



Report and recommendations of the Environmental Protection Authority



**Keysbrook Mineral Sands Mine
- inquiry under s46 of the
Environmental Protection Act 1986
to amend Ministerial Statement 810**

MZI Resources Ltd

Report 1528

September 2014

MINISTER FOR ENVIRONMENT

KEYSBROOK MINERAL SANDS MINE – INQUIRY UNDER SECTION 46 OF THE *ENVIRONMENTAL PROTECTION ACT 1986* – CHANGE TO IMPLEMENTATION CONDITIONS - EXTENSION OF TIMEFRAME FOR SUBSTANTIAL COMMENCEMENT (ASSESSMENT NO. 2020)

The Minister for Environment has requested (on 4 August 2014) that under section 46 of the *Environmental Protection Act 1986* (EP Act) the Environmental Protection Authority (EPA) inquire into and report on the matter of changing the implementation conditions relating to the Keysbrook Mineral Sands Mine proposal.

The following is the EPA's Report and Recommendations (No. **1528**) to the Minister pursuant to section 46(6) of the EP Act.

Background

Ministerial Statement 810 (published 19 October 2009) gives approval for the Keysbrook Mineral Sands Mine, Shire of Serpentine-Jarrahdale and Shire of Murray. Under section 40 of the EP Act the EPA determined that the proposal was to be assessed at the "Public Environmental Review" level of assessment.

The EPA considered the following key environmental factors in its original assessment of the proposal:

- Vegetation (includes fauna, wetlands and rehabilitation);
- Groundwater;
- Noise; and
- Dust

Using the new Environmental Assessment Guidelines for Environmental Factors and Objectives (EAG8) these factors are now represented by:

- Flora and Vegetation;
- Terrestrial Fauna;
- Rehabilitation and Closure;
- Hydrological Processes;
- Inland Waters and Environmental Quality;
- Amenity; and
- Air Quality

Proposed change to conditions

Condition 3 of Statement 810 requires the proponent to substantially commence the proposal within five years of the date of the Statement (ie before 19 October 2014).

The Keysbrook Mineral Sands Mine proposal has not yet substantially commenced. The proponent has requested an extension of the timeframe for substantial commencement for a further five years, to 19 October 2019.

Assessment of the proposed change to conditions

The EPA considers that the environmental factors of the proposal have not changed significantly from those presented in the Public Environmental Review and as assessed by the EPA in Report 1269 (October 2007), and no new significant environmental factors have arisen since the EPA's assessment of the proposal. The EPA is satisfied that the existing implementation conditions will continue to address the relevant environmental factors, and manage and mitigate the potential impacts of the proposal.

The EPA concludes that its objectives would not be compromised through amendment to Condition 3 to extend the 'Time Limit of Authorisation' by five years, to 19 October 2019.

The EPA also considers it appropriate to amend the definitions of "Acid Sulfate Soils Management Plan" and "CEO" in condition 16 to allow for approved revisions of the plan to be implemented, in line with current practice, and to reflect the contemporary definition of CEO.

EPA Recommendations

Having inquired into the matter, the EPA recommends to the Minister for Environment that:

- the timeframe for substantial commencement of the Keysbrook Mineral Sands Mine proposal be extended by five years, to 19 October 2019;
- the definition of "Acid Sulfate Soils Management Plan" be amended to include "and any subsequent revisions approved by the CEO";
- the definition of "CEO" be amended to reflect the contemporary definition; and
- after complying with section 46(8) of the EP Act, the Minister issues a Statement of decision to amend the conditions of Ministerial Statement 810 in the manner provided for in the attached recommended Statement.

RECOMMENDED ENVIRONMENTAL CONDITIONS

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

KEYSBROOK MINERAL SANDS MINE

SHIRE OF SERPENTINE-JARRAHDALE AND SHIRE OF MURRAY

Proposal: To develop a mineral sands mine near the Keysbrook township. The proposal involves the exaction and processing of a low-grade heavy mineral sands deposit. The proposal is further documented in Attachment 2 of Ministerial Statement 810.

Proponent: MZI Resources Ltd
(ACN: 077 221 722)

Proponent Address: Level 2, 100 Royal Street, EAST PERTH WA 6004

Assessment Number: 2020

Previous Assessment Number: 1580

Report of the Environmental Protection Authority: Report 1528

Previous Statement Number: Ministerial Statement 810

The implementation of the proposal to which the above report of the Environmental Protection Authority relates is, subject to the conditions and procedures contained in Ministerial Statement No. 810, as amended by the following:

1 Condition 3 changed

Condition 3 of Ministerial Statement 810 is deleted and replaced with:

3 Time Limit for Proposal Implementation

3-1 The proponent shall not commence implementation of the proposal after the 19 October 2019, and any commencement, prior to this date, must be substantial.

3-2 Any commencement of implementation of the proposal, on or before 19 October 2019, must be demonstrated as substantial by providing the Chief Executive Officer with written evidence, on or before 19 October 2019.

2. Condition 16 changed

Condition 16 of Ministerial Statement 810 is amended by deleting the definition of “Acid Sulphate Soils Management Plan” and “CEO” and replacing it with the following definition:

“Acid Sulfate Soils Management Plan” means the *Keysbrook Mineral Sand Project Acid Sulfate Soils Management Plan*, prepared for Olympia Resources Ltd by MBS Environmental, May 2007, and referred to in Appendix 2 of EPA Report 1269 and any subsequent revisions approved by the CEO.

“CEO” means the Chief Executive Officer of the Department of the Public Service which is responsible for the administration of section 48 of the *Environmental Protection Act 1986*, or his delegate.

[Signed xxx]

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