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Published on: 17 March 2020

Statement No. 1126

**STATEMENT THAT A REVISED PROPOSAL MAY BE IMPLEMENTED**  
**(*Environmental Protection Act 1986*)**

**JIMBLEBAR OPTIMISATION PROJECT**

**Proposal:** Proposal to mine orebodies and undertake associated activities at Jimblebar, located approximately 40 kilometres east of Newman.

The Revised Proposal is a proposal to amend the Jimblebar Iron Ore Project the subject of Statement No. 683 dated 16 August 2005, Statement No. 809 dated 7 October 2009 and Statement No. 857 dated 18 February 2011 (as amended by Statement No. 1029).

**Proponent:** BHP Billiton Iron Ore Pty Ltd  
Australian Company Number 008 700 981

**Proponent Address:** 125 St Georges Tce PERTH WA 6000

**Assessment Number:** 2223

**Report of the Environmental Protection Authority:** 1663

**Previous Assessment Numbers:** 1558, 1796, 1847 and 2071

**Previous Reports of the Environmental Protection Authority:** 1168, 1335, 1371 and 1564

**Previous Statement Numbers:** 683, 809, 857 and 1029

Pursuant to section 45, read with section 45B of the *Environmental Protection Act 1986*, it has been agreed that:

1. the proposal described and documented in Table 2 of Schedule 1 may be implemented;

2. this Statement supersedes Statement Nos. 683, 809, 857 and 1029, and from the date of this Statement each of the implementation conditions in Statement Nos. 683, 809, 857 and 1029 no longer apply in relation to the Revised Proposal; and
3. the implementation of the Revised Proposal, being the Jimblebar Iron Ore Project as amended by this Proposal, is subject to the following revised implementation conditions:

## **1 Proposal Implementation**

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

## **2 Contact Details**

- 2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (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 which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 3-6 whichever is sooner.
- 3-2 The Compliance Assessment Plan shall indicate:
  - (1) the frequency of compliance reporting;
  - (2) the approach and timing of compliance assessments;
  - (3) the retention of compliance assessments;
  - (4) the method of reporting of potential non-compliances and corrective actions taken;
  - (5) the table of contents of Compliance Assessment Reports; and
  - (6) public availability of Compliance Assessment Reports.
- 3-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 3-2, 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 (7) days of that non-compliance being known.
- 3-6 The proponent shall submit to the CEO the first Compliance Assessment Report annually by 1 October each year addressing compliance in the previous financial year, or as otherwise agreed in writing by the CEO. The first Compliance Assessment Report shall be submitted by 1 October 2020 addressing the compliance for the period from the date of this Statement, notwithstanding that the first reporting period may be less than twelve (12) months.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 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)), management plans and reports 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 these 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 Flora and Vegetation Environmental Management Plan**

5-1 The proponent shall manage the implementation of the Revised Proposal to meet the following environmental objective:

- (1) protect flora and vegetation so that biological diversity and ecological integrity are maintained, and in particular:
  - (a) avoid and minimise direct and indirect impacts on flora taxa listed as priority flora.

5-2 In order to meet the objective specified in condition 5-1, the proponent shall implement the *Jimblebar Flora and Vegetation Management Plan* (Revision 0, November 2019).

5-3 In the event that monitoring, tests, surveys or investigations indicate non-achievement of management target(s) specified in the *Jimblebar Flora and Vegetation Management Plan*, the proponent must:

- (1) report the non-achievement in writing to the CEO within twenty-one (21) days of the non-achievement being identified;
- (2) investigate to determine the cause of the management target(s) not being achieved;
- (3) provide a report to the CEO within ninety (90) days of the non-achievement being reported as required by condition 5-3(1). The report shall include:
  - (a) the cause(s) of the management targets not being achieved;
  - (b) the findings of the investigation required by condition 5-3(2);
  - (c) details of revised and/or additional management actions to be implemented to prevent non-achievement of the management target(s); and
  - (d) relevant changes to proposal activities.

5-4 If monitoring, tests, surveys or investigations indicate that one or more management actions specified in the *Jimblebar Flora and Vegetation Management Plan* has not been implemented, the proponent shall:

- (1) report the failure to implement the management action(s) in writing to the CEO within seven (7) days of identification;
- (2) investigate to determine the cause of the management action(s) not being implemented;

- (3) investigate to determine the potential environmental harm or alteration of the environment that occurred due to the failure to implement the management action(s);
- (4) provide a report to the CEO within twenty-one (21) days of the reporting required by condition 5-4(1). The report shall include:
  - (a) the cause of the failure to implement the management actions;
  - (b) the findings of the investigations required by conditions 5-4(2) and 5-4(3);
  - (c) relevant changes to proposal activities; and
  - (d) measures to prevent, control or abate the environmental harm which may have occurred.

5-5 Failure to implement one or more of the management actions specified in the *Jimblebar Flora and Vegetation Management Plan* represents non-compliance with these conditions.

5-6 The proponent:

- (1) may review and revise the *Jimblebar Flora and Vegetation Management Plan*, or
- (2) shall review and revise the *Jimblebar Flora and Vegetation Management Plan* as and when directed by the CEO.

5-7 The proponent shall implement the most recent version of the *Jimblebar Flora and Vegetation Management Plan* which the CEO has confirmed by notice in writing, addresses the objective specified in condition 5-1.

5-8 The proponent shall continue to implement the version of the *Jimblebar Flora and Vegetation Management Plan* or any subsequent revisions as approved by the CEO under condition 5-7, until the CEO has confirmed by notice in writing that the plan meets the objective specified in condition 5-1.

## **6 Subterranean Fauna Environmental Management Plan**

6-1 The proponent shall manage the implementation of the proposal to meet the following environmental outcome:

- (1) protect subterranean fauna so that biological diversity and ecological integrity are maintained, and in particular:
  - (a) avoid and minimise direct and indirect impacts on the Ethel Gorge aquifer stygobiont community Threatened Ecological Community.

- 6-2 In order to meet the outcome specified in condition 6-1, the proponent shall implement the Subterranean Fauna provisions of the *Eastern Pilbara Water Resource Management Plan* (Version 6, April 2018) (the *Subterranean Fauna Environmental Management Plan*).
- 6-3 In the event that monitoring, tests, surveys or investigations indicate exceedance of threshold criteria specified in the *Subterranean Fauna Environmental Management Plan*, the proponent shall:
- (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified;
  - (2) implement the threshold contingency actions specified in the *Subterranean Fauna Environmental Management Plan* within twenty-four (24) hours and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and the implementation of the threshold contingency actions is no longer required;
  - (3) investigate to determine the cause of the threshold criteria being exceeded;
  - (4) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; and
  - (5) provide a report to the CEO within twenty-one (21) days of the exceedance being reported as required by condition 6-3(1). The report shall include:
    - (a) details of threshold contingency actions implemented;
    - (b) the effectiveness of the threshold contingency actions implemented against the threshold criteria;
    - (c) the findings of the investigations required by conditions 6-3(3) and 6-3(4);
    - (d) measures to prevent the threshold criteria being exceeded in the future;
    - (e) measures to prevent, control or abate the environmental harm which may have occurred; and
    - (f) justification of the threshold remaining, or being adjusted based on better understanding, demonstrating that the outcome will continue to be met.
- 6-4 The exceedance of a threshold criteria (regardless of whether threshold contingency actions have been or are being implemented) represents non-compliance with these conditions.

6-5 The proponent:

- (1) may review and revise the *Subterranean Fauna Environmental Management Plan*, or
- (2) shall review and revise the *Subterranean Fauna Environmental Management Plan* as and when directed by the CEO.

6-6 The proponent shall implement the most recent version of the *Subterranean Fauna Environmental Management Plan* which the CEO has confirmed by notice in writing, addresses the outcome specified in condition 6-1.

6-7 The proponent shall continue to implement the version of the *Subterranean Fauna Environmental Management Plan* or any subsequent revisions as approved by the CEO under condition 6-6, until the CEO has confirmed by notice in writing that the plan meets the outcome specified in condition 6-1.

## **7 Water Environmental Management Plan**

7-1 The proponent shall manage the implementation of the proposal to meet the following environmental outcomes:

- (1) maintain the hydrological regimes and quality of groundwater and surface water so that environmental values are protected, including where relevant avoiding and minimising direct and indirect impacts of the proposal, on:
  - (a) wetland types which may be poorly represented;
  - (b) ecosystems which support conservation significant flora/ vegetation and fauna species or communities, including migratory waterbirds, bats, groundwater dependent biota and subterranean fauna; and
  - (c) ecosystems which support significant amenity, recreation and cultural values.

7-2 In order to meet the outcomes specified in condition 7-1, the proponent shall implement the *Jimblebar Water Management Plan* (Revision 0, November 2019).

7-3 In the event that monitoring, tests, surveys or investigations indicate exceedance of threshold criteria specified in the *Jimblebar Water Management Plan*, the proponent shall:

- (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified;
- (2) implement the threshold contingency actions specified in the *Jimblebar Water Management Plan* within twenty-four (24) hours and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being

met and the implementation of the threshold contingency actions is no longer required;

- (3) investigate to determine the cause of the threshold criteria being exceeded;
- (4) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; and
- (5) provide a report to the CEO within twenty-one (21) days of the exceedance being reported as required by condition 7-3(1). The report shall include:
  - (a) details of threshold contingency actions implemented;
  - (b) the effectiveness of the threshold contingency actions implemented against the threshold criteria;
  - (c) the findings of the investigations required by conditions 7-3(3) and 7-3(4);
  - (d) measures to prevent the threshold criteria being exceeded in the future;
  - (e) measures to prevent, control or abate the environmental harm which may have occurred; and
  - (f) justification of the threshold remaining, or being adjusted based on better understanding, demonstrating that the outcome will continue to be met.

7-4 The exceedance of a threshold criteria (regardless of whether threshold contingency actions have been or are being implemented) represents non-compliance with these conditions.

7-5 The proponent:

- (1) may review and revise the *Jimblebar Water Management Plan*, or
- (2) shall review and revise the *Jimblebar Water Management Plan* as and when directed by the CEO.

7-6 The proponent shall implement the most recent version of the *Jimblebar Water Management Plan* which the CEO has confirmed by notice in writing, addresses the outcomes specified in condition 7-1.

7-7 The proponent shall continue to implement the version of the *Jimblebar Water Management Plan* or any subsequent revisions as approved by the CEO under condition 7-6, until the CEO has confirmed by notice in writing that the plan meets the outcomes specified in condition 7-1.

## 8 Rehabilitation and Decommissioning

- 8-1 The proponent shall manage the implementation of the proposal to meet the following environmental objective:
- (1) ensure that the proposal is decommissioned and the site of the proposal rehabilitated to be safe, stable and non-polluting and in an ecologically appropriate and sustainable manner.
- 8-2 Within twelve (12) months of the issue of this Statement the proponent shall prepare and submit a Mine Closure Plan in accordance with the Guidelines for Preparing Mine Closure Plans, May 2015, (or any subsequent revisions of the guidelines), to the requirements of the CEO, on advice of the Department of Mines, Industry Regulation and Safety, and the Department of Water and Environmental Regulation.
- 8-3 The proponent shall review and revise the Mine Closure Plan required by condition 8-2 at intervals not exceeding five (5) years, or as otherwise specified by the CEO, and submit the plan to the CEO at the agreed interval.
- 8-4 The proponent shall implement the latest revision of the Mine Closure Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 8-2.
- 8-5 The proponent shall implement the *Jimblebar Mine Closure Plan* (Version 2, August 2019) until the CEO has confirmed by notice in writing the Mine Closure Plan required by condition 8-2 satisfies the requirements of the CEO on advice of the Department of Mines, Industry Regulation and Safety.

## 9 Offsets

- 9-1 In view of the significant residual impacts and risks as a result of the implementation of the proposal, the proponent shall contribute funds to the Pilbara Environmental Offsets Fund calculated pursuant to condition 9-2, subject to any reduction approved by the CEO under condition 9-9.
- 9-2 The proponent's contribution to the Pilbara Environmental Offsets Fund shall be paid biennially, with the amount to be contributed calculated based on the clearing undertaken in each year of the biennial reporting period in accordance with the rates in condition 9-3. The first biennial reporting period shall commence from vegetation clearing activities for the environmental values identified in condition 9-3.
- 9-3 Calculated on the 2018-2019 financial year, the contribution rates are:
- (1) \$816 AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation, including foraging habitat for ghost bat, cleared within the development envelope within the Hamersley **IBRA** subregion.

- (2) \$1,632 AUD (excluding GST) per hectare of 'Good' to 'Excellent' condition native vegetation, including foraging habitat for ghost bat, cleared within the development envelope within the Fortescue **IBRA** subregion.
- 9-4 From the commencement of the 2018–2019 financial year, the rates in condition 9-3 will be adjusted annually each subsequent financial year in accordance with the percentage change in the **CPI** applicable to that financial year.
- 9-5 Within three (3) months of the issue of this Statement, the proponent shall prepare and submit an Impact Reconciliation Procedure to the CEO, for the CEO to provide written confirmation that the Impact Reconciliation Procedure satisfies the requirements of condition 9-6.
- 9-6 The Impact Reconciliation Procedure required pursuant to condition 9-5 shall:
- (1) state that clearing calculations for the first biennial reporting period will commence from vegetation clearing activities for the environmental values identified in condition 9-3 in accordance with condition 9-2 and end on the second 30 June following this date;
  - (2) state that clearing calculations for each subsequent biennial reporting period will commence on 1 July of the required reporting period, unless otherwise agreed by the CEO;
  - (3) include a methodology to calculate the amount of clearing undertaken during each year of the biennial reporting period for each of the environmental values identified in condition 9-3;
  - (4) indicate the timing and content of the Impact Reconciliation Reports; and
  - (5) be prepared in accordance with the *Instructions on how to prepare Environmental Protection Act 1986 Part IV Impact Reconciliation Procedures and Impact Reconciliation Reports* (or any subsequent revisions).
- 9-7 The proponent shall submit an Impact Reconciliation Report in accordance with the Impact Reconciliation Procedure approved in condition 9-5.
- 9-8 The Impact Reconciliation Report required pursuant to condition 9-7 shall provide the location and spatial extent of the clearing undertaken during each year of each biennial reporting period.
- 9-9 The proponent may apply in writing and seek the written approval of the CEO to reduce all or part of the contribution payable under condition 9-2 where:
- (1) a payment has been made to satisfy a condition of an approval under the *Environment Protection and Biodiversity Conservation Act 1999* in relation to the proposal;

- (2) the payment counterbalances impacts of the proposal on matters of national environmental significance; and
- (3) the payment counterbalances the significant residual impacts to the environmental value identified in condition 9-3.

9-10 The clearing of 4,644 ha of native vegetation previously authorised under Ministerial Statements 683, 809 and 857 prior to 22 October 2015 is exempt from the requirement to offset under condition 9-1.

[signed on 17 March 2020]

Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT**

Table 1: Summary of the Proposal

<b>Proposal Title</b>	Jimblebar Iron Ore Project – revised proposal
<b>Short Description</b>	<p>The proposal is for mining operations at Jimblebar, located approximately 40 kilometres east of the town of Newman.</p> <p>Mining of iron ore deposits will be undertaken above and below the water table. Mining operations will include open pits, overburden storage areas and the construction and operation of associated mine, processing and rail infrastructure. Groundwater will be abstracted for water supply and to dewater the orebodies. Surplus water management will include transfer to Ophthalmia Dam, controlled creek discharge and managed aquifer recharge.</p>

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

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Mine and associated infrastructure	Figure 1	Clearing of no more than 6,902 ha of native vegetation within the development envelope of 14,206 ha.
Surplus water management	Figure 1	<p>Surplus water management including any or all of the following options:</p> <ul style="list-style-type: none"> <li>• discharge of up to 16.425 GL/a to Ophthalmia Dam</li> <li>• controlled discharge along Caramulla Creek to extend no further than 34 kilometres from the northern boundary of the development envelope under natural, no-flow conditions</li> <li>• managed aquifer recharge in the Caramulla area to limit groundwater level rise to 25 metres below ground level.</li> </ul>

Table 3: Abbreviations and Definitions

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
CPI	The All Groups Consumer Price Index numbers for Perth compiled and published by the Australian Bureau of Statistics.
EP Act	<i>Environmental Protection Act 1986</i>
GL/a	Gigalitres per annum
ha	Hectare
IBRA	Interim Biogeographic Regionalisation for Australia

Acronym or Abbreviation	Definition or Term
Pilbara Environmental Offsets Fund	The special purpose account that has been created pursuant to section 16(1)(d) of the <i>Financial Management Act 2006</i> by the Department of Water and Environmental Regulation.

**Figures (attached)**

Figure 1 Jimblebar Iron Ore Project Development Envelope and Wetting Front extent

Figure 2 Good to Excellent Vegetation in the Hamersley Subregion (Area A) and Good to Excellent Vegetation in the Fortescue Subregion (Area B)

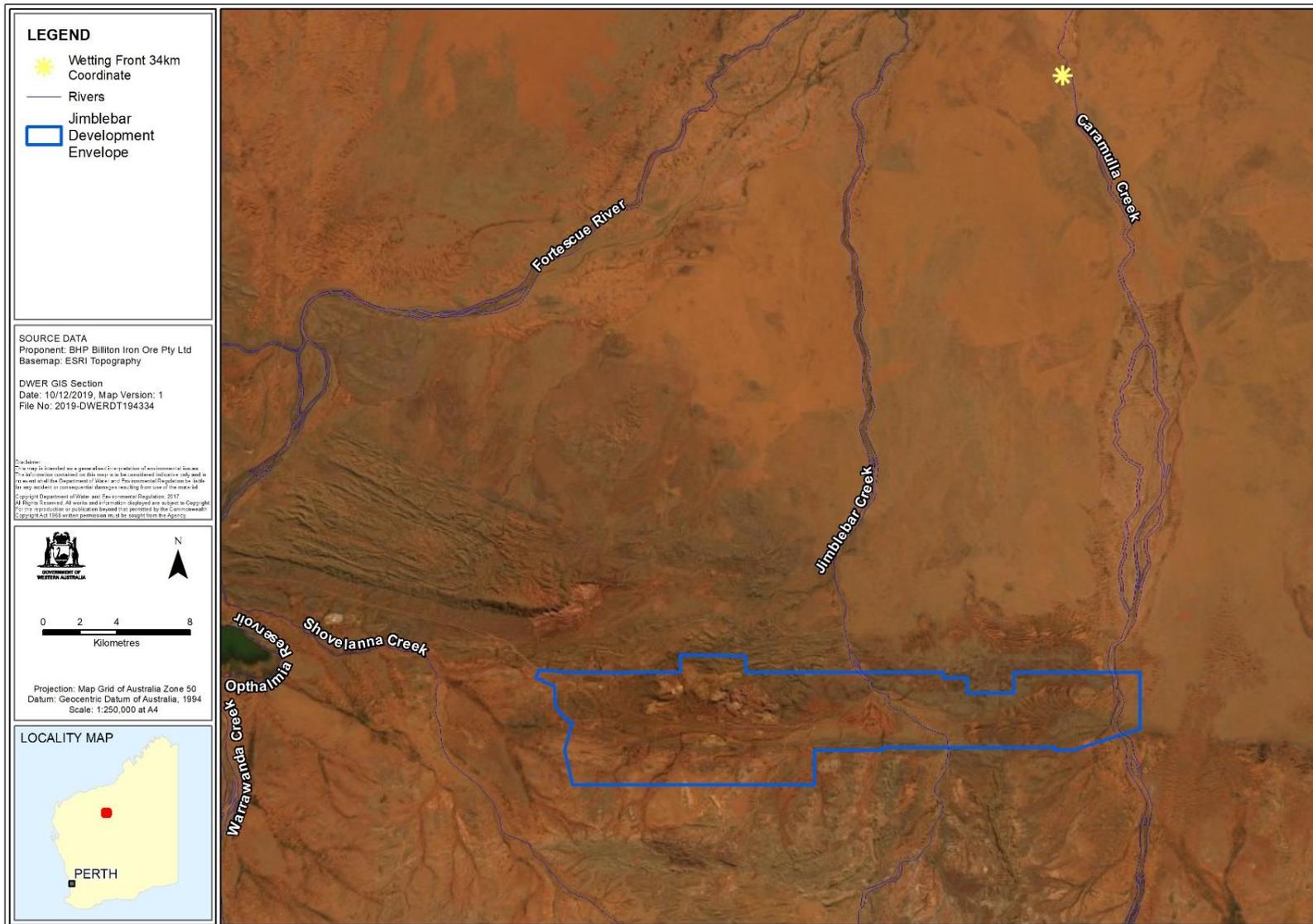
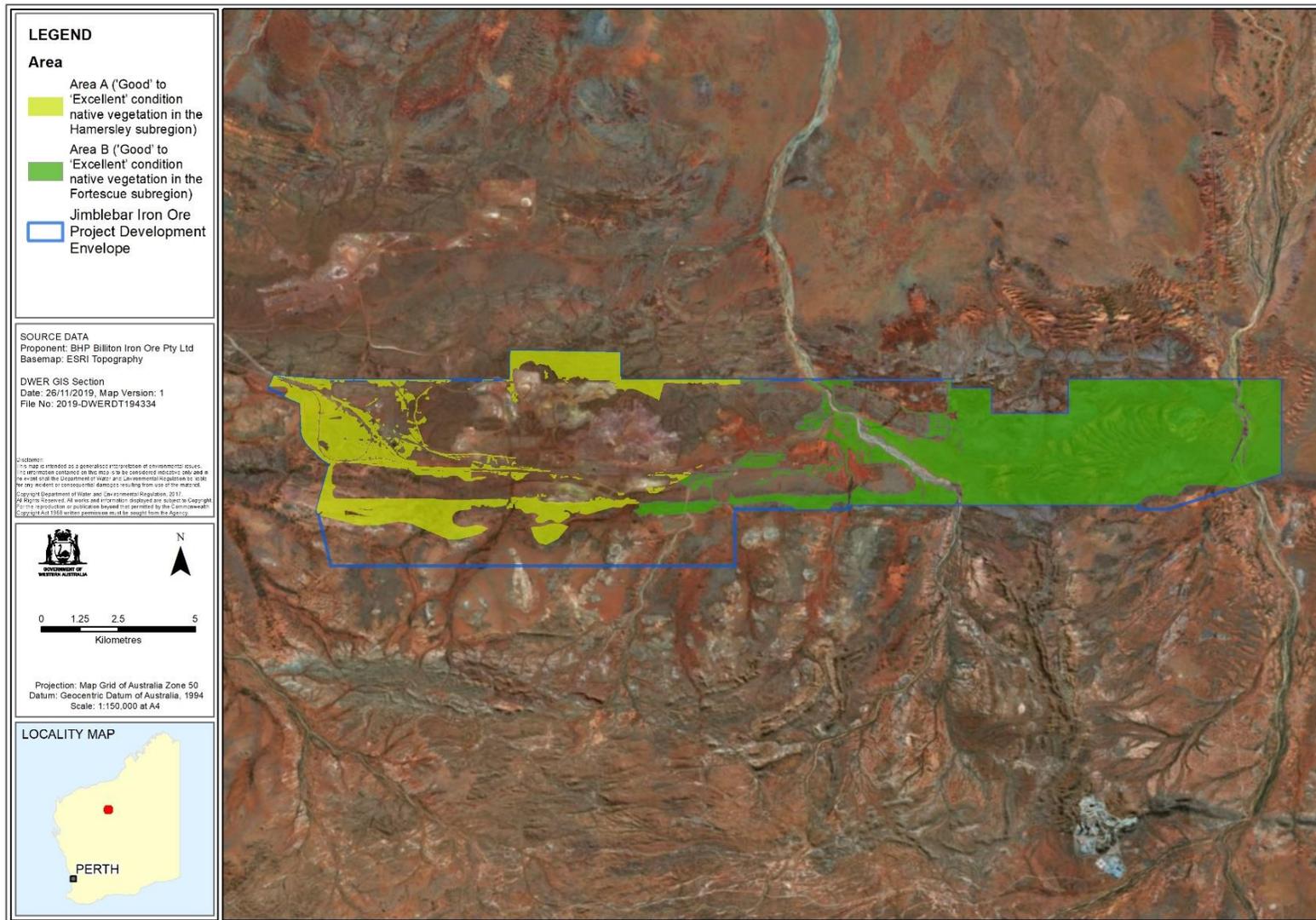


Figure 1: Jimblebar Iron Ore Project Development Envelope and Wetting Front extent



**Figure 2: Good to Excellent Vegetation in the Hamersley Subregion (Area A) and Good to Excellent Vegetation in the Fortescue Subregion (Area B)**

## **Schedule 2**

Coordinates defining the areas shown in Figures 1 and 2 are held by the Department of Water and Environmental Regulation (DWER) under the following reference numbers:

- Jimblebar Iron Ore Project Revised Development Envelope – DWERTD227752
- Caramulla Creek Wetting Front 34km coordinate – DWERTD227752
- Area A comprising 'Good' to 'Excellent' vegetation in the Hamersley IBRA subregion development envelope – DWERTD227752
- Area B comprising 'Good' to 'Excellent' vegetation in the Fortescue IBRA subregion development envelope – DWERTD227752

All coordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 1994 (GDA94).