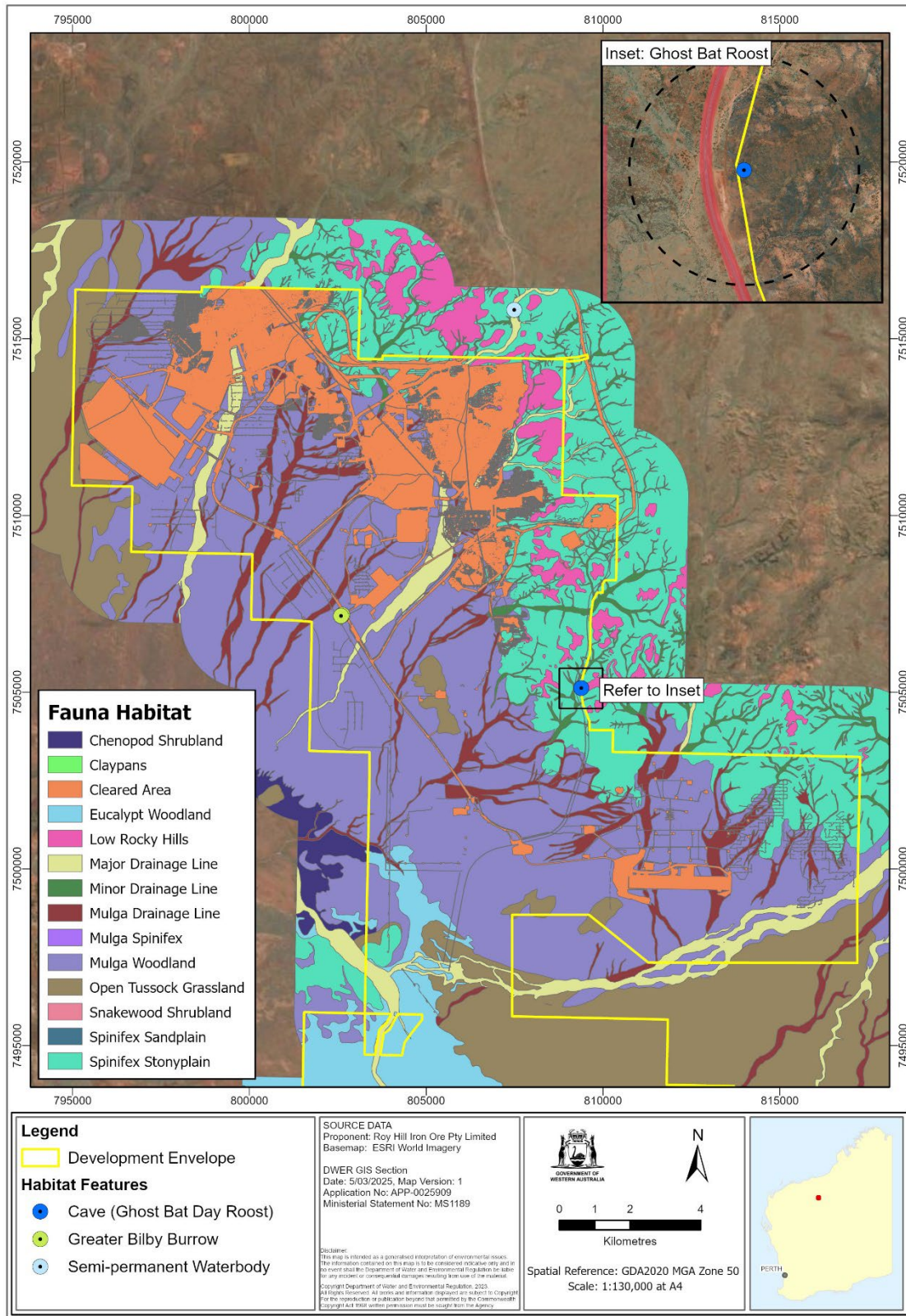
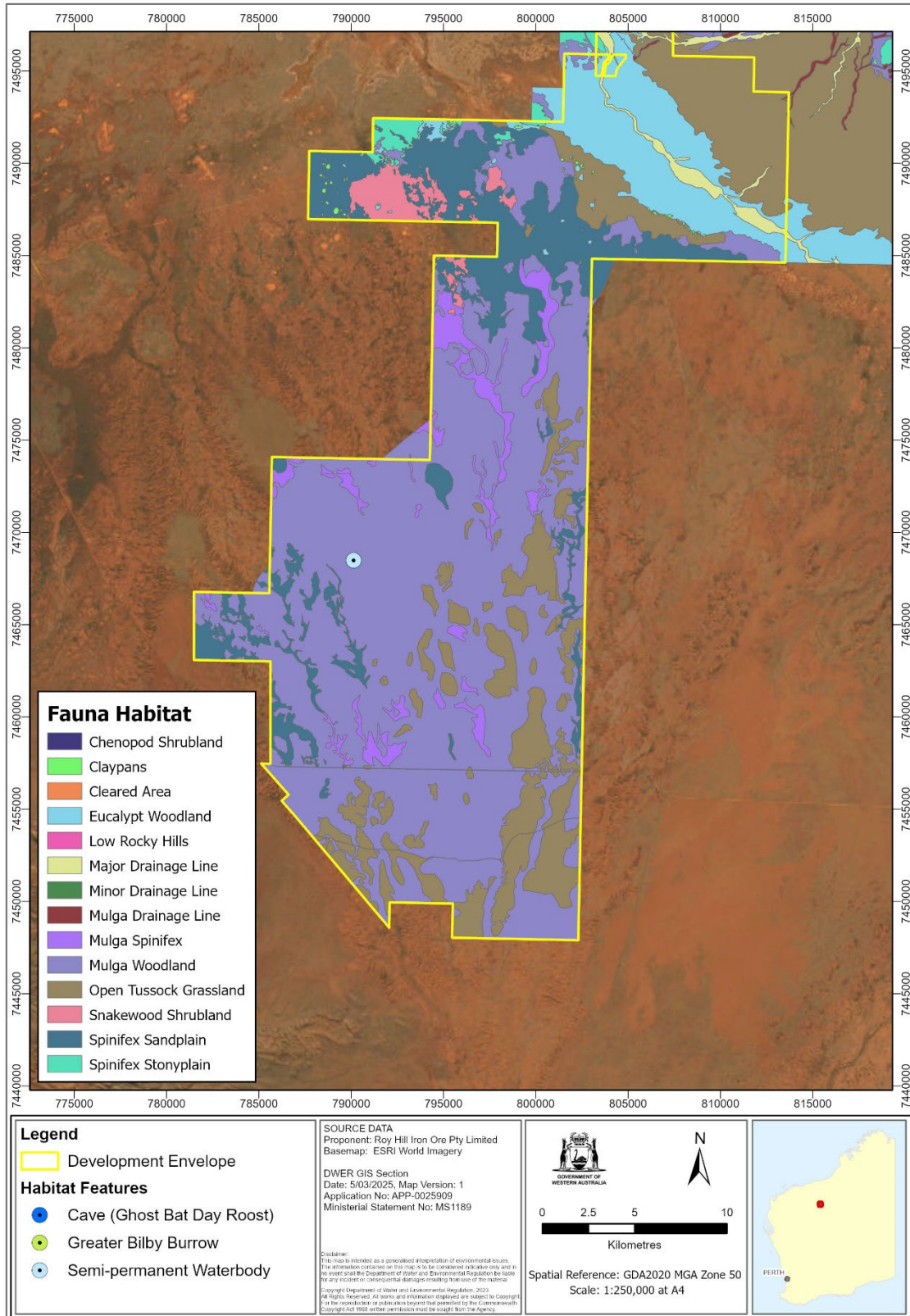


Figure 6a: Fauna habitats (development envelope north)



Page 5:

Figure 6b: Fauna habitats (development envelope south)

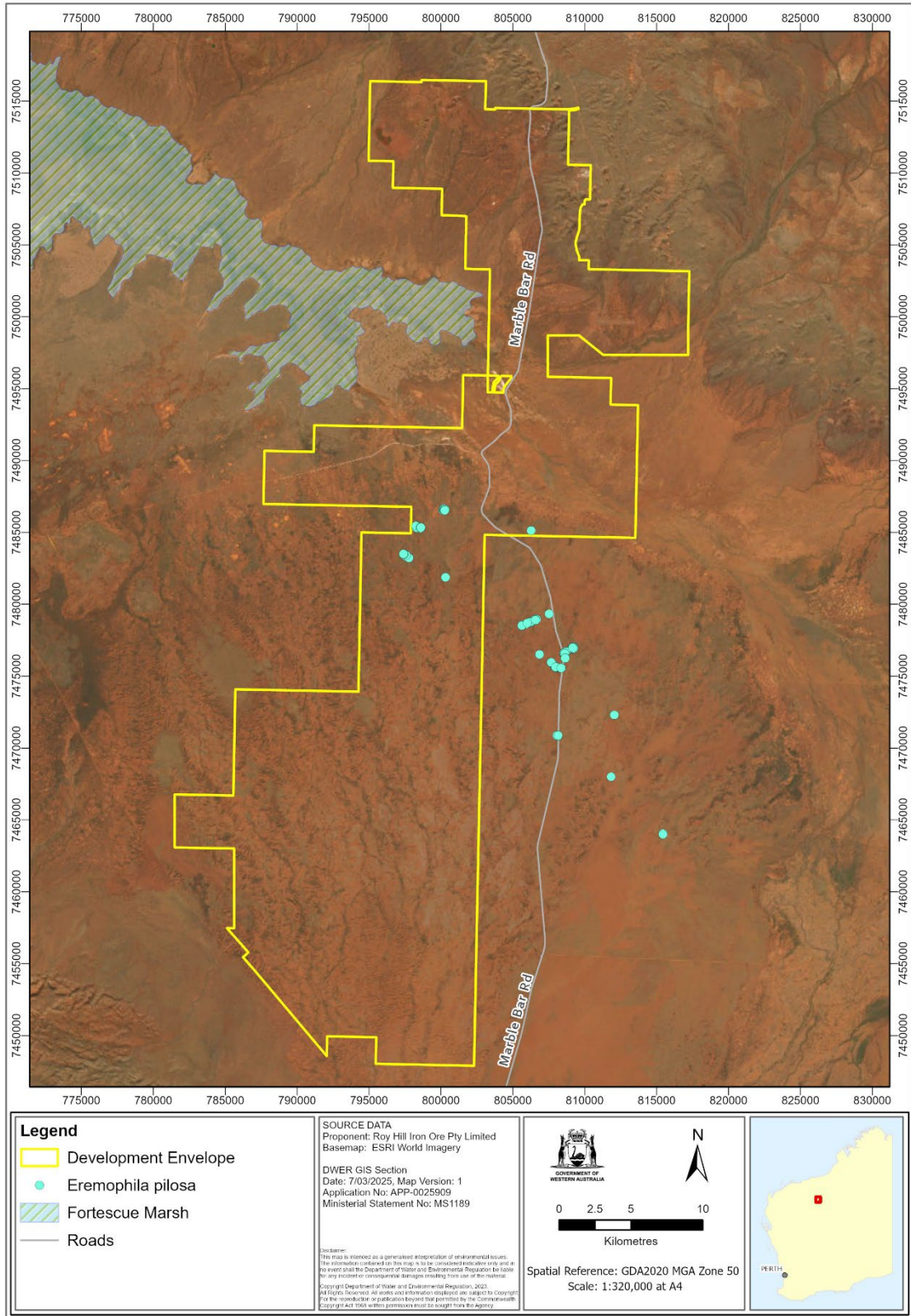


Figure 7: Local records extent - *Eremophila pilosa*

## Attachment 4 to Ministerial Statement 1189

Amendment to the implementation conditions approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces the condition 1-1 of Ministerial Statement 1189.

**Proposal: Revised Proposal for the Roy Hill Iron Ore Mine**

**Proponent: Roy Hill Iron Ore Pty Ltd**

**Changes:**

- Administrative change to correct a clerical error in the development envelope and disturbance footprint extents in condition 1-1.

**1. Condition 1-1 is deleted and replaced.**

Condition 1-1 of Ministerial Statement 1189 is deleted and replaced with:

1-1 When implementing the revised proposal, the proponent shall ensure the proposal does not exceed the following extents:

Proposal element	Location	Limitation or maximum extent
Physical elements		
Development envelope	Figures 1a and 1b	94,481.2 ha
Disturbance footprint	Figures 1a and 1b	17,395 ha
Location of disturbance footprint	Figure 2	<p>Within the development envelope</p> <p>Not within the <b>Flora Exclusion Area</b></p> <p>Not within the <b>Ghost Bat Exclusion Area</b></p> <p>Not within the <b>Heritage Exclusion Area</b> except for the purposes of:</p> <ul style="list-style-type: none"> <li>• a haul road</li> <li>• rehabilitation of existing disturbed areas</li> <li>• environmental monitoring activities</li> </ul> <p>Not within the <b>sheet flow buffer area</b> except for the purpose of South-West Injection Borefield infrastructure</p>
Location of borefields	Figure 3	Within the borefield envelopes
In-pit tailings storage facilities	Figure 4	Only in the mine pits shown in Figure 3
<b>Evaporation ponds</b> and SWIB recharge basins		Avoid the drainage lines (watercourse) shown in Figure 4
Operational elements		

Depth of pits	n/a	No more than 120 m below ground level
Mine pit dewatering water volume	n/a	No more than 626 GL
<b>Excess water</b> disposal by aquifer injection and recharge basins at: <ul style="list-style-type: none"> <li>• South-West Injection borefield</li> <li>• Remote MAR borefield</li> <li>• Southern borefield</li> <li>• Stage 1 borefield</li> <li>• Mine borefield</li> </ul>	Figure 2	No more than 508 GL
<b>Excess water</b> used for dust suppression	n/a	No more than 7.4 GL per annum
Disposal of <b>excess water</b> to evaporation ponds	n/a	No more than 540 ha
Volume of water supply from Southern Borefield	n/a	No more than 150 GL
Timing elements		
Mine Life	n/a	Ends 30 June 2032

Note: Text in **bold** in Table 2 indicates an abbreviation or definition described in MS 1189.



**Darren Walsh**  
CHAIR  
Environmental Protection Authority  
under delegated authority

Approval date: 28 August 2025

## Attachment 5 to Ministerial Statement 1189

### Amendment to proposal approved under section 45C of the *Environmental Protection Act 1986*

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This Attachment replaces Condition 12 and Attachment 1 of Ministerial Statement 1189

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**Proposal:** Revised Proposal for the Roy Hill Iron Ore Mine

**Proponent:** Roy Hill Iron Ore Pty Ltd

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#### **Changes:**

- Administrative change to condition 12-3, to amend a clerical error and capture PEOF contributions for the night parrot, as specified in condition 12-1(9).
- Administrative change to condition 12-9, for grammatical accuracy to ensure clarity.

#### **1. Condition 12 is deleted and replaced.**

Condition 12 is deleted and replaced with:

#### **12 Offsets**

12-1 The proponent shall contribute funds to the **Pilbara Environmental Offsets Fund** calculated pursuant to condition 12-2, to counterbalance the significant residual impacts to:

- (1) 'Good' to 'Excellent' condition native vegetation;
- (2) Priority 3 **PEC** – Narbung Land System;
- (3) Groundwater-dependent vegetation;
- (4) Riparian vegetation;
- (5) Sheet flow dependent Mulga;
- (6) Perennial tussock grassland vegetation;
- (7) Vegetation Type 30 (resembles the Narbung Land System PEC description);
- (8) Vegetation supporting **conservation significant flora species**; and
- (9) critical habitat for the northern quoll, ghost bat, Pilbara olive python, night parrot and greater bilby.

- 12-2 The proponent's provisional contribution to the **Pilbara Environmental Offsets Fund** shall be paid after the conclusion of the biennial reporting period specified in conditions 12-6(4) and 12-6(5), with the provisional amount to be contributed calculated based on the **clearing** undertaken during that biennial reporting period in accordance with the highest applicable rate specified in condition 12-3 for the relevant type of vegetation.
- 12-3 Calculated on the 2019–2020 financial year, the contribution rates are:
- (1) \$1,653 AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation within the Fortescue IBRA subregion;
  - (2) \$781 AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation within the Chichester IBRA subregion;
  - (3) \$3,306 AUD (excluding GST) per hectare of Priority 3 Narbung Land System **PEC** within the Fortescue IBRA subregion;
  - (4) \$3,306 (excluding GST) per hectare of groundwater-dependent vegetation within the Fortescue IBRA subregion;
  - (5) \$1,562AUD (excluding GST) per hectare of groundwater-dependent vegetation within the Chichester IBRA subregion;
  - (6) \$3,306 AUD (excluding GST) per hectare of riparian vegetation, within the Fortescue IBRA subregion;
  - (7) \$3,306AUD (excluding GST) per hectare of sheet flow-dependent Mulga vegetation within the Fortescue IBRA subregion;
  - (8) \$3,306AUD (excluding GST) per hectare of perennial tussock grassland vegetation within the Fortescue IBRA subregion;
  - (9) \$3,306AUD (excluding GST) per hectare of vegetation type 30 within the Fortescue IBRA subregion;
  - (10) \$3,306AUD (excluding GST) per hectare of vegetation types supporting **conservation significant flora species**;
  - (11) \$3,306AUD (excluding GST) per hectare of critical habitat for the northern quoll, ghost bat, Pilbara olive python, night parrot, Pilbara leaf-nosed Bat, and greater bilby within the Fortescue IBRA subregion; and
  - (12) \$1,653AUD (excluding GST) per hectare of supporting habitat for the northern quoll, ghost bat, Pilbara olive python, night parrot, Pilbara leaf-nosed Bat, and greater bilby within the Chichester IBRA subregion.

- 12-4 The rates in condition 12-3 change annually each subsequent financial year in accordance with the percentage change in the **CPI** applicable to that financial year.
- 12-5 Where offsets are required for an area of land under any of the parts of condition 12-3 that is also subject to offsets under one of more other parts of condition 12-3, the higher amount shall apply.
- 12-6 The proponent must prepare and submit a Roy Hill Impact Reconciliation Procedure to the CEO prior to **clearing** exceeding the extent of the **original authorised proposal**. This procedure shall:
- (1) spatially define the environmental value(s) identified in condition 12-1;
  - (2) spatially define the areas in respect of which offsets required by condition 12-1 are to be calculated;
  - (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 12-1;
  - (4) state that clearing calculation for the first biennial reporting period will commence from the first date of **clearing** in accordance with condition 12-2 and end on the second 30 June following the commencement of **clearing** that exceeds the extent of the **original authorised proposal**;
  - (5) 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;
  - (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).
- 12-7 The proponent must not commence **clearing** exceeding the extent of the **original authorised proposal** until the CEO has confirmed by notice in writing that the **Confirmed** Impact Reconciliation Procedure satisfies the requirements of condition 12-6.
- 12-8 The proponent:
- (1) may review and revise the **Confirmed** Impact Reconciliation Procedure;  
or

- (2) shall review and revise the **Confirmed** Impact Reconciliation Procedure as and when directed by the CEO by a notice in writing.

12-9 The proponent shall submit Impact Reconciliation Reports in accordance with the **Confirmed** Impact Reconciliation Procedure confirmed by the CEO under condition 12-7.

12-10 Despite payment of the provisional contribution, the proponent's liability to make a contribution under this condition shall be finally determined:

- (1) by the Minister upon application by the proponent in writing to the Minister to reduce in part or whole the proponent's liability under this condition where:
  - (a) 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; and/or
  - (b) the payment is made for the purpose of counterbalancing impacts of the proposal on matters of national environmental significance identified in condition 12-1; or
- (2) to be equivalent to the provisional contribution if no application of the kind described in condition 12-10(1) is made within 12 months of the conclusion of the relevant biennial reporting period.

*Note: Text in **bold** in Condition 12 indicates an abbreviation or definition described in MS 1189.*



**Darren Walsh**  
CHAIR  
Environmental Protection Authority  
under delegated authority

Approval date: 02 December 2025