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Published on: 22 August 2013

Statement No. 947

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

Turee Syncline Iron Ore Project

Proposal: The proposal is to develop an open-cut iron ore mine and associated infrastructure at the Turee Syncline deposit, located approximately 30 kilometres north-east of Paraburdoo.

The Proposal is further documented in Schedule 1 of this statement

Proponent: Hamersley Iron Pty. Limited
Australian Company Number 004 558 276

Proponent Address: Level 22
152-158 St Georges Terrace
PERTH WA 6000

Assessment Number: 1839

Report of the Environmental Protection Authority Number: 1479

This Statement authorises the implementation of the proposal described and documented in Columns 1 and 2 of Table 2 of Schedule 1. The implementation of the proposal is subject to the following implementation conditions and procedures and Schedule 2 details definitions of terms and phrases used in the implementation conditions and procedures.

1 Proposal Implementation

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Column 3 of Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal has been approved under the EP Act.

2 Contact Details

- 2-1 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 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.

3 Time Limit for Proposal Implementation

- 3-1 The proponent shall not commence implementation of the proposal after the expiration of 5 years from the date of this statement, and any commencement, within this 5 year period, must be substantial.
- 3-2 Any commencement of implementation of the proposal, within 5 years from the date of this statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of 5 years from the date of this statement.

4 Compliance Reporting

- 4-1 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.
- 4-2 The proponent shall submit to the CEO the compliance assessment plan required by condition 4-1 at least six months prior to the first compliance assessment report required by condition 4-6, or prior to implementation, whichever is sooner.

The compliance assessment plan shall indicate:

- (1) the frequency of compliance reporting;
 - (2) the approach and timing of compliance assessments;
 - (3) the retention of compliance assessments;
 - (4) 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.
- 4-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.
- 4-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the CEO.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven days of that potential non-compliance being known.

- 4-6 The proponent shall submit an annual compliance report to the CEO by 30 April each year addressing compliance in the previous calendar year. The first compliance assessment report shall be submitted by 30 April 2014 addressing compliance for the period from the date of issue of this statement, notwithstanding that the first reporting period may be less than 12 months.

The compliance assessment report shall:

- (1) be endorsed by the proponent's Managing Director / General Manager / Chief Executive Officer or a person delegated to sign on the Managing Director's / General Manager's / 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 4-1.

5 Public Availability of Data

- 5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this statement and for the remainder of the life of the 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)) relevant to the assessment of this proposal and implementation of this Statement.

- 5-2 If any data referred to in condition 5-1 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 this 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.

6 Priority Flora

- 6-1 The proponent shall ensure that the clearing of priority flora species for all the components of the proposal only occurs where it is deemed unavoidable.

- 6-2 Prior to the commencement of ground disturbing activities or as otherwise agreed by the CEO the proponent shall implement the Vegetation and Flora Management Plan in Chapter 3 of the Turee Syncline Iron Ore Project Operational Environmental Management Plan April 2012 provided as Appendix C to the *Turee Syncline Iron Ore Project Public Environmental Review* or its

revisions as approved by the CEO and continue implementation until otherwise agreed by the CEO.

7 Trapped fauna in trenches

7-1 If a water supply pipeline is constructed below ground, the proponent shall ensure that open trenches associated with construction of the water supply pipeline are cleared of trapped fauna by fauna-rescue personnel at least twice daily. Details of all fauna recovered shall be recorded, consistent with condition 11-5. The first daily clearing shall be completed prior to any construction or backfilling or no later than three hours after sunrise, whichever event occurs first, and shall be repeated between the hours of 3:00pm and 6:00pm of that same day.

The open trenches shall also be cleared, and fauna details recorded, by fauna-rescue personnel no more than one hour prior to backfilling of trenches.

Note: "fauna-rescue personnel" means employees of the proponent who meet the requirements of condition 7-2 and whose responsibility it is to walk the open trench to recover and record fauna found within the trench.

7-2 The fauna-rescue personnel shall obtain the appropriate licences required for fauna rescue under the *Wildlife Conservation Act 1950* and be trained in the following:

- (1) fauna identification, capture and handling (including specially protected fauna and venomous snakes likely to occur in the area);
- (2) identification of tracks, scats, burrows and nests of conservation-significant species;
- (3) fauna vouchering (of deceased animals);
- (4) assessing injured fauna for suitability for release, rehabilitation or euthanasia;
- (5) familiarity with the ecology of the species which may be encountered in order to be able to appropriately translocate fauna encountered; and
- (6) performing euthanasia.

7-3 Open trench lengths shall not exceed a length capable of being inspected and cleared by the fauna-rescue personnel within the required times as set out in condition 7-1.

7-4 Ramps providing egress points and/or fauna refuges providing suitable shelter from the sun and predators for trapped fauna are to be placed in the trench at intervals not exceeding 50 metres.

7-5 The proponent shall produce a report on fauna management within the open trenches associated with construction of the water supply pipeline at the completion of pipeline construction. The report shall include the following:

- (1) details of all fauna inspections;
- (2) the number and type of fauna cleared from trenches;

- (3) fauna mortalities; and
- (4) all actions taken.

The report shall be provided to the CEO and the Department of Environment and Conservation 21 days after the completion of pipeline construction or at a timeframe agreed by the CEO, and shall be made publicly available in a manner approved by the CEO.

8 Conservation Significant Fauna

- 8-1 The proponent shall ensure that the proposal is constructed within the development envelopes defined in Figure 2 of Schedule 1 and geographic coordinates defined in Schedule 2 to avoid and minimise impacts to conservation significant fauna.
- 8-2 Prior to the commencement of ground disturbing activities or as otherwise agreed by the CEO the proponent shall implement the Rio Tinto Significant Species Management Plan September 2011 provided as Appendix D to the *Turee Syncline Iron Ore Project Public Environmental Review* or its revisions as approved by the CEO and continue implementation until otherwise agreed by the CEO.

9 Stygofauna

- 9-1 The proponent shall locate any new borefield to avoid and minimise impacts to stygofauna.
- 9-2 Prior to abstraction of groundwater from any new borefield developed for the proposal the proponent shall undertake a Borefield and Stygofauna Survey and submit results to the CEO to demonstrate that condition 9-1 is being met.
- 9-3 The Borefield and Stygofauna Survey required by condition 9-2 shall:
 - (1) identify and map the predicted drawdown zone as a result of groundwater abstraction from implementation of the borefield;
 - (2) survey for stygofauna in accordance with the EPA Draft Guidance Statement No. 54a Technical Appendix to Guidance Statement No. 54: Sampling Methods and Survey Considerations for Subterranean Fauna in Western Australia or its revisions;
 - (3) be to the requirements of the CEO;
 - (4) record the presence of stygofauna inside and outside of the drawdown zone; and
 - (5) identify the species and number of individuals recorded both within and outside the drawdown zone;
- 9-4 Prior to groundwater abstraction, and if stygofauna are recorded by the Borefield and Stygofauna Survey required by condition 9-2, the proponent shall prepare a Stygofauna Management Plan.

- 9-5 The Stygofauna Management Plan required by condition 9-4 shall:
- (1) when implemented, manage the drawdown of groundwater as a result of implementation of the proposal to meet the requirements of condition 9-1;
 - (2) demonstrate that the stygofauna habitat extends outside the drawdown zone in accordance with the EPA draft *Environmental Assessment Guideline for consideration of subterranean fauna in environmental impact assessment in Western Australia or its revisions*, where stygofauna species are only recorded inside the drawdown zone;
 - (3) provide mitigation and management measures to demonstrate condition 9-1 is being met; and
 - (4) identify criteria to trigger implementation of contingency measures to prevent the drawdown zone being greater than predicted to ensure the protection of stygofauna species outside the drawdown zone.
- 9-6 Prior to groundwater abstraction the proponent shall implement the approved Stygofauna Management Plan required by condition 9-4 and continue implementation until otherwise agreed by the CEO.
- 9-7 Revisions to the Stygofauna Management Plan required by condition 9-4 may be approved by the CEO.
- 9-8 The proponent shall implement revisions of the Stygofauna Management Plan required by condition 9-7.

10 Rehabilitation and closure

- 10-1 The proponent shall ensure that the mine is closed, decommissioned and rehabilitated in an ecologically sustainable manner, consistent with agreed post-mining outcomes and land uses, and without unacceptable liability to the State of Western Australia.
- 10-2 The proponent shall prepare a Mine Closure Plan for the Turee Syncline Iron Ore Project.
- 10-3 The Mine Closure Plan required by condition 10-2 shall:
- (1) when implemented, manage the implementation of the proposal to meet the requirements of condition 10-1;
 - (2) be prepared in accordance with the *Guidelines for Preparing Mine Closure Plans, June 2011* (Department of Mines and Petroleum and Environmental Protection Authority) or its revisions; and
 - (3) be to the requirements of the CEO on advice of the Department of Mines and Petroleum.
- 10-4 Within 12 months of commissioning of the first mine pit or as otherwise agreed by the CEO the proponent shall implement the approved Mine Closure Plan and continue implementation until otherwise agreed by the CEO.

10-5 Revisions to the Mine Closure Plan may be approved by the CEO on the advice of the Department of Mines and Petroleum.

10-6 The proponent shall implement revisions of the Mine Closure Plan required by condition 10-5.

11 Residual Impacts and Risk Management Measures

11-1 In view of the significant residual impacts and risks as a result of implementation of the proposal, the proponent shall contribute funds for the clearing of good to excellent condition native vegetation, including the loss of habitat for conservation significant species, and calculated pursuant to condition 11-2. This funding shall be provided to a government-established conservation offset fund or an alternative offset arrangement providing an equivalent outcome as determined by the Minister.

11-2 The proponent's contribution to the initiative identified in condition 11-1 shall be paid biennially, the first payment due two years after ground disturbance. The amount of funding will be made on the following basis and in accordance with the approved Impact Reconciliation Procedure:

- (1) \$750 AUD (excluding GST) per hectare of good-to-excellent condition native vegetation cleared within the area delineated in Figure 2.

11-3 The proponent shall prepare an Impact Reconciliation Procedure and submit it for approval of the CEO prior to ground disturbance.

11-4 The Impact Reconciliation Procedure required by condition 11-3 shall:

- (1) include details of a methodology to identify clearing;
- (2) include a methodology for calculating the amount of clearing undertaken during each biennial time period;
- (3) state dates for the commencement of the biennial time period and for the submission of results of the Impact Reconciliation Procedure, to the satisfaction of the CEO.

11-5 The real value of contributions described in condition 11-2 will be maintained through indexation to the Perth Consumer Price Index (CPI), with the first adjustment to be applied to the first contribution.

[Signed 21 August 2013]

Albert Jacob MLA
MINISTER FOR ENVIRONMENT; HERITAGE

Table 1: Summary of the Proposal

Proposal Title	Turee Syncline Iron Ore Project
Short Description	The proposal will involve the construction and operation of a greenfield mine site and associated infrastructure (roads, administration buildings, accommodation camp and potential borefield) approximately 30 kilometres north-east of Paraburdoo

Table 2: Location and authorised extent of physical and operational elements

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Mining Area	Figure 2	Clearing of no more than 725 ha within the Mining development envelope of 3,698 ha. Excavation for all pits to be above the water table.
Infrastructure Corridor and Access Roads; Accommodation Camp and Borefield	Figure 2	Clearing of no more than 325 ha within the Infrastructure and Access Roads; Accommodation Camp and Borefield development envelopes of 7,630 ha Abstraction of groundwater at a rate of no more than 2.5 GL/a for operational purposes

Table 3: Abbreviations

Abbreviation	Term
ha	hectares
CPI	Consumer Price Index
GL/a	Gigalitres per annum

Figures (attached)

Figure 1 Regional location

Figure 2 Turee Syncline proposal boundary and development envelopes

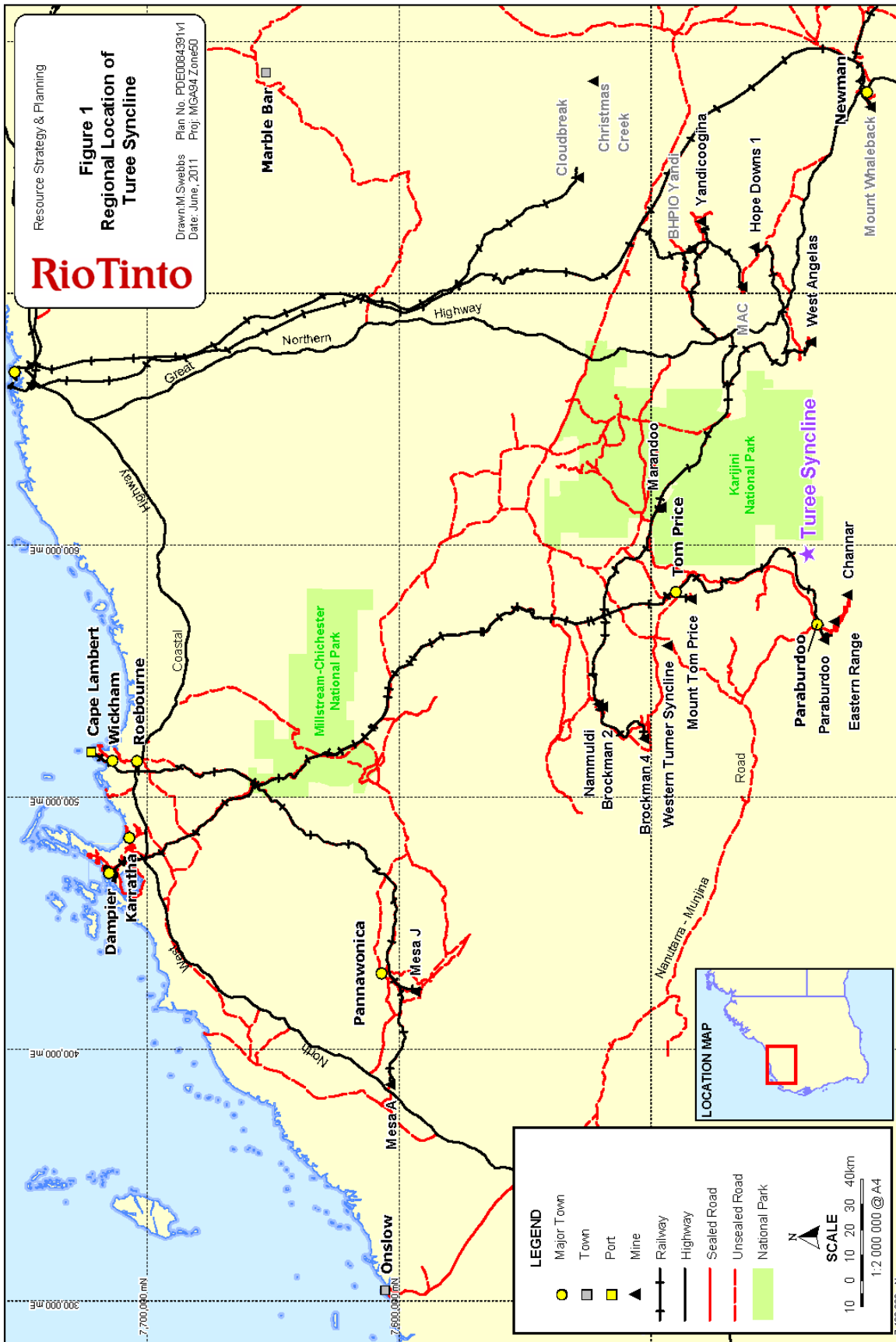


Figure 1 Regional location

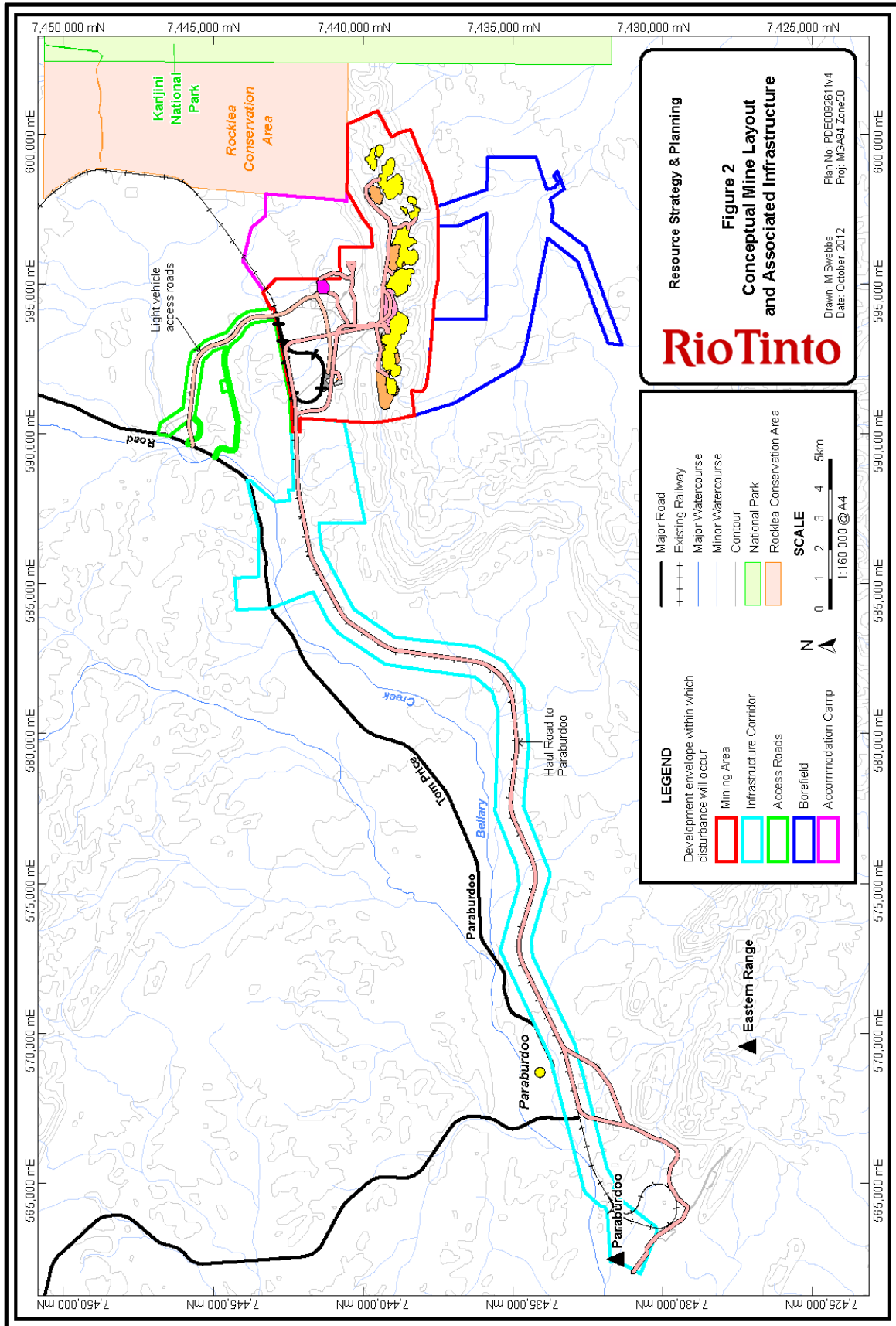


Figure 2 Turee Syncline proposal boundary and development envelopes

Turee Syncline Iron Ore Project

Coordinates defining the Mining Area development envelope and Infrastructure Corridor and Access Roads; Accommodation Camp and Borefield envelopes are held by the Office of the EPA, dated 10 June 2013.

Schedule 3

Term or Phrase	Definition
CEO	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 delegate.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
Approved Impact Reconciliation Procedure	The Impact Reconciliation Procedure for which the proponent has received written notification from the CEO that it meets the requirements of Condition 11-4.
AUD	Australian Dollar
GST	Goods and Services Tax
Biennial	every two years
CPI	Consumer Price Index
Mine	Has the same meaning as in the <i>Mining Act 1978</i>
Approved Mine Closure Plan	The Mine Closure Plan for which the proponent has received written notification from the CEO that it meets the requirements of Condition 10-3.

Notes

The following notes are provided for information and do not form a part of the implementation conditions of the Statement:

- The proponent for the time being nominated by the Minister for Environment under section 38(6) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal unless and until that nomination has been revoked and another person is nominated.
- If the person nominated by the Minister, ceases to have responsibility for the proposal, that person is required to provide written notice to the Environmental Protection Authority of its intention to relinquish responsibility for the proposal and the name of the person to whom responsibility for the proposal will pass or has passed. The Minister for Environment may revoke a nomination made under section 38(6) of the *Environmental Protection Act 1986* and nominate another person.
- To initiate a change of proponent, the nominated proponent and proposed proponent are required to complete and submit *Post Assessment Form 1 – Application to Change Nominated Proponent*.
- The General Manager of the Office of the Environmental Protection Authority was 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* at the time the Statement was signed by the Minister for Environment.