



Report and recommendations of the Environmental Protection Authority



**West Angelas Iron Ore Project
— inquiry under s46 of the
Environmental Protection Act 1986
to amend Ministerial Statement 514**

Robe River Mining Co Pty Ltd

Report 1508

April 2014

**ENVIRONMENTAL PROTECTION AUTHORITY
REPORT AND RECOMMENDATIONS TO THE MINISTER FOR
ENVIRONMENT**

**WEST ANGELAS IRON ORE PROJECT – INQUIRY UNDER S46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986 TO AMEND
IMPLEMENTATION CONDITIONS OF MINISTERIAL STATEMENT 514
(ASSESSMENT NO. 1914)**

The Minister for Environment requested that the Environmental Protection Authority (EPA) inquire into and report to the Minister on Robe River Mining Co. Pty. Ltd.'s (Robe) proposed changes to the implementation conditions for the West Angelas Iron Ore Project.

The following is the EPA's Report and Recommendations (No. 1508) to the Minister pursuant to section 46(6) of the *Environmental Protection Act 1986* (EP Act).

BACKGROUND

Robe obtained authorisation to implement the West Angelas Iron Ore Project under the EP Act in June 1999, following assessment of the West Angelas Iron Ore Project Environmental Review and Management Program. The approval conditions are specified in Ministerial Statement 514, dated 28 June 1999.

Ministerial Statement 514 provides for the development of an iron ore mine at Deposits 'A', 'B', and 'E'¹, and ore processing operation at West Angelas, 130 kilometres west of Newman, and construction of a rail line and expansion of port facilities at Cape Lambert, as documented in Schedule 1 of this Statement.

On 30 June 2011, Rio Tinto Iron Ore (Rio Tinto), on behalf of Robe, wrote to the Environmental Protection Authority (EPA) proposing to contemporise and rationalise implementation conditions for the West Angelas Iron Ore Project under s46 (1) of the EP Act, and remove all proponent commitments of Ministerial Statement 514 as the commitments are considered to:

- be no longer relevant to environmental management (i.e. redundant);
- duplicate existing ministerial conditions;

¹ Addition of pit 'E' to the proposal was approved under section 45C on January 2012.

- have been fully implemented; or
- be managed under another Ministerial Statement.

ASSESSMENT OF THE PROPOSED CHANGES

The EPA has reviewed the proponent's application to change conditions under section 46 of the EP Act, and relevant implementation conditions and proponent commitments. A summary (Tables 1 and 2) of the assessment is attached to this report.

As part of the assessment process, the proponent submitted a revised Environmental Management Program (EMP), dated November 2013. The amended EMP is considered to adequately address the key management plans required by condition 5 of the new Ministerial Statement:

- Groundwater;
- Surface water;
- Vegetation and flora;
- Fauna;
- Dust;
- Waste; and
- Rail.

On 28 March 2014, Rio Tinto wrote to the EPA requesting an amendment to the breakdown of the authorised extent of clearing as presented in Attachment 5 of Ministerial Statement 514. The aim of this amendment is to ensure consistency between the actual authorised extent of the clearing and Ministerial Statement 514. As the approval disturbance foot print of 4,667 hectares will not change as a result of this amendment, the EPA supports the alteration to the authorised extent of clearing.

EPA CONCLUSIONS AND RECOMMENDATIONS

Having inquired into this application to change conditions under section 46 of the EP Act by Rio Tinto, on behalf of Robe, the EPA recommends to the Minister for Environment that:

1. while retaining the environmental requirements of the original conditions, it is appropriate to delete implementation conditions 1 to 17 of Ministerial Statement 514 and replace them with consolidated, contemporary style conditions 1 to 9;
2. proponent commitments 1 to 19 of Ministerial Statement 514 be deleted as they: are considered redundant, duplicate requirements addressed by the proposed implementation conditions 1 to 9; have been implemented; or are managed under another Ministerial Statement; and
3. after complying with section 46(8) of the EP Act, the Minister issues a statement of decision to delete implementation conditions 1 to 17 and proponent commitments 1 to 19 of Ministerial Statement 514 in the manner provided for in the attached recommended Ministerial Statement.

Table 1 West Angelas Iron Ore Project – assessment of proposed changes to implementation conditions

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
1 Implementation	Delete condition and replace with a consolidated contemporary style condition.	<p>The requirements of this condition are still relevant and will be retained but expressed in contemporary wording and format without changing the intent. This condition is deleted and replaced by the following:</p> <p>1 Proposal Implementation</p> <p>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 have been approved under the <i>Environmental Protection Act 1986</i>.</p> <p>Conditions 1-2 and 1-3 are deleted as they are addressed in the EP Act.</p>
2 Proponent Commitments	Delete condition.	<p>Condition 2 relates to environmental management commitments documented in Schedule 2 of Statement 514.</p> <p>The EPA has reviewed each proponent commitment and considers that they fall into four categories:</p> <ul style="list-style-type: none"> (1) are not relevant to environmental management and therefore are redundant; (2) duplicate requirements addressed by the proposed implementation conditions 1 to 9; (3) have been fully implemented; and (4) are managed under another Ministerial Statement. <p>For the full details of this assessment See Table 2 of this report.</p> <p>The proponent commitments can be deleted from Ministerial Statement 514.</p>
3 Environmental Management System	Delete condition.	<p>The proponent operates under a Health, Safety, Environment and Quality (HSEQ) Policy and an ISO 14001 certified Environmental Management System (the '<i>Pilbara Iron Environmental Management System</i>'). Rio Tinto requires all of its operations to implement and maintain a certified environmental management system (EMS) conforming to ISO14001.</p> <p>This Condition is therefore no longer relevant.</p> <p>This condition can be deleted from Ministerial Statement 514.</p>

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
Public Availability of Data	Add condition.	<p>This condition is added to the new Ministerial Statement in accordance with “Standard Administrative Procedures” which have been developed by the Office of the Environmental Protection Authority (OEPA) to streamline the Administrative Implementation Conditions in Ministerial Statements.</p> <p>4 Public Availability of Data</p> <p>4-1 Subject to condition 4-2, 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.</p> <p>4-2 If any data referred to in condition 4-1 contains particulars of:</p> <ul style="list-style-type: none"> (1) a secret formula or process; or (2) confidential commercially sensitive information; <p>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.</p> <p>Condition 4 is added to the new Ministerial Statement.</p>
4 Environmental Management Program	Delete condition and replace with a consolidated contemporary style condition.	<p>Environmental Management Plans required by this condition are also required by conditions 5-10 and 12-13 of Ministerial Statement 514 which have been approved by the CEO of the EPA (formerly the Department of Environmental Protection) in December 1999 and implemented in 2000.</p> <p>Rio Tinto on behalf of Robe updated the West Angelas Environmental Management Program (EMP) which addresses the requirements of conditions 4, 6, 7 and 9-12 and will supersede all previous Environmental Management Plans prepared in 2000. The following Management Plans have been developed as part of the updated EMP:</p> <ul style="list-style-type: none"> (1) Groundwater Management Plan (which includes the relevant aspects of the Minesite Management Plan); (2) Surface Water Management Plan (which includes the relevant aspects of the Minesite

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
		<p>Environmental Management Plan and the Drainage Diversion Management Plan);</p> <p>(3) Vegetation and Flora Management Plan (which includes the relevant aspects of the Minesite Environmental Management Plan and the Weed Management Plan);</p> <p>(4) Fauna Management Plan (which includes the relevant aspects of the Ghost Bat Management Plan);</p> <p>(5) Dust Management Plan;</p> <p>(6) Waste Management Plan; and</p> <p>(7) Rail Management Plan (updated Rail Route Environmental Management Plan).</p> <p>The Marine Management Plan for Cape Lambert previously required by Condition 8, is not included in the updated EMP. Marine management shall be in accordance with Ministerial Statement 741 for the Cape Lambert Port Upgrade.</p> <p>Cultural Heritage Management Plan (CHMP) has been removed from the EMP as West Angelas Iron Ore Mine has an existing section 18 consent under the <i>Aboriginal Heritage Act 1972</i> granted by the Minister for Aboriginal Affairs in January 2000. This consent contains a condition requiring a CHMP.</p> <p>Greenhouse Gas Emission Management Plan has been removed from the EMP as the ongoing reporting of Greenhouse Gas Emissions will be done through <i>National Greenhouse and Energy Reporting Scheme</i>, with greenhouse emissions addressed under the <i>Clean Energy Act, 2011</i>.</p> <p>Ministerial condition 4 is deleted and replaced with proposed condition 5 below:</p> <p>5 Environmental Management Program</p> <p>5-1 The proponent shall implement the proposal in accordance with the “<i>Environmental Management Program</i>”, dated November 2013, or subsequent revisions approved by the CEO.</p> <p>The Environmental Management Program consists of the following Management Plans:</p> <p>(1) Groundwater Management Plan;</p> <p>(2) Surface Water Management Plan;</p> <p>(3) Vegetation and Flora Management Plan;</p>

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
		<p>(4) Fauna Management Plan; (5) Dust Management Plan; (6) Waste Management Plan; and (7) Rail Management Plan.</p> <p>Each Management Plan includes:</p> <ul style="list-style-type: none"> i. the specific environmental objectives and targets for each environmental factor; ii. the management measures to be applied to avoid and minimise the environmental impact of the proposal; iii. monitoring measures to measure the performance of management against the targets; and iv. contingency measures to mitigate impacts. <p>5-2 The proponent shall make the Environmental Management Program required by condition 5.1 publicly available, in a manner approved by the CEO.</p>
5 Groundwater Extraction Management Plan	Delete Condition.	<p>The original Groundwater Extraction Management Plan was approved by the EPA in 1999 and has been implemented as prescribed. The requirements of this condition are still relevant and will be retained but expressed in contemporary wording and format without changing the intent. This condition is deleted and replaced by the following:</p> <p>6 Groundwater</p> <p>6-1 The proponent shall manage groundwater abstraction and dewatering activities to ensure minimal adverse impacts on the availability and quality of groundwater resources and the dependent ecology.</p> <p>6-2 To verify that the requirements of condition 6-1 are met the proponent shall undertake monitoring of groundwater level elevations and quality as outlined in the Groundwater Management Plan approved as part of Environmental Management Program required by condition 5.</p> <p>6-3 In the event that the monitoring required by condition 6-2 indicates that the requirements of condition 6-1 are not being met, the proponent shall implement contingency actions as outlined in the Groundwater Management Plan.</p> <p>6-4 The proponent shall submit annually the results of monitoring required by condition 6-2 to the CEO of the Office of the Environmental Protection Authority as part of the compliance assessment reports required by condition 3-6.</p>

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
<p>6 Minesite Environmental Management Plan</p>	<p>Delete Condition.</p>	<p>The original Minesite Environmental Management Plan was approved by the EPA in 1999 and has been implemented as prescribed. The aspects of the Minesite Environmental Management Plan that are still relevant have been adopted into Management Plans of the updated EMP required by the proposed Ministerial condition 5.</p> <p>Progressive rehabilitation is addressed in the Mine Closure Plan.</p> <p>To ensure adequate management of “Conservation Significant Communities and Species” and “Surface Water Drainage”, the following two new Ministerial conditions 7 and 8 replace the original condition 6:</p> <p>7 Surface Water Drainage</p> <p>7-1 The proponent shall manage surface water drainage and discharge to ensure minimal adverse impacts on existing surface water drainage patterns or the water dependent ecosystems</p> <p>7-2 To verify that the requirements of condition 7-1 are met, the proponent shall undertake monitoring of the quality and quantity of water discharge as outlined in the Surface Water Management Plan approved as part of the Environmental Management Program required by condition 5.</p> <p>7-3 In the event that the monitoring required by condition 7-2 indicates that the requirements of condition 7-1 are not being met, the proponent shall implement contingency actions as outlined in the Surface Water Management Plan.</p> <p>7-4 The proponent shall submit annually the results of monitoring required by condition 7-2 to the CEO as part of the Compliance Assessment Reports required by condition 3-6.</p> <p>8 Conservation Significant Communities and Species</p> <p>8-1 The proponent shall manage clearing activities to ensure minimal adverse impacts on conservation significant communities and species.</p> <p>8-2 To verify that the requirements of condition 8-1 are met, the proponent shall implement the proposal in accordance with the Vegetation and Flora Management Plan and Fauna Management Plan approved as part of Environmental Management Program required by condition 5.</p> <p>8-3 In the event that monitoring required by the Management Plans detailed in condition 8-2 indicates that the specific environmental objectives and targets, identified for each environmental factor, have been exceeded, the proponent shall:</p> <p>(1) within 7 days of becoming aware of the exceedance, implement contingency measures as</p>

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
		<p>outlined in the management plans and continue implementation until environmental objectives and targets are being met, or as otherwise agreed by the CEO; and</p> <p>(2) within 14 days of becoming aware of the exceedance, submit details of contingency measures implemented to the CEO.</p> <p>The original condition 6 can be deleted and replaced by conditions 7 and 8 above.</p>
7 Weed Management Plan	Delete Condition.	<p>The original Weed Management Plan was approved by the EPA in 1999 and has been implemented as prescribed. The aspects of the Weed Management Plan that are still relevant have been adopted into the Vegetation and Flora Management Plan of the updated EMP required by the new Ministerial condition 5.</p> <p>This condition can be deleted from Ministerial Statement 514.</p>
8 Marine Management Plan (Cape Lambert)	Delete Condition.	<p>The Cape Lambert Port Upgrade is being managed under Ministerial Statement 741. All the references to the Port including the requirements to prepare and implement a Marine Management Plan shall be removed from Statement 514.</p> <p>This condition can be deleted from Ministerial Statement 514.</p>
9 Greenhouse Gas Emissions Management Plan	Delete Condition.	<p>The Greenhouse Gas Management Plan was approved by the EPA in 1999 and has been implemented as prescribed. The ongoing reporting of Greenhouse Gas Emissions will be done through <i>National Greenhouse and Energy Reporting Scheme</i>, with greenhouse emissions addressed under the <i>Clean Energy Act, 2011</i>.</p> <p>This condition can be removed from Ministerial Statement 514.</p>
10 Rail Route	Delete Condition.	<p>The Rail Route Environmental Management Plan was approved by the EPA in 1999 and has been implemented as prescribed. The aspects of the Rail Route Environmental Management Plan that are still relevant have been adopted into the Rail Management Plan section of the updated West Angelas Environmental Management Program required by condition 5.</p> <p>This condition can be deleted from Ministerial Statement 514.</p>

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
11 Aboriginal Sites and Areas of Cultural Significance	Delete Condition.	<p>West Angelas has an existing section 18 consent under the <i>Aboriginal Heritage Act 1972</i> that was granted by the Minister for Aboriginal Affairs in January 2000. This consent contains a condition requiring a Cultural Heritage Management Plan.</p> <p>The land containing West Angelas mining operations is within the Gobawarra Mindurra Yinhawanga (GMY) native title claim. In March 1999 the GMY group and Robe (now part of Rio Tinto Iron Ore) entered into an agreement for the development of the West Angelas Mine Operations. This agreement details appropriate consultation procedures with GMY people regarding heritage matters and demonstrates that the Group has been given the opportunity to raise any concerns regarding mining activities at the site.</p> <p>This condition therefore is being addressed under different process/ legislation and can be deleted from Ministerial Statement 514.</p>
12 Ghost Bat Management Plan	Delete Condition.	<p>The Ghost Bat Management Plan was approved by the EPA in 1999 and has been implemented as prescribed. The aspects of the Ghost Bat Management Plan that are still relevant have been adopted into the Fauna Management Plan of the updated West Angelas Environmental Management Program as well as being covered under the new condition 8 “Conservation Significant Communities and Species”.</p> <p>This condition can be deleted from Ministerial Statement 514.</p>
13 Decommissioning and Rehabilitation Management Plan	Delete Condition.	<p>The proponent has proposed to delete this condition as they have prepared a “Conceptual Closure and Rehabilitation Management Plan” as part of the new West Angelas Environmental Management Program. As this project is not subject to the <i>Mining Act 1978</i>, the EPA will assess its mine closure plan in accordance with the <i>EPA Involvement In Mine Closure</i> (Environmental Protection Bulletin No. 19, EPA 2012). The existing condition will be replaced by the following EPA Standard Condition:</p> <p>9 Rehabilitation and closure</p> <p>9-1 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.</p> <p>9-2 The proponent shall prepare a Mine Closure Plan for the West Angelas Iron Ore Project.</p>

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
		<p>9-3 The Mine Closure Plan required by condition 9-2 shall:</p> <ul style="list-style-type: none"> (1) when implemented, manage the implementation of the proposal to meet the requirements of condition 9-1; (2) be prepared in accordance with the <i>Guidelines for Preparing Mine Closure Plans, June 2011</i> (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. <p>9-4 Within 12 months of commissioning of additional mine pits 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.</p> <p>9-5 Revisions to the Mine Closure Plan may be approved by the CEO on the advice of the Department of Mines and Petroleum.</p> <p>9-6 The proponent shall implement revisions of the Mine Closure Plan required by condition 9-5.</p> <p>This condition has been revised and will remain in the new Ministerial Statement.</p>
14 Performance Review	Delete condition and replace with a consolidated contemporary style condition.	<p>Condition 14 is deleted and replaced by contemporary Compliance Reporting conditions 3-1 to 3-6 which have been developed by the Office of the Environmental Protection Authority to streamline the Administrative Implementation Conditions in Ministerial Statements.</p> <p>3 Compliance Reporting</p> <p>3-1 The proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO.</p> <p>3-2 The proponent shall submit to the CEO the Compliance Assessment Plan required by condition 3-1 prior to the first Compliance Assessment Report required by condition 3-6.</p> <p>The Compliance Assessment Plan shall indicate:</p> <ul style="list-style-type: none"> (1) the frequency of compliance reporting; (2) the approach and timing of compliance assessments;

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
		<p>(3) the retention of compliance assessments;</p> <p>(4) the method of reporting of potential non-compliances and corrective actions to take;</p> <p>(5) the table of contents of Compliance Assessment Reports; and</p> <p>(6) public availability of Compliance Assessment Reports.</p> <p>3-3 The proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 3-1.</p> <p>3-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 3-1 and shall make those reports available when requested by the CEO.</p> <p>3-5 The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.</p> <p>3-6 The proponent shall submit to the CEO Compliance Assessment Reports addressing compliance in the previous calendar year. Compliance Assessment Reports shall be submitted by the submission date defined in the Compliance Assessment Plan required by condition 3.1.</p> <p>The Compliance Assessment Report shall:</p> <p>(1) be endorsed by the proponent's Managing Director/ General Manager/ CEO or a person delegated to sign on the Managing Director's/ General Manager's/ CEO's behalf;</p> <p>(2) include a statement as to whether the proponent has complied with the conditions;</p> <p>(3) identify all potential non-compliances and describe corrective and preventative actions taken;</p> <p>(4) be made publicly available in accordance with the approved compliance assessment plan; and</p> <p>(5) indicate any proposed changes to the compliance assessment plan.</p>
15 Proponent	Delete condition and replace with a consolidated contemporary style condition.	<p>This condition is still relevant and shall be retained; however, it has been updated to reflect contemporary wording and format without changing the intent.</p> <p>Conditions 15-1 to 15-3 have been deleted and replaced with condition 2-1.</p> <p>2 Contact Details</p> <p>2-1 The proponent shall notify the Chief Executive Officer 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.</p>

Condition	Proposed Change to Condition	Assessment and Evaluation of Proposed Changes
16 Commencement	Delete Condition.	<p>This proposal has substantially commenced, condition 16 therefore has been completed.</p> <p>This condition can be deleted from Ministerial Statement 514.</p>
17 Compliance Auditing	Delete Condition.	<p>Components of this condition are addressed by the new condition 3 “Compliance Reporting”.</p> <p>This condition can be deleted from Ministerial Statement 514.</p>
Note	Delete Note 1 and replace with Notes listed in the next column.	<p>Note 1 is deleted and replaced with Notes below in accordance with “Standard Administrative Procedures” which have been developed by the Office of the Environmental Protection Authority to streamline the Administrative Implementation Conditions in Ministerial Statements.</p> <p>Notes:</p> <p>The Following notes are provided for information and do not form a part of the implementation conditions of the Statement:</p> <ul style="list-style-type: none"> • The proponent for the time being nominated by the Minister for Environment under section 38(6) of the <i>Environmental Protection Act 1986</i> 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 <i>Environmental Protection Act 1986</i> 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 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 <i>Environmental Protection Act 1986</i> at the time the Statement was signed by the Minister for Environment.

Table 2 West Angelas Iron Ore Project – assessment of proposed deletion of Proponent Commitments

No.	Commitment	Assessment and Evaluation of Proposed Deletion
1	Turbidity from construction of the Cape Lambert stockpile extension area will be kept below defined criteria.	<p>The Cape Lambert Port Upgrade is managed under Ministerial Statement 741; therefore this commitment no longer applies.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
2	Maintain existing natural drainage lines where practical and minimise potential for erosion.	<p>The intent of this commitment can be managed under the proposed condition 7 (Surface Water Drainage) and has also been adopted into the new Surface Water Management Plan of the updated Environmental Management Program.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
3	Drainage Diversion Management Plan will be prepared for the minesite deposits and associated infrastructure in the vicinity of the minesite.	<p>The Drainage Diversion Management Plan was prepared and implemented prior to commencement of mining related earthworks for each deposit as prescribed by Commitment 3.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
4	The proponent will allow other mining companies to use the rail corridor.	<p>The objective of this commitment was to reduce the need for multiple service corridors through national parks. The duplication of the existing rail line was approved in 2009, instead of implementing a new rail line as described in the original proposal.</p> <p>The Rail Management Plan is part of the new Environmental Management Program as required by the new Ministerial condition 5.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
5	<p>An environmental Management Plan will be prepared and implemented which would include but not be limited to consideration of:</p> <ul style="list-style-type: none"> - cracking clay communities; - Mulga communities; 	<p>Environmental Management Plans were prepared prior to construction and implemented as prescribed by commitment 5.</p> <p>The aspects of this commitment that are still relevant have been adopted into the new Environmental Management Program required by Condition 5.</p>

No.	Commitment	Assessment and Evaluation of Proposed Deletion
	<ul style="list-style-type: none"> - flora and fauna with special management needs; - rehabilitation; - drainage design along the railway; - fire and dust management; - implementation of relevant aspects of DME² guidelines; and - timing for implementation of commitment reporting. 	<p>This commitment can be deleted from Ministerial Statement 514.</p>
6	Additional surveys will be undertaken to address flora, fauna and groundwater.	<p>The additional surveys were required to be undertaken prior to construction. This commitment has been completed.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
7	Assist the Western Australian Museum to minimise and manage impacts to stygofauna around the minesite and the borefield.	<p>As required by this commitment, stygofauna monitoring was undertaken prior to mine dewatering and groundwater abstraction from the Turee Creek B Borefield and the results submitted to WA Museum. This commitment therefore has been completed.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
8	Bores for production and standby use in the Jeerinah Formation dolerite rocks will be avoided if further research indicates presence of stygofauna species of significant conservation value.	<p>Sampling to date has not yielded any stygofauna species of elevated conservation significance. However, this commitment is still relevant and has been incorporated into Groundwater Management Plan that is part of Environmental Management Program required by Condition 5.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
9	Bores to provide water for construction phase will be sited in Deposit A if possible.	<p>This commitment was completed during the construction phase.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
10	Monitor production and dewatering bores for stygofauna abundance and water levels where stygofauna are present.	<p>This commitment has been incorporated into Groundwater Management Plan that is part of Environmental Management Program required by condition 5.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>

² DME was Department of Mines and Exploration which is currently Department of Mines and Petroleum (DMP)

No.	Commitment	Assessment and Evaluation of Proposed Deletion
11	Drawdown and stygofauna abundance monitoring will be performed throughout the life of the mine.	<p>It is no longer possible to sample groundwater bores specifically stated in this commitment. A number of those bores including WB32 and WB58 have been backfilled and rehabilitated. Further, due to the fact that stygal communities experience natural fluctuations, it is not possible to demonstrate that a significant decline in stygofauna abundance or diversity has occurred as a result of the mining activities. The proponent has developed a habitat monitoring program to replace the traditional stygofauna sampling approach.</p> <p>The requirement for this commitment has been addressed by incorporating a habitat monitoring program into the Groundwater Management Plan required by proposed condition 5.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
12	Pumping will be re-assessed or stopped if a significant drop in stygofauna abundance is noted.	<p>The Groundwater Management Plan required by proposed Condition 5 contains a "Groundwater management contingency actions" that addresses commitments 12 and 13.</p> <p>Commitments 12 and 13 can be deleted from Ministerial Statement 514.</p>
13	Alternative bores will be utilised when stygofauna have been found to exhibit a significant drop in fauna diversity and/ or abundance due to water extraction.	
14	Workshops, stores and fuel depots will be constructed to comply with DME guidelines to prevent pollution to groundwater.	<p>This commitment was completed during the construction phase.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>
15	Monitoring of stygofauna abundance and water levels at the Pastoral Bore, located approximately 8km west of the Turee B Borefield.	<p>Commitments 15, 16, 17 and 18 are addressed by the Groundwater Management Plan that is part of the Environmental Management Program required by condition 5.</p> <p>Commitments 15, 16, 17 and 18 can be deleted from Ministerial Statement 514.</p>
16	Further survey and monitoring will be carried out in the expanded borefield to ensure that production bores do not have stygofauna populations and are not near enough to other bores where stygofauna may be affected.	
17	Monitoring program will be implemented (as for the mine area described above) to ensure that stygofauna in the expanded borefield are protected.	

No.	Commitment	Assessment and Evaluation of Proposed Deletion
18	Mine staff are briefed to ensure that aims and strategies to protect stygofauna are understood.	
19	Flora and fauna survey data provided to government agencies in a compatible format.	<p>This commitment is addressed by the Vegetation and Flora and Fauna Management Plans that are part of the Environmental Management Program required by condition 5.</p> <p>This commitment can be deleted from Ministerial Statement 514.</p>

MIN2013-0487

RECOMMENDED ENVIRONMENTAL CONDITIONS

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

West Angelas Iron Ore Project

Proposal: The development of iron ore mines at Deposits 'A', 'B', and 'E', waste dumps, ore processing operation and associated infrastructure at West Angelas, 130 kilometres west of Newman, and rail infrastructure, as documented in Schedule 1 of this Ministerial Statement.

Proponent: Robe River Mining Co. Pty. Ltd.

Proponent Address: 152-158 St Georges Terrace
PERTH WA 6000
GPO BoxA42, PERTH WA 6001

Assessment Number: 1914

Previous Assessment Number: 1144

Report of the Environmental Protection Authority: 1508

Previous Report of the Environmental Protection Authority: 924

Previous Ministerial Statement Number: 514

The implementation of the proposal to which the above report of the Environmental Protection Authority relates is subject to the following conditions and procedures, which replace and supersede all previous conditions of Ministerial Statement 514.

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 have been approved under the *Environmental Protection Act 1986*.

2 Contact Details

- 2-1 The proponent shall notify the Chief Executive Officer (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 Compliance Reporting

- 3-1 The proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO.

- 3-2 The proponent shall submit to the CEO the Compliance Assessment Plan required by condition 3-1 prior to the first Compliance Assessment Report required by condition 3-6.

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) the method of reporting of potential non-compliance and corrective actions to take;
- (5) the table of contents of Compliance Assessment Reports; and
- (6) public availability of Compliance Assessment Reports.

- 3-3 The proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 3-1.

- 3-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 3-1 and shall make those reports available when requested by the CEO.

- 3-5 The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.

- 3-6 The proponent shall submit to the CEO Compliance Assessment Reports addressing compliance in the previous calendar year. Compliance Assessment Reports shall be submitted by the submission date defined in the Compliance Assessment Plan required by condition 3-1.

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 preventive 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 3-1.

4 Public Availability of Data

4-1 Subject to condition 4-2, 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.

4-2 If any data referred to in condition 4-1 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.

5 Environmental Management Program

5-1 The proponent shall implement the proposal in accordance with the “*Environmental Management Program*”, dated November 2013, or subsequent revisions approved by the CEO.

The Environmental Management Program consists of the following Management Plans:

- (1) Groundwater Management Plan;
- (2) Surface Water Management Plan;
- (3) Vegetation and Flora Management Plan;
- (4) Fauna Management Plan;
- (5) Dust Management Plan;
- (6) Waste Management Plan; and
- (7) Rail Management Plan.

Each Management Plan includes:

- i. the specific environmental objectives and targets for each environmental factor;
- ii. the management measures to be applied to avoid and minimise the environmental impact of the proposal;
- iii. monitoring measures to measure the performance of management against targets; and
- iv. contingency measures to mitigate impacts.

5-2 The proponent shall make the Environmental Management Program required by condition 5.1 publicly available, in a manner approved by the CEO.

6 Groundwater

6-1 The proponent shall manage groundwater abstraction and dewatering activities to ensure minimal adverse impacts on the availability and quality of groundwater resources and the dependent ecology.

6-2 To verify that the requirements of condition 6-1 are met the proponent shall undertake monitoring of groundwater level elevations and quality as outlined in the Groundwater Management Plan approved as part of Environmental Management Program required by condition 5.

6-3 In the event that the monitoring required by condition 6-2 indicates that the requirements of condition 6-1 are not met, the proponent shall implement contingency actions as outlined in the Groundwater Management Plan.

6-4 The proponent shall submit annually the results of monitoring required by condition 6-2 to the CEO of the Office of the Environmental Protection Authority as part of the compliance assessment reports required by condition 3-6.

7 Surface Water Drainage

7-1 The proponent shall manage surface water drainage and discharge to ensure minimal adverse impacts on existing surface water drainage patterns or the water dependent ecosystems.

7-2 To verify that the requirements of condition 7-1 are met, the proponent shall undertake monitoring of the quality and quantity of water discharge as outlined in the Surface Water Management Plan approved as part of the Environmental Management Program required by condition 5.

7-3 In the event that the monitoring required by condition 7-2 indicates that the requirements of condition 7-1 are not met, the proponent shall implement contingency actions as outlined in the Surface Water Management Plan.

- 7-4 The proponent shall submit annually the results of monitoring required by condition 7-2 to the CEO as part of the Compliance Assessment Reports required by condition 3-6.

8 Conservation Significant Communities and Species

- 8-1 The proponent shall manage clearing activities to ensure minimal adverse impacts on conservation significant communities and species.
- 8-2 To verify that the requirements of condition 8-1 are met, the proponent shall implement the proposal in accordance with the Vegetation and Flora Management Plan and Fauna Management Plan approved as part of the Environmental Management Program required by condition 5.
- 8-3 In the event that monitoring required by the Management Plans detailed in condition 8-2 indicates that the specific environmental objectives and targets, identified for each environmental factor, have been exceeded, the proponent shall:
- (1) within 7 days of becoming aware of the exceedance, implement contingency measures as outlined in the management plans and continue implementation until environmental objectives and targets are being met, or as otherwise agreed by the CEO; and
 - (2) within 14 days of becoming aware of the exceedance, submit details of contingency measures implemented to the CEO.

9 Rehabilitation and closure

- 9-1 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.
- 9-2 The proponent shall prepare a Mine Closure Plan for the West Angelas Iron Ore Project.
- 9-3 The Mine Closure Plan required by condition 9-2 shall:
- (1) when implemented, manage the implementation of the proposal to meet the requirements of condition 9-1;
 - (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.

- 9-4 Within 12 months of commissioning of additional mine pits 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.
- 9-5 Revisions to the Mine Closure Plan may be approved by the CEO on the advice of the Department of Mines and Petroleum.
- 9-6 The proponent shall implement revisions of the Mine Closure Plan required by condition 9-5.

Signed [date]

**HON ALBERT JACOB MLA
MINISTER FOR ENVIRONMENT; HERITAGE**

Table 1: Summary of the Proposal

Proposal title	West Angelas Iron Ore Project
Proponent name	Robe River Mining Co. Pty. Ltd.
Short description	<p>Development and operation of an open-cut iron ore mine and associated infrastructure at the West Angelas Iron Ore Mine, 130 kilometres west of Newman in the Pilbara region (Figure 1). Iron ore is to be mined from above and below the water table in Deposits A, B and E. The general lay out of the mine and facilities are documented in Figure 2.</p> <p>The mining operations are supplied with water from the mine dewatering bores and water from the Turee Creek B Borefield, located approximately 30 kilometres west of the minesite.</p> <p>Railway infrastructure from West Angelas to the port facilities at Cape Lambert (Figure 3).</p>

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

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Mining Area (deposits A, B and E)	Figure 2	Clearing of no more than 2,260 hectares (ha) within a 19,853 ha development envelope.
Waste Dumps	Figure 2	Clearing of no more than 1,407 ha within a 19,853 ha development envelope.
Associated infrastructure, access and accommodation	Figure 2	Clearing of no more than 1,000 ha within a 19,853 ha development envelope.

Figures (attached)

Figure 1 – Regional Location of West Angelas

Figure 2 – West Angelas Iron Ore Mine Indicative Layout and Approval Outline

Figure 3 – West Angelas Railway

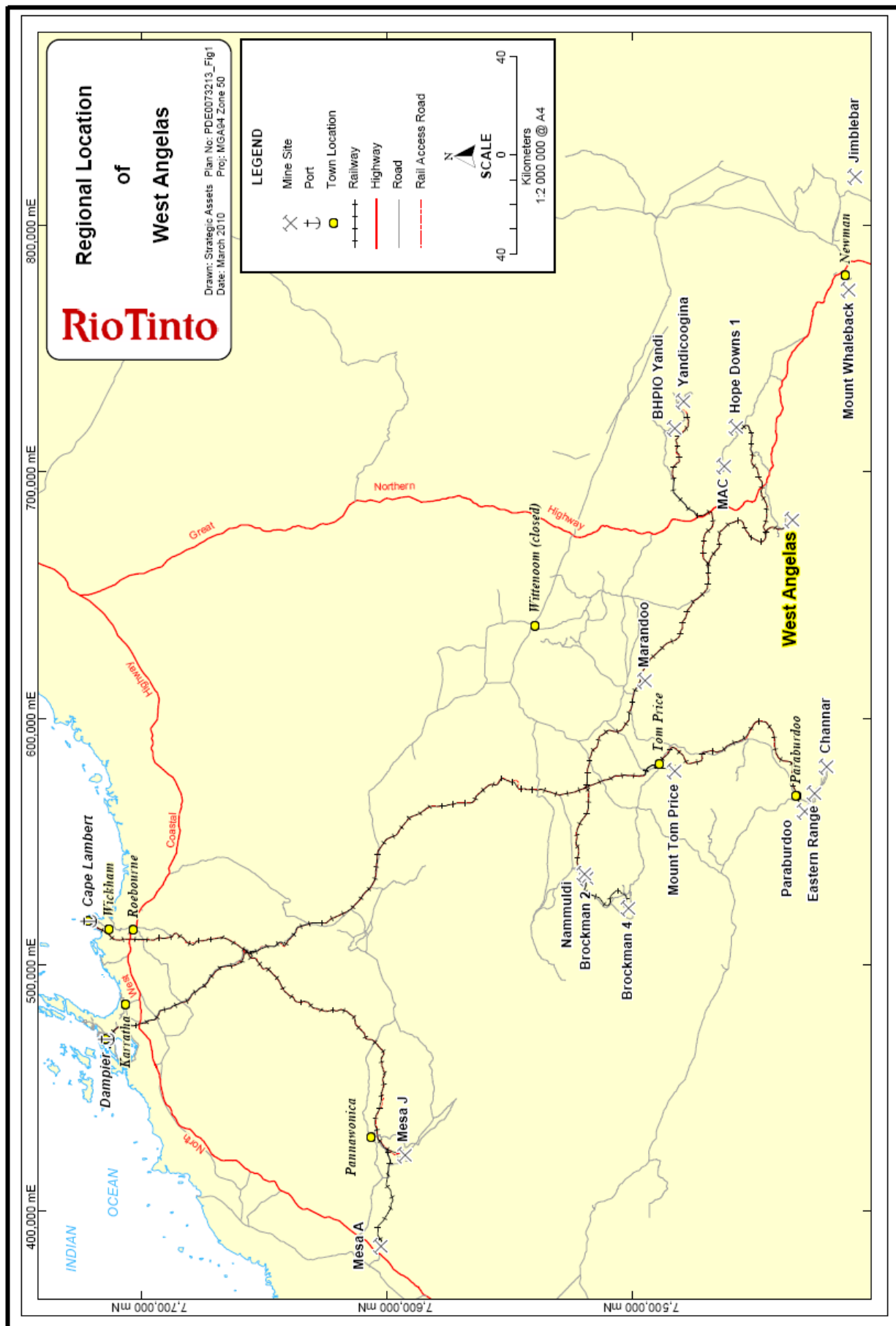


Figure 1: Regional Location of West Angelas

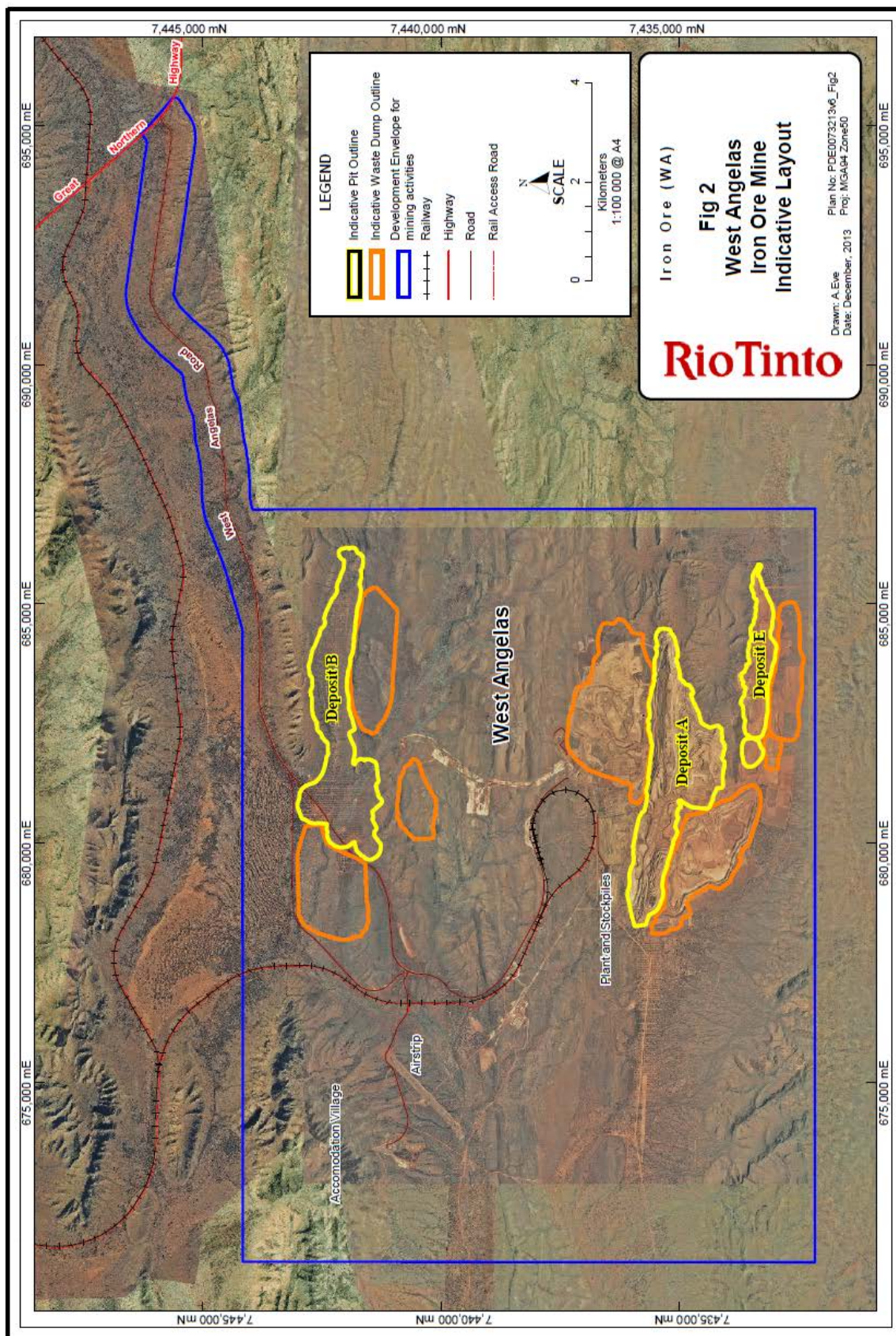


Figure 2: West Angelas Iron Ore Mine Development Envelope and Indicative Layout

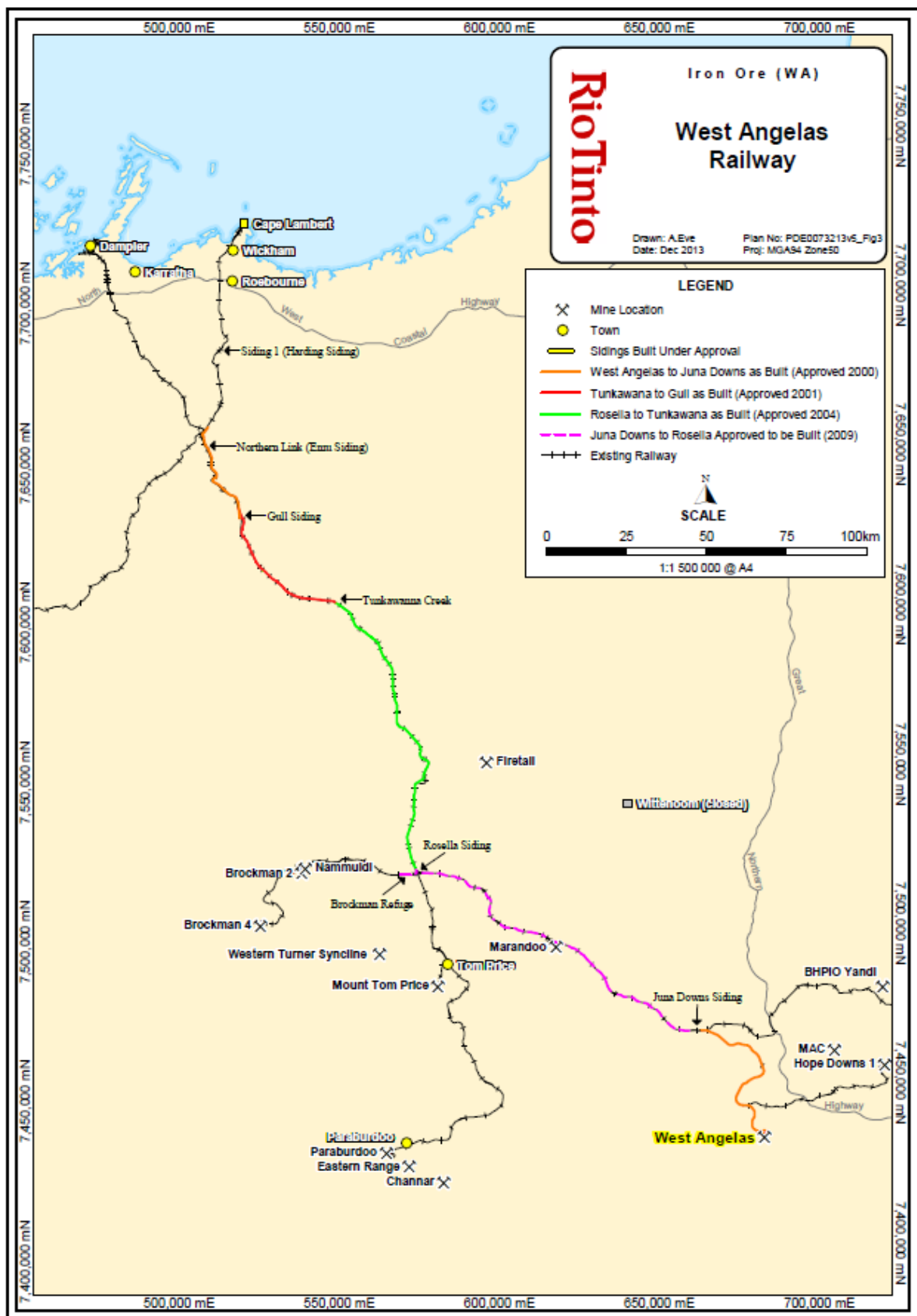


Figure 3: West Angelas Railway

West Angelas Iron Ore Project

Coordinates defining the development envelope are held by the Office of the Environmental Protection Authority, dated 31 December 2013.

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.