



# Report and recommendations of the Environmental Protection Authority



**Roy Hill 1 iron ore project  
port infrastructure proposal  
– inquiry under s46 of the  
*Environmental Protection Act 1986*  
to amend Ministerial Statement 858**

**Roy Hill Infrastructure Pty Ltd**

Report 1515

June 2014

ENVIRONMENTAL PROTECTION AUTHORITY  
REPORT AND RECOMMENDATIONS TO THE MINISTER FOR  
ENVIRONMENT

**INQUIRY UNDER SECTION 46 OF THE *ENVIRONMENTAL PROTECTION ACT 1986* INTO THE MATTER OF CHANGING THE IMPLEMENTATION CONDITIONS RELATING TO THE ROY HILL 1 IRON ORE PROJECT PORT INFRASTRUCTURE PROPOSAL - MINISTERIAL STATEMENT 858**

The Minister for Environment has requested (10 April 2014) that the Environmental Protection Authority (EPA) inquire into and report on the matter of changing the implementation conditions relating to the Roy Hill 1 Iron Ore Project, Port Infrastructure proposal.

The following is the EPA's Report and Recommendations (No. 1515) to the Minister pursuant to section 46(6) of the *Environmental Protection Act 1986* (EP Act).

**Background**

The Roy Hill 1 Iron Ore Project, Port Infrastructure proposal is to construct and operate port infrastructure including a stockyard facility, rail loop, conveyor, wharf and ship-loading facility at Port Hedland. The EPA assessed the proposal as an Environmental Protection Statement, and concluded that the proposal as described in the proponent's referral documents could be managed to meet the EPA's environmental objectives, subject to the EPA's recommended conditions being made legally binding.

The Minister for Environment approved the proposal for implementation, subject to the implementation conditions of Ministerial Statement 858.

**Proposed changes to conditions**

A change to the proposal involving the discharge of dewatered groundwater to South West Creek was authorised under section 45C of the EP Act on 19 February 2014.

The Minister for Environment requested the EPA inquire into the matter of changing the implementation conditions relating to the proposal in order to include a Dewatering Discharge Management Condition.

To ensure the satisfactory management of groundwater discharge prior to the EPA completing its inquiry, the Minister set Interim Implementation Conditions on the proposal requiring the preparation and implementation of a Dewatering Discharge Management Strategy and Dewatering Outfall Management Plan.

### **Assessment of the Proposed Change to Conditions**

The dewatered groundwater will be discharged to berth pockets that are being dredged as part of the South West Creek Dredging and Reclamation Proposal (Ministerial Statement 859). A 'moderate' level of ecological protection (LEP) is considered appropriate for this area, and consistent with the *Pilbara Coastal Water Quality Consultation Outcomes* (Department of Environment, 2006), as the area will eventually contain operating port infrastructure (EPA Report 1380).

Roy Hill Infrastructure Pty Ltd (Roy Hill) has provided modelling of the proposed diffuser design and discharge regime which shows that, although the groundwater will likely exceed 'moderate' LEP water quality parameters at the discharge point, within 30 metres the groundwater will be sufficiently diluted to be within the 'moderate' LEP parameters. To verify the model predictions and ensure adequate dilution is being achieved, the EPA considers it appropriate to change the conditions relating to the proposal to include a Dewatering Discharge Management condition.

Roy Hill has prepared the Roy Hill Port Infrastructure Project - Port Hedland - Dewatering Outfall Management Plan (100RH-3000-EN-PLN-2006 Rev 1, 31 March 2014) in accordance with the Interim Implementation Conditions. The EPA considers this plan satisfactory for the purposes of managing the potential impacts of the dewatering discharge, and recommends a condition be set on the proposal requiring the continued implementation of this plan.

### **EPA Conclusion(s) and Recommendation(s)**

Having inquired into this matter, the EPA submits the following recommendations to the Minister for Environment:

1. That it is appropriate to set a Dewatering Discharge Management condition on the proposal; and
2. That after complying with section 46(8) of the EP Act, the Minister issues a statement of decision to add condition 7 to the implementation conditions of Statement 858 in the manner provided for in the attached recommended statement.

**STATEMENT TO CHANGE IMPLEMENTATION CONDITIONS RELATING TO A  
PROPOSAL  
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE  
*ENVIRONMENTAL PROTECTION ACT 1986*)**

**ROY HILL 1 IRON ORE PROJECT, PORT INFRASTRUCTURE  
PORT HEDLAND**

**Proposal:** The proposal is to construct and operate port infrastructure which includes a stockyard facility, rail loop, conveyor, wharf and ship-loading facility at Port Hedland.

**Proponent:** Roy Hill Infrastructure Pty Ltd (ACN: 130 249 633)

**Proponent Address:** 5 Whitham Road Perth Airport WA 6105

**Report of the Environmental Protection Authority:** 1515

**Preceding Statement Relating to this Proposal:** 858

The implementation of the above proposal is subject to the conditions and procedures contained in Statement No. 858, as amended by the following:

**1. Addition of Condition 7**

Condition 7 below is added to the implementation conditions of Statement 858:

**7. Dewatering Discharge Management**

7-1 The proponent shall implement the Roy Hill Port Infrastructure Project – Port Hedland – Dewatering Outfall Management Plan (100RH-3000-EN-PLN-2006 Rev 2, 9 May 2014), or its revisions as accepted in writing by the \*CEO, when discharging dewatered groundwater to the marine environment.

\*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*, or his delegate.

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