

# **Wheelarra Hill Mine Modification**

---

**BHP Billiton Iron Ore Pty Ltd**

**Report and recommendations  
of the Environmental Protection Authority**

**Environmental Protection Authority  
Perth, Western Australia  
Report 1335  
August 2009**

### **Environmental Impact Assessment Process Timelines**

<b>Date</b>	<b>Progress stages</b>	<b>Time (weeks)</b>
<b>25/03/09</b>	<b>Referral received</b>	
<b>06/04/09</b>	<b>Intention to set ARI Level of Assessment advertised (no appeals)</b>	<b>3</b>
<b>03/08/09</b>	<b>Proponent's Final ARI document received by EPA</b>	<b>17</b>
<b>10/08/09</b>	<b>EPA report to the Minister for Environment</b>	<b>1</b>

Report Released: 10/8/09

Appeals Close: 24/8/09

ISSN 1836-0483 (Print)

ISSN 1836-0491 (Online)

Assessment No. 1797

# Contents

	<b>Page</b>
<b>1. Introduction and background .....</b>	<b>1</b>
<b>2. The proposal.....</b>	<b>1</b>
<b>3. Consultation .....</b>	<b>4</b>
<b>4. Key environmental factors.....</b>	<b>4</b>
4.1 Rehabilitation and Closure.....	4
<b>5. Recommended Conditions .....</b>	<b>7</b>
<b>6. Other Advice .....</b>	<b>7</b>
<b>7. Conclusions.....</b>	<b>8</b>
<b>8. Recommendations.....</b>	<b>9</b>

## Tables

1. Summary of key proposal characteristics .....	2
--	---

## Figures

1. Regional location

## Appendices

1. References
2. Recommended Environmental Conditions

# 1. Introduction and background

This report provides the Environmental Protection Authority's (EPA's) advice and recommendations to the Minister for Environment on the BHP Billiton Iron Ore Pty Ltd (BHPBIO) proposal to increase the production rate, upgrade the existing power line, install a second power line, and construct a new rail spur and loop and Train Load-out facility, at the Wheelarra Hill Mine, east of Newman.

Section 44 of the *Environmental Protection Act 1986* (EP Act) requires the EPA to report to the Minister for Environment on the outcome of its assessment of a proposal. The report must set out:

- The key environmental factors identified in the course of the assessment; and
- The EPA's recommendations as to whether or not the proposal may be implemented, and, if the EPA recommends that implementation be allowed, the conditions and procedures to which implementation should be subject.

The EPA may include in the report any other advice and recommendations as it sees fit.

The proponent has submitted a referral document setting out the details of the proposal, potential environmental impacts and proposed commitments to manage those impacts.

The EPA considers that the proposal, as described, can be managed to meet the EPA's environmental objectives, subject to the EPA's recommended conditions being made legally binding.

The EPA has therefore determined under Section 40 of the EP Act that the level of assessment for the proposal is Assessment on Referral Information (ARI), and this report provides the EPA advice and recommendations in accordance with Section 44 of the EP Act.

# 2. The proposal

The mine, originally called McCamey's Monster, became the Jimblebar Iron Ore Mine and later the Wheelarra Hill Mine. It is located approximately 40 kilometres (km) east of Newman in the Pilbara region of Western Australia (WA) on Mining Lease 266SA. Ore from the mine is currently transported through Port Hedland. Figure 1 shows the regional location of the mine.

This proposal is for an increase from the currently approved production rate of approximately 12 million tonnes per annum (Mtpa) to 45 Mtpa. This requires:

- construction and use of an additional primary crushing facility;
- an overland conveyor;
- an additional Ore Handling Plant (OHP) with primary, secondary and tertiary crushing;
- upgrade the existing 66 kilovolt (kV) power line;
- installation of a second power line;
- construction of a new rail spur and loop;

- train load-out facilities to join the existing rail;
- an increase from 40 to approximately 135 trains per week with a total train capacity of approximately 20,600 tonnes; and
- increase in groundwater abstraction from 3,750 Kilolitres per day (kL/day) to 11,800 kL/day.

Approval for the original proposal was granted by the Minister for the Environment in March 1988. The Wheellarra Hill Mine has been operating since 1989 under the *Iron Ore (McCamey's Monster) Agreement Authorisation Act 1972*.

Following the original approval of March 1988 (Statement No. 22), several changes to the project have been approved. These include the following:

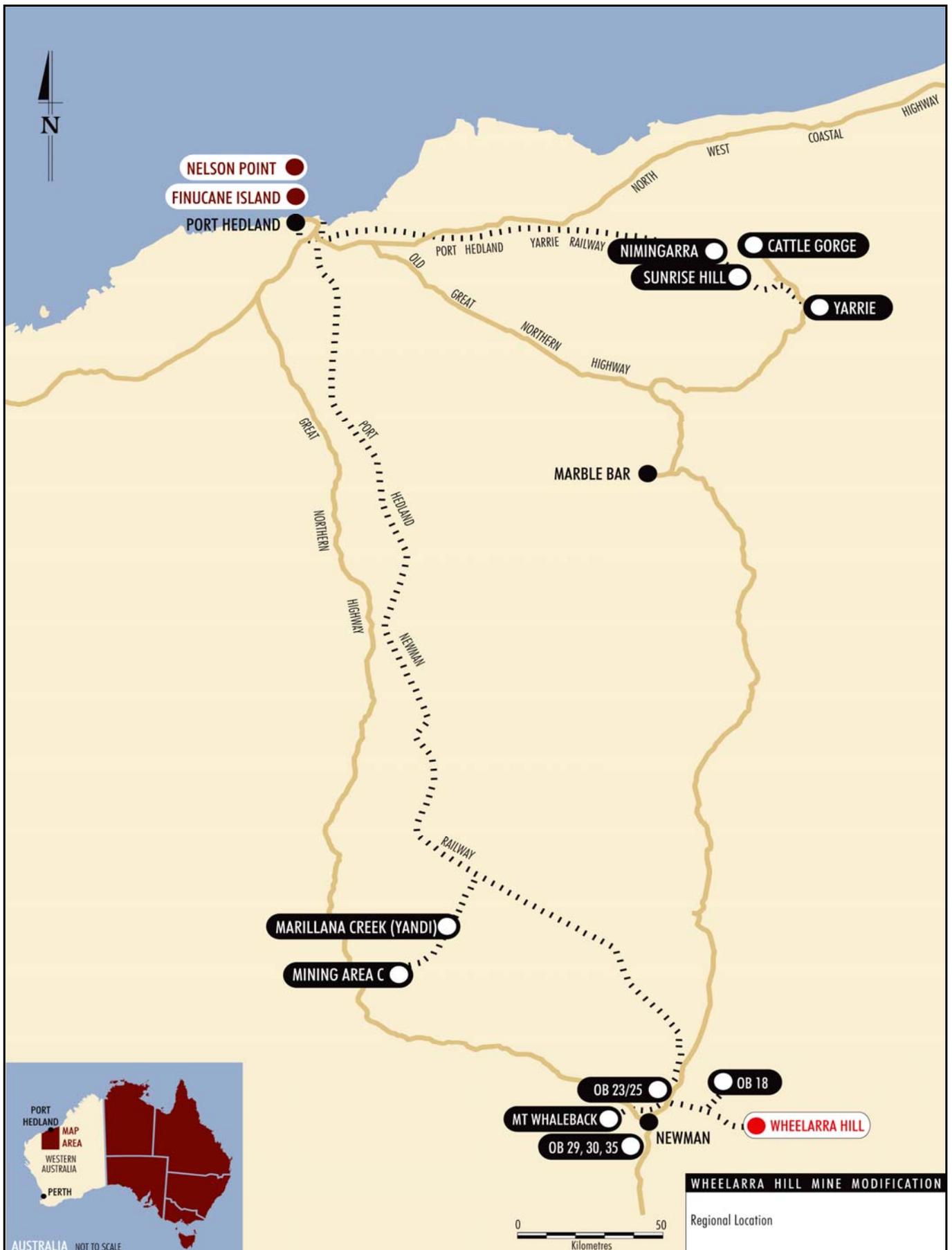
- an increase in the production rate to 8 Mtpa and expansion of the detrital and hard rock mining areas. This was assessed by the EPA under section 46 of the EP Act (Report 769). Ministerial approval was granted in May 1995 (Statement 385);
- an extension of mining operations to increase the mine life by 50 years, and increasing the mining production rate to 12 Mtpa. This was assessed by the EPA under section 38 of the EP Act (Report 1168). Ministerial approval was granted in August 2005 (Statement 683); and
- an extension to the Wheellarra Hill Mine, increasing the disturbance footprint from 1960 hectares (ha) to 2022 ha. This change was approved under section 45C of the EP Act.

The main characteristics of the proposal are summarised in the table below.

**Table 1: Summary of key proposal characteristics**

<b>Element</b>	<b>Description</b>
Production rate	45 million tonnes per annum
Life of Mine	Approximately 13 years
Proposed production	Approximately 600 million tonnes
Land Disturbance	Additional 580 hectares
Ore Crushing and Screening	Additional crushing facility, and overland conveyor
Power Demand and Supply	Upgrade to the existing 66 kV power line and installation of a second line
Water supply	Additional 8050 kilolitres per day to approximately 11,800 kilolitres per day
Ore transport	Construction of a new rail spur and loop and train load-out facilities to join the existing rail and increasing train movements to approximately 135 per week.

The potential impacts of the proposal are discussed by the proponent in the referral document (BHPBIO, 2009).



**Figure 1: Regional location**

### **3. Consultation**

During the preparation of the ARI, the proponent has undertaken consultation with government agencies and key stakeholders, including Indigenous groups. The agencies, groups and organisations consulted, the comments received and the proponent's response are detailed in the Proponent's Assessment on Referral Information document (BHPBIO, 2009). No issues of environmental significance were raised.

The EPA considers that the consultation process has been appropriate and that reasonable steps have been taken to inform the community and stakeholders on the proposed development.

### **4. Key environmental factors**

It is the EPA's opinion that the following key environmental factor relevant to the proposal requires evaluation in this report:

- (a) Rehabilitation and Closure.

The key environmental factor is discussed in Section 4.1. The description of the factor shows why it is relevant to the proposal and how it will be affected by the proposal. The assessment of the factor is where the EPA decides whether or not a proposal meets the environmental objective set for that factor.

#### **4.1 Rehabilitation and Closure**

##### **Description**

The Wheelarra Hill area is located at the eastern edge of the Ophthalmia Range, which forms part of the Hamersley Plateau. The main landscape features in the region are elongated rocky ridges and ranges. The Wheelarra Hill Mine is located on a ridge that is approximately 10 km long and has been separated from the main part of the Ophthalmia Range by several faults.

The Wheelarra Hill Mine would ultimately comprise a number of hard rock open pits and detrital mining areas. The proposed modification would include the construction of additional ore processing and rail infrastructure. The additional infrastructure would require use of borrow pit areas that would be located within the disturbance footprint. No changes to the approved pits and Overburden Storage Areas (OSAs) would be required for the proposed modification.

Approximately 580 ha of vegetation would be removed as part of the proposed modification, consisting of predominantly Mixed Acacia Shrublands, but also some Mulga Woodlands. The increase in production rate would decrease the life of the mine from approximately 50 years to 13 years (up to 2022). At mine closure the total area disturbed is expected to be approximately 2,658 ha.

### *Existing Management*

Ministerial Statement 683, published on 16 August 2005, required a Progressive Rehabilitation Management Plan (PRMP) to be developed within 12 months following formal approval of the proposal, to the requirements of the Minister for Environment on advice from the EPA and the then Department of Conservation and Land Management. The objectives of this plan are:

- to establish rehabilitation completion criteria; and
- to carry out successful rehabilitation works, progressive rehabilitation works and rehabilitation management activities.

The PRMP was submitted to the Department of Environment and Conservation and approved in September 2006. The proponent is required to review and revise the plan at intervals not exceeding five years.

The proponent was also required to prepare a Decommissioning and Final Rehabilitation Plan (DFRP) to the requirements of the Minister for the Environment on the advice of the EPA and the then Department of Conservation and Land Management and the then Department of Industry and Resources. The objective of this plan is to ensure that closure planning and rehabilitation are carried out in a coordinated, progressive manner and are integrated with development planning, consistent with the Australian and New Zealand Minerals and Energy Council, and The Minerals Council of Australia, *Strategic Framework for Mine Closure* (Canberra, Australian Capital Territory, 2000) and current best practice.

The DFRP was submitted to the Department of Environment and Conservation and approved in September 2006. The proponent is required to review and revise the plan at intervals not exceeding five years.

These plans indicate that, at current mining rates, the life of the mine was expected to be 50 years.

The former administration/camp area, the W6E (OSA), some sections of the W4 OSAs, stockpiled fines and various borrow pits and exploration tracks have been rehabilitated at the Wheelarra Hill Mine. Pit infilling has been conducted within the Centre Pit and old scree pit areas of the Wheelarra Hill Mine. These areas continue to provide waste rock storage capacity and therefore have not had any surface treatment or been revegetated.

The company has presented a summary of the performance of previously rehabilitated areas at the Wheelarra Hill Mine (BHPBIO, 2006). This outlines the methods of progressive rehabilitation that require adjustment to facilitate improvement. Additional planting has addressed previous problems arising from vegetation all being of the same age and some batter of stockpiled fines have been found to be unstable at the final slope angle of 20°, requiring a gentler slope for longer term stability. A shortage of topsoil at the mine has resulted in BHPBIO investigating the blending of waste fines and topsoil for future use.

To reduce the potential impacts of disruption of sheet flow on Mulga Woodland, the design of the proposed railroad incorporates environmental culverts and associated 'spreader structures' at 50 metre intervals in areas of sheetflow.

## Assessment

The EPA's environmental objectives for this factor are:

- ensure that mine closure planning and rehabilitation are carried out in a coordinated, progressive manner and are treated as an integral part of mine development, consistent with the ANZMEC/MCA *Strategic Framework for Mine Closure* and best practice;
- ensure that visual amenity of the area and adjacent surrounds is not unduly affected by the proposal; and
- ensure that regionally significant landforms and geo-conservation values are protected.

The EPA notes that vegetation communities that occur within the proposed modification area are well represented in the local area and region. The proposed modification would result in some additional disturbance to Mulga Woodland, however the area that would be impacted is relatively small compared to the occurrence of similar Mulga in the local area. No conservation significant flora species have been recorded during surveys within the proposed modification area.

The EPA notes that progressive rehabilitation has commenced. The EPA considers that since the proposed changes would decrease the mine life, the existing rehabilitation conditions need to be revised.

The EPA recognises the contribution the existing management plans make to progressive rehabilitation, but considers that additional outcomes are warranted. As such the EPA considers that rehabilitation should achieve the following outcomes:

- The final form of the waste dumps should be non-polluting and should be constructed so that their shape, size, stability, and ability to support local native vegetation are comparable to natural landforms in the area.
- Waste dumps, and other areas disturbed through implementation of the proposal (not including the pits), should be progressively rehabilitated with vegetation composed of native plant species of local provenance (defined as seed or plant material collected within 10 kilometres of the proposal).
- The percentage cover of native vegetation in all rehabilitation areas should be comparable with that of natural landforms in the area.
- No new species of weeds (including both declared weeds and environmental weeds) should be introduced into the area as a result of the implementation of the proposal.
- The distribution and abundance of weeds (including both declared weeds and environmental weeds) should be no greater than the distribution and abundance of weeds in comparable nearby areas of land which have not been disturbed during implementation of the proposal.
- Rehabilitation activities should continue until such time as these outcomes are met and demonstrated to be met on an ongoing basis.

The reduction in mine life from approximately 50 years to approximately 13 years means that the schedule to monitor and respond to rehabilitation success needs to be compressed. The EPA considers the existing requirement for review of the plans every 5 years is not adequate for the shortened mine life. As such, the EPA has recommended that:

- The proponent should provide an independent peer review on the success of the PRMP to date, and the DFRP with respect to current best practice; and
- The PRMP and the DFRP should be reviewed and revised to incorporate the findings of the peer review; and
- More frequent reporting should be undertaken until rehabilitation is completed.

The EPA notes that management of the rehabilitation areas will need to be continued until it can be demonstrated that the landscape and vegetation is self-sustaining, or adequate provisions are made so that ongoing management is undertaken with no liability to the State.

### **Summary**

Having particular regard to the:

- the existing management plans;
- the recommended conditions specifying rehabilitation outcomes; and
- the recommended conditions for peer review and revision of the management plans,

it is the EPA's opinion that the proposal can be managed to meet the EPA's environmental objective for this factor.

## **5. Recommended Conditions**

Having considered the information provided in this report, the EPA has developed a set of conditions that the EPA recommends be imposed if the proposal by BHP Billiton Iron Ore Pty Ltd to increase the mining rate at its Wheelarra Hill Mine from approximately 12 to 45 Mtpa is approved for implementation. These conditions are presented in Appendix 2.

The existing Statement 683 also remains in effect. The EPA recommends that Schedule 1 of Statement 683 be amended to make it consistent with Table 1, Schedule 1 of the Recommended Conditions in Appendix 2. This should be undertaken under section 45C of the EP Act.

## **6. Other Advice**

BHPBIO proposes to export the additional 33 Mtpa of ore through Port Hedland. Trains from the mine to Port Hedland would increase from 40 to 135 per week. Handling this ore would require additional infrastructure at the port and has the potential to increase dust levels in Port Hedland.

As part of BHPBIO's Rapid Growth Project 6 (RGP6) BHPBIO intends to construct additional iron ore loading and berthing facilities within the Port Hedland harbour to service the Company's expanding iron ore operations. This expansion would accommodate the additional tonnage from the Wheelarra Hill Modification.

The EPA has received the RGP6 Nelson Point dredging proposal which involves the dredging for two new berth pockets, extensions to the departure channel and swing basin at Nelson Point, however the land based infrastructure has not been referred at this stage.

Thus the additional infrastructure is not part of the Wheelarra Hill Mine Modification proposal and is not assessed in this report. The land based infrastructure will be considered separately by the EPA.

The EPA remains concerned about the levels of dust in Port Hedland and reiterates the message in the recently released Bulletin No. 2, Port Hedland Noise and Dust (EPA 2009), which states that:

*Dust and noise levels in the Port Hedland townsite have historically been above currently accepted recommended levels, and still are. This is something that has been known for some time and has led to some coordinated attempts by the state and local governments and industry to plan and act for long-term improvements to air quality and noise levels. In the EPA's opinion this has not delivered integrated land use planning and management outcomes that will ensure acceptable air quality and noise levels are achieved in the future.*

*The EPA is of the view that the health effects of PM10 arising from sources such as dust in the absence of other sources needs to be given urgent attention. The EPA regards this as an outstanding issue that needs to be addressed as a matter of high priority.*

The EPA expects BHPBIO to comprehensively address the dust issue in the design and management of the land based infrastructure proposal. The EPA is aware that a high level working group has been established by the Department of State Development to lead improvement in relation to dust issues in Port Hedland.

The EPA supports the establishment of this working group. Addressing the dust issue in a co-ordinated manner with respect to dust control measures and land use planning will require the involvement of all the stakeholders.

## **7. Conclusions**

The EPA has considered the proposal by BHP Billiton Iron Ore Pty Ltd to increase production rate from approximately 12 Mtpa to 45 Mtpa through the addition of a new rail spur and loop and Train Load-out facilities, an upgrade to the existing power line and installation of an additional line, construction and use of an additional primary crushing facility, an overland conveyor and an additional OHP.

The proposal would lead to a further 580 ha of clearing, however no conservation significant flora species have been recorded within the proposed modification area and only a relatively small additional portion of the Mulga Woodland in the local area.

The EPA notes that the life of the Wheelarra Hill Mine would decrease from approximately 50 years to 13 years, and considers that additional outcome based conditions relating to rehabilitation are warranted to ensure successful rehabilitation within the shortened time frame.

The EPA remains concerned about the dust impact on Port Hedland and notes that potential impacts from the shipping of the additional iron ore will be assessed separately once BHPBIO's referral for the RGP6 port infrastructure is referred.

The EPA has therefore concluded that the proposal can be managed to meet the EPA's environmental objectives, provided there is satisfactory implementation by the proponent of the recommended conditions set out in Appendix 2.

## **8. Recommendations**

The EPA submits the following recommendations to the Minister for Environment:

1. That the Minister notes that the proposal being assessed is for a modification at the Wheelarra Hill Mine by BHP Billiton Iron Ore Pty Ltd and the associated increase in production;
2. That the Minister considers the report on the key environmental factors as set out in Section 3;
3. That the Minister notes that the EPA has concluded that the proposal can be managed to meet the EPA's environmental objectives, provided there is satisfactory implementation by the proponent of the recommended conditions set out in Appendix 2; and
4. That the Minister imposes the conditions and procedures recommended in Appendix 2 of this report.

# **Appendix 1**

## **References**

Aquaterra (2009) *Jimblebar Borefield Groundwater Impact Assessment*. Prepared for BHP Billiton IronOre Pty Ltd

BHP Billiton Iron Ore Pty Ltd (20 05) *Wheelarra Hill Extension Project – Environmental Protection Statement*

BHP Billiton Iron Ore Pty Ltd (2006a) *Wheelarra Hill Decommissioning and Final Rehabilitation Plan*.

BHP Billiton Iron Ore Pty Ltd (2006) *Dust Management Plan*

BHP Billiton Iron Ore Pty Ltd (2006b) *Wheelarra Hill Water Management Plan*.

BHP Billiton Iron Ore Pty Ltd (2006c) *Wheelarra Hill Significant Species Management Plan*.

BHP Billiton Iron Ore Pty Ltd (2006d) *Wheelarra Hill Weed Management Plan*.

BHP Billiton Iron Ore Pty Ltd (2006e) *Wheelarra Hill Progressive Rehabilitation Management Plan*.

BHP Billiton Iron Ore Pty Ltd (2007) *Wheelarra Hill Environmental Management Plan*.

BHP Billiton Iron Ore Pty Ltd (2008) *Western Australian Iron Ore Energy/Greenhouse Gas Management Procedure*.

BHP Billiton Iron Ore Pty Ltd (2009) *Wheelarra Hill Mine Modification - Referral Information*

BHP Iron Ore Pty Ltd (1994) *Jimblebar Mine Site: Biological Survey*. Unpublished report for BHP Iron Ore Pty Ltd.

Biota Environmental Services (2004) *Jimblebar-Wheelarra Hill 3 Flora and Fauna Assessment*. Prepared for BHP Billiton Iron Ore Pty Ltd.

Biota Environmental Sciences (2008) *BHP Billiton Regional Stygo fauna Programme 2005-2007 Review*. Prepared for BHP Billiton Iron Ore Pty Ltd.

ecologia (1996a) *Pebble-mound Mouse Pseudomys chapmani Translocation Programme Phase 1*. Prepared for BHP Billiton Iron Ore Pty Ltd.

ecologia (1996b) *Pebble-mound Mouse Pseudomys chapmani Translocation Programme Phase 2*. Prepared for BHP Iron Ore Pty Ltd.

Ecowise Environmental (2009) *Wheelarra Hill Iron Ore Mine Modification – Stygo fauna Assessment*. Prepared for BHP Billiton Iron Ore Pty Ltd.

Environmental Protection Authority (2005) Bulletin 1168 *Wheelarra Hill Mine Extension*

Environmental Protection Authority (2007) Bulletin 1247 *Dust Management Program for Finucane Island and Nelson Point Operations, Change to Environmental Conditions.*

Environmental Protection Authority (2003) *Guidance for the Assessment of Environmental Factors Statement No. 54 – Consideration of Subterranean Fauna in Groundwater and Caves during Environmental Impact Assessment in Western Australia. Western Australia.*

Environmental Protection Authority (2004) *Guidance for the Assessment of Environmental Factors Statement No. 51 – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessments in Western Australia.*

Outback Ecology Services (2009) *Wheelarra Hill Iron Ore Mine Modification Flora and Fauna Assessment.* Prepared for BHP Billiton Iron Ore Pty Ltd.

Western Australian Minister for the Environment; Science (2005) Statement 000683: *Wheelarra Hill Iron Ore Mine Extension Life-of-Mine Proposal Mining Lease 266SA, 40 KM East of Newman Shire of East Pilbara*

Western Australian Minister for the Environment; Climate Change; Peel (2007) Statement 000740: *Upgrade Dust Management at Finucane Island and Nelson Point Port Hedland*

## **Appendix 2**

**Relevant Decision-Making Authorities**

**Recommended Environmental Conditions**

### **Relevant Decision-Making Authorities**

Section 44(2) of the *Environmental Protection Act 1986* (EP Act) specifies that the EPA's report must set out (if it recommends that implementation be allowed) the conditions and procedures, if any, to which implementation should be subject. This Appendix contains the EPA's recommended conditions and procedures.

Section 45(1) requires the Minister for Environment to consult with relevant decision-making authorities, and if possible, agree on whether or not the proposal may be implemented, and if so, to what conditions and procedures, if any, that implementation should be subject.

The following decision-making authorities have been identified for this consultation:

<b>Decision-making Authority</b>	<b>Approval</b>
1. Minister for State Development	State Agreement Act
2. Minister for Mines and Petroleum	
3. Minister for Water	Water extraction licence
4. Minister for Indigenous Affairs	
5. Minister for Lands	
6. Department of Environment and Conservation	Works Approval and Licence
7. CEO Shire of East Pilbara	Permits and development approvals

Note: In this instance, agreement is only required with DMAs 1-5 since these DMAs are Ministerial DMAs.

RECOMMENDED ENVIRONMENTAL CONDITIONS

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

WHEELARRA HILL MINE MODIFICATION  
SHIRE OF EAST PILBARA

**Proposal:** The proposal is for an increase in the mining rate from approximately 12 Mtpa to 45 Mtpa. The Wheelarra Hill Mine located approximately 40 km from Newman. The proposal includes clearing of an additional 580 ha of vegetation. The required water supply would increase from 3,750 kL per day to 11,800 kL per day. The proposal also involves the construction of a new rail spur and loop and Train Load-out facilities as well as the upgrading of existing 66 kV power line and installation of a second line.

**Proponent:** BHP Billiton Iron Ore Pty Ltd

**Proponent Address:** St Georges Square, 225 St Georges Tce, Perth WA 6000

**Assessment Number:** 1796

**Previous Assessment Numbers:** 035, 917, 1558.

**Previous Statement Numbers:** 22 (superseded), 385 (superseded), 683.

**Report of the Environmental Protection Authority:** 1335

**Previous Reports of the Environmental Protection Authority:** 317, 769, 1168.

The proposal referred to in report 1335 of the Environmental Protection Authority may be implemented. The implementation of that proposal is subject to the following conditions and procedures:

**1 Proposal Implementation**

1-1 The proponent shall implement the proposal as assessed by the Environmental Protection Authority and described in schedule 1 of this statement subject to the conditions and procedures of this statement.

**2 Proponent Nomination and Contact Details**

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

2-2 The proponent shall notify the Chief Executive Officer (CEO) of the Department of Environment and Conservation of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

### **3 Time Limit of Authorisation**

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

3-2 The proponent shall provide the CEO of the Department of Environment and Conservation with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.

### **4 Compliance Reporting**

4-1 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the Chief Executive Officer of the Department of Environment and Conservation.

4-2 The proponent shall submit to the Chief Executive Officer of the Department of Environment and Conservation, the compliance assessment plan required by condition 4-1 at least 6 months prior to the first compliance report required by condition 4-6. The compliance assessment plan shall indicate:

- 1 the frequency of compliance reporting;
- 2 the approach and timing of compliance assessments;
- 3 the retention of compliance assessments;
- 4 reporting of potential non-compliances and corrective actions taken;
- 5 the table of contents of compliance reports; and
- 6 public availability of compliance reports.

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

4-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the Chief Executive Officer of the Department of Environment and Conservation.

4-5 The proponent shall advise the Chief Executive Officer of the Department of Environment and Conservation of any potential non-compliance within two business days of that non-compliance being known.

4-6 The proponent shall submit a compliance assessment report annually from the date of issue of this Implementation Statement addressing the previous twelve month period or other period as agreed by the Chief Executive Officer of the Department of Environment and Conservation. The compliance assessment report shall:

- 1 be endorsed by the proponent's Managing Director or a person, approved in writing by the Department of Environment and Conservation, delegated to sign on the Managing Director's behalf;
- 2 include a statement as to whether the proponent has complied with the conditions;
- 3 identify all potential non-compliances and describe corrective and preventative actions taken;
- 4 be made publicly available in accordance with the approved compliance assessment plan; and
- 5 indicate any proposed changes to the compliance assessment plan required by condition 4-1.

## **5 Performance Review and Reporting**

5-1 The proponent shall extend the performance review report required by Condition 5-1, 5-2 and 5-3 of Statement 683 to include performance review of the Wheelarra Hill Mine Modification.

## **6 Rehabilitation and Closure**

6-1 The proponent shall undertake rehabilitation to achieve the following outcomes:

1. Areas disturbed through implementation of this proposal shall be designed to be non-polluting and shall be constructed so that their final shape, size, stability, and ability to support local native vegetation are comparable to natural landforms in the area.
2. Areas disturbed through implementation of the proposal shall be progressively rehabilitated with vegetation composed of native plant species of local provenance (defined as seed or plant material collected within 10 kilometres of the proposal).
3. The percentage cover of living native vegetation in all rehabilitation areas shall be comparable with that of natural landforms in the area.
4. No new species of weeds (including both declared weeds and environmental weeds) shall be introduced into the area as a result of the implementation of the proposal.
5. The abundance of weeds (including both declared weeds and environmental weeds) shall be no greater than the abundance of weeds in comparable nearby

areas of land which have not been disturbed during implementation of the proposal.

- 6-2 The proponent shall continue rehabilitation activities as necessary until such time as the requirements of condition 6-1 are met, and are demonstrated by inspections and reports to be met, for a minimum of 5 years to the satisfaction of the Chief Executive Officer of the Department of Environment and Conservation and the Chief Executive Officer of the Department of State Development.
- 6-3 The Progressive Rehabilitation Management Plan required by Statement 683 and the Decommissioning and Final Rehabilitation Plan required by Statement 683 shall also apply to this proposal. These plans shall be independently peer reviewed for their applicability to this proposal, to the satisfaction of the Chief Executive Officer of the Department of Environment and Conservation and the Chief Executive Officer of the Department of State Development.
- 6-4 The proponent shall review and revise the Progressive Rehabilitation Management Plan and the Decommissioning and Final Rehabilitation Plan to incorporate the findings of the peer review required in condition 6-3, prior to implementation of the proposal.
- 6-5 The proponent shall review, and as necessary in accordance with current best practice, revise the Progressive Rehabilitation Management Plan and the Decommissioning and Final Rehabilitation Plan referred to in conditions 6-3 and 6-4 at intervals not exceeding 2 years, to the satisfaction of the Chief Executive Officer of the Department of Environment and Conservation and the Chief Executive Officer of the Department of State Development.

## **Procedures**

1. Where a condition states “on advice of the Environmental Protection Authority”, the Environmental Protection Authority will provide that advice to the Department of Conservation for the preparation of written notice to the proponent.
2. The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment and Conservation.
3. The Minister for Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.
4. Where a condition lists advisory bodies, it is expected that the proponent will obtain the advice of those listed as part of its compliance reporting to the Department of Environment and Conservation.
5. The proponent is required to apply for a Works Approval and Licence for this project under the provisions of part V of the *Environmental Protection Act 1986*.

## Schedule 1

### The Proposal (Assessment No. 1796)

#### General Description

The proposal is to increase output from the Wheelarra Hill Mine from 12 Mtpa to 45 Mtpa.

The proposal is described in the following document – BHP Billiton Iron Ore Pty Ltd, Wheelarra Hill Mine Modification Assessment on Referral Information (2009).

#### Summary Description

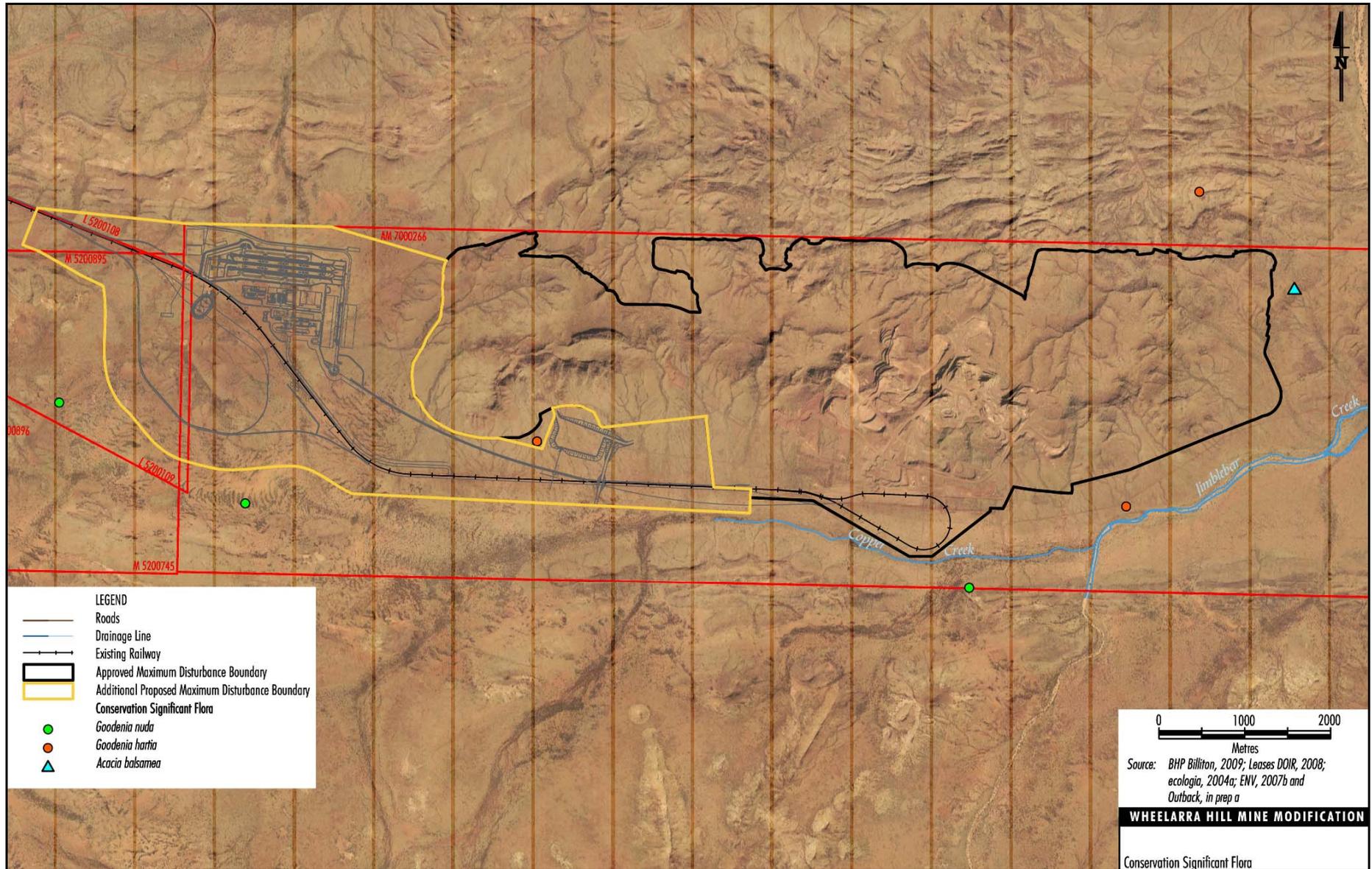
A summary of the key proposal characteristics is presented in Table 1.

*Table 1: Summary of key proposal characteristics*

<b>Element</b>	<b>Description</b>
Project life	Approximately 13 years
Total Area of Disturbance	Approximately 580 ha
Production Rate	Approximately 45 million tonnes per annum
Power Requirements	Upgrade to existing 66 kilovolt power line and installation of second line
Water Supply	An additional 8050 kilolitres per day
Additional Infrastructure	Rail spur and loop Train load out facilities Primary crushing facility Overland conveyor Ore Handling Plant with primary, secondary and tertiary crushing
Ore Transport	An additional 95 trains per week

#### Figures (attached)

Figure 1 – Disturbance Footprint of Mine Modification



**Figure 1: Disturbance Footprint of Mine Modification**