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Published on: 6 May 2020

Statement No. 1133

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

YILGARN OPERATIONS, KOOLYANOBBING RANGE F DEPOSIT

Proposal: To mine iron ore and construct mine infrastructure at the F Deposit area, located on the southern Koolyanobbing Range, approximately 50 kilometres north-east of the town of Southern Cross.

Proponent: Yilgarn Iron Pty Ltd
Australian Company Number 626 035 078

Proponent Address: 1 Sleet Road
APPLECROSS WA 6153

Assessment Number: 2198

Report of the Environmental Protection Authority: 1660

Previous Assessment Number: 2023

Previous Report Number: 1581

Preceding Statement/s Relating to this Proposal: 1054

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. 1054, be changed as specified in this Statement.

Condition 6-1 of Ministerial Statement 1054 is deleted and replaced with:

6 Flora and Vegetation Management

6-1 Within three (3) months of any ground-disturbing activities within the Stage 2 mining area as shown in Figure 3 in Schedule 1 of Ministerial Statement 1054, the proponent shall update and submit a revised Condition Environmental Management Plan to the satisfaction of the CEO, on advice of the Department of Biodiversity, Conservation and Attractions, to demonstrate that the following **environmental outcomes** will be met:

- (1) no adverse effects on priority flora and vegetation, outside the Stage 1 and 2 development envelopes attributable to the implementation of the proposal;
- (2) no adverse effects on greater than 261 *Tetratheca erubescens* plants attributable to implementation of Stage 1; and
- (3) no adverse effects on greater than 652 *Tetratheca erubescens* plants attributable to implementation of Stage 2.

Condition 8-2 of Ministerial Statement 1054 is deleted and replaced with:

8 Stage 1 Offsets

8-2 Within three (3) months of any ground-disturbing activities within the Stage 2 mining area as shown in Figure 3 of Schedule 1 of Ministerial Statement 1054, the proponent shall update and submit a revised Stage 1 *Tetratheca erubescens* Offset Plan to the satisfaction of the CEO on advice of the Department of Biodiversity, Conservation and Attractions, as described in condition 8-3 to the CEO.

The objectives of the Stage 1 *Tetratheca erubescens* Offset Plan are to:

- (1) determine the methods to support translocation of *Tetratheca erubescens*; and
- (2) ensure a self-sustaining population of mature individuals of *Tetratheca erubescens* equivalent to those that have been impacted through implementation of Stage 1 on a landform that is suitable for the species.

Condition 9 of Ministerial Statement 1054 is deleted.

Condition 10-2 of Ministerial Statement 1054 is deleted and replaced with:

10 Stage 2 Offsets

- 10-2 Within three (3) months of any ground-disturbing activities within the Stage 2 mining area as shown in Figure 3 in Schedule 1 of Ministerial Statement 1054, the proponent shall prepare and submit a Stage 2 *Tetratheca erubescens* Offset Plan, using the research and findings from the Stage 1 *Tetratheca erubescens* Offset Plan required under condition 8-2, to the satisfaction of the CEO on advice of the Department of Biodiversity, Conservation and Attractions, as described in condition 10-3 to the CEO.

The objective of the Stage 2 *Tetratheca erubescens* Offset Plan as defined in Table 3 in Schedule 1 of Ministerial Statement 1054 is to:

- (1) ensure a self-sustaining population of mature individuals of *Tetratheca erubescens* equivalent to those that have been impacted through implementation of Stage 2 on a landform that is suitable for the species.

Condition 12 is added:

12 Offset – *Tetratheca erubescens*

- 12-1 The proponent shall fund and undertake an offset for *Tetratheca erubescens* with the objective to maintain and protect the species from external threats as far as practicable. The amount of funding required shall be a minimum contribution of \$500,000.
- 12-2 Within twelve (12) months of the date of this Statement, or as otherwise agreed in writing by the CEO, the proponent shall prepare and submit to the CEO a *Tetratheca erubescens* Conservation Plan, for the offset required by condition 12-1, which identifies on-ground conservation projects and research projects to be undertaken that contribute to long-term conservation outcomes for the species. The plan shall be to the satisfaction of the CEO on advice of the Department of Biodiversity, Conservation and Attractions.
- 12-3 The *Tetratheca erubescens* Conservation Plan shall include, but not be limited to:
- (1) details on how the proposed on-ground conservation projects contribute to a long-term conservation outcome for *Tetratheca erubescens*;
 - (2) details on how the proposed research projects contribute to a long-term conservation outcome for *Tetratheca erubescens* and more broadly to *Tetratheca* species in the Yilgarn region;
 - (3) an outline of the agreed governance arrangements – including agreed stakeholder responsibilities for implementing the projects, and any contractual arrangements for third parties involved and legal obligations; and

- (4) details of the financial and financial auditing arrangements including project budget and recipients of funds if projects are being undertaken by any third parties.
- 12-4 Within six (6) months of receiving notice in writing from the CEO that the *Tetratheca erubescens* Conservation Plan satisfies the requirements of conditions 12-1 to 12-3, the proponent shall commence the implementation of the conservation plan.
- 12-5 Any changes to the *Tetratheca erubescens* Conservation Plan must be approved by the CEO in writing.
- 12-6 The proponent shall implement the latest revision of the *Tetratheca erubescens* Conservation Plan which the CEO has confirmed by notice in writing satisfies the requirements of conditions 12-1 to 12-3.

[signed on 6 May 2020]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT