



Referral of a Proposal by the Proponent to the Environmental Protection Authority under Section 38(1) of the *Environmental Protection Act 1986*.

PURPOSE OF THIS FORM

Section 38(1) of the *Environmental Protection Act 1986* (EP Act) provides that where a development proposal is likely to have a significant effect on the environment, a proponent may refer the proposal to the Environmental Protection Authority (EPA) for a decision on whether or not it requires assessment under the EP Act. This form sets out the information requirements for the referral of a proposal by a proponent.

Proponents are encouraged to familiarise themselves with the EPA's *General Guide on Referral of Proposals* [see Environmental Impact Assessment/Referral of Proposals and Schemes] before completing this form.

A referral under section 38(1) of the EP Act by a proponent to the EPA must be made on this form. A request to the EPA for a declaration under section 39B (derived proposal) must be made on this form. This form will be treated as a referral provided all information required by Part A has been included and all information requested by Part B has been provided to the extent that it is pertinent to the proposal being referred. Referral documents are to be submitted in two formats – hard copy and electronic copy. The electronic copy of the referral will be provided for public comment for a period of 7 days, prior to the EPA making its decision on whether or not to assess the proposal.

CHECKLIST

Before you submit this form, please check that you have:

	Yes	No
Completed all the questions in Part A (essential).	✓	
Completed all applicable questions in Part B.	✓	
Included Attachment 1 – location maps.	✓	
Included Attachment 2 – additional document(s) the proponent wishes to provide (if applicable).	✓	
Included Attachment 3 – confidential information (if applicable).		✓
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping but excluding confidential information.	✓	

Following a review of the information presented in this form, please consider the following question (a response is optional).

Do you consider the proposal requires formal environmental impact assessment?	
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not sure
If yes, what level of assessment?	
<input checked="" type="checkbox"/> Assessment on Proponent Information	<input type="checkbox"/> Public Environmental Review

PROPONENT DECLARATION (to be completed by the proponent)

I, Michael Gollschewski (*full name*), declare that I am authorised on behalf of Rio Tinto (being the person responsible for the proposal) to submit this form and further declare that the information contained in this form is true and not misleading.

Signature:	Name: Michael Gollschewski
Position: Director Hamersley Iron	Company Rio Tinto
Date: 30 July 2015	

PART A - PROPONENT AND PROPOSAL INFORMATION

(All fields of Part A must be completed for this document to be treated as a referral)

1 PROPONENT AND PROPOSAL INFORMATION

1.1 Proponent

Name	Rio Tinto on behalf of Hamersley HMS Pty Limited
Postal Address	Rio Tinto Central Park 152-158 St Georges Terrace Perth WA 6000
Key proponent contact for the proposal: <ul style="list-style-type: none"> • name • address • phone • email 	Tammy Souster Senior Advisor Environmental Approvals Address: as above Ph: 6211 6985 Tammy.souster@riotinto.com

1.2 Proposal

Title	Baby Hope Proposal
Description	The Baby Hope Proposal is to develop and operate above water table pits and associated waste dumps and infrastructure as an amendment to the existing Hope Downs 1 iron ore mine (HD1 Project) approximately 75 km north-west of Newman, Western Australia.
Extent (area) of proposed ground disturbance.	1,000 ha
Timeframe in which the activity or development is proposed to occur (including start and finish dates where applicable).	Commencement is scheduled for 2016 in order to sustain the HD1 Project.
Details of any staging of the proposal.	This is not a staged proposal.
Is the proposal a strategic proposal?	This is not a strategic proposal.
Is the proponent requesting a declaration that the proposal is a derived proposal? If so, provide the following information on the strategic assessment within which the referred proposal was identified: <ul style="list-style-type: none"> • title of the strategic assessment; and • Ministerial Statement number. 	No

Please indicate whether, and in what way, the proposal is related to other proposals in the region.	It is proposed that the Baby Hope Proposal be developed as an amendment to the existing HD1 Project.
Does the proponent own the land on which the proposal is to be established? If not, what other arrangements have been established to access the land?	<p>The Baby Hope Project is entirely within the existing HD1 Project Development Envelope, which has the following tenure:</p> <ul style="list-style-type: none"> • Mining Act State Agreement Mining Lease 70/282 – HDJV • Mine infrastructure and camps Land Administration Act Lease J717063 - HDJV Rail • Land Administration Act Lease J717064 - HDJV Road • Mining Act Miscellaneous Licence 47/182 – HDJV 220Kv Powerline.
What is the current land use on the property, and the extent (area in hectares) of the property?	The current land use is mining. The Baby Hope Proposal is seeking approval for 1,000 ha of additional disturbance to support existing mining operations at HD1 Project, which has an authorised disturbance under Statement 584 of 3750 ha

Proposal Description

1.3 Location

Name of the Shire in which the proposal is located.	Shire of East Pilbara
<p>For remote localities:</p> <ul style="list-style-type: none"> • nearest town; and • distance and direction from that town to the proposal site. 	The mine site is located approximately 75 km northwest of the town of Newman
<p>Electronic copy of spatial data - GIS or CAD, geo-referenced and conforming to the following parameters:</p> <ul style="list-style-type: none"> • GIS: polygons representing all activities and named; • CAD: simple closed polygons representing all activities and named; • datum: GDA94; • projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA); • format: Arcview shapefile, Arcinfo coverages, Microstation or AutoCAD. 	Yes

1.4 Confidential Information

Does the proponent wish to request the EPA to allow any part of the referral information to be treated as confidential?	No
If yes, is confidential information attached as a separate document in hard copy?	N/A

1.5 Government Approvals

Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	No
Is approval required from any Commonwealth or State Government agency or Local Authority for any part of the proposal? If yes, please complete the table below.	No

PART B - ENVIRONMENTAL IMPACTS AND PROPOSED MANAGEMENT

2. ENVIRONMENTAL IMPACTS

Describe the impacts of the proposal on the following elements of the environment, by answering the questions contained in Sections 2.1-2.11:

- 2.1 flora and vegetation;
- 2.2 fauna;
- 2.3 rivers, creeks, wetlands and estuaries;
- 2.4 significant areas and/ or land features;
- 2.5 coastal zone areas;
- 2.6 marine areas and biota;
- 2.7 water supply and drainage catchments;
- 2.8 pollution;
- 2.9 greenhouse gas emissions;
- 2.10 contamination; and
- 2.11 social surroundings.

These features should be shown on the site plan, where appropriate.

For all information, please indicate:

- (a) the source of the information; and
- (b) the currency of the information.

2.1 Flora and Vegetation

2.1.1 Do you propose to clear any native flora and vegetation as a part of this proposal?

✓ Yes **If yes**, complete the rest of this section.

2.1.2 How much vegetation are you proposing to clear (in hectares)?

Clearing of approximately 1,000 ha of native vegetation is proposed. Vegetation within the Baby Hope Area is considered to be widespread in the region and not restricted to the Proposal Area. Clearing will avoid riparian vegetation where practicable. Vegetation community C4, which represents the Weeli Wolli Priority Ecological Community (PEC) will not be disturbed.

2.1.3 Have you submitted an application to clear native vegetation to the DER (unless you are exempt from such a requirement)?

✓ No **If yes**, on what date and to which office was the application submitted of the DEC?

2.1.4 Are you aware of any recent flora surveys carried out over the area to be disturbed by this proposal?

✓ Yes **If yes**, please attach a copy of any related survey reports and provide the date and name of persons / companies involved in the survey(s).

If no, please do not arrange to have any biological surveys conducted prior to consulting with the DEC.

The following flora and vegetation and flora surveys are relevant to the Baby Hope Area:

- Biota 2014, Baby Hope Flora and Vegetation Survey
- Biota 2012, Southern Flank to Jinidi level 2 Flora and Vegetation Survey
- Matiske Consulting Pty Ltd 2009, Flora and Vegetation of the extensions to Hope Downs 1.

2.1.5 Has a search of DEC records for known occurrences of rare or priority flora or threatened ecological communities been conducted for the site?

✓ Yes If you are proposing to clear native vegetation for any part of your proposal, a search of DEC records of known occurrences of rare or priority flora and threatened ecological communities will be required. Please contact DEC for more information.

Copies of the search are included in Appendix 3.

2.1.6 Are there any known occurrences of rare or priority flora or threatened ecological communities on the site?

- Yes No **If yes**, please indicate which species or communities are involved and provide copies of any correspondence with DEC regarding these matters.

There are no known occurrences of Rare Flora or any Threatened or Priority Ecological Communities within the Baby Hope Area.

Five Priority flora recorded within the Baby Hope Area, all occur relatively broadly throughout the Pilbara, and are not restricted to the Hope Downs locality (Biota 2014a):

- *Eremophila* sp. Hamersley Range (K. Walker KW 136) (P1);
- *Hibiscus* sp. Gurinbiddy Range (M.E. Trudgen MET 15708) (P2);
- *Eremophila magnifica* subsp. *velutina* (P3);
- *Goodenia lyrata* (P3); and
- *Eremophila magnifica* subsp. *magnifica* (P4).

2.1.7 If located within the Perth Metropolitan Region, is the proposed development within or adjacent to a listed Bush Forever Site? (You will need to contact the Bush Forever Office, at the Department for Planning and Infrastructure)

- No **If yes**, please indicate which Bush Forever Site is affected (site number and name of site where appropriate).

2.1.8 What is the condition of the vegetation at the site?

The area adjacent the existing operations at Hope Downs mining area has been modified by previously installed tracks and infrastructure during exploration drilling. Pastoral activity has also been undertaken in the northern section of the Hope Downs area resulting in ground disturbance and loss of some understorey species through grazing. The areas within the Baby Hope Area that have not been subjected to grazing pressures are considered to be good on the Keighery scale (Mattiske 2009). Areas subject to regular grazing (such as the northern section of the survey area) are considered to be degraded.

2.2 Fauna

2.2.1 Do you expect that any fauna or fauna habitat will be impacted by the proposal?

- Yes **If yes**, complete the rest of this section.

2.2.2 Describe the nature and extent of the expected impact.

The Baby Hope Proposal is expected to result in loss of 1,000 ha of fauna habitat adjacent to existing mining operations. Habitat within the Hope Downs locality is predominantly breakaways and rocky slopes, and lower gravelly slopes habitats, which are widespread locally and in the region as inferred from their associated vegetation type. The disturbance required for the Baby Hope Proposal has been subject to pastoral activities and is anticipated to result in a negligible impact on any significant fauna habitat.

2.2.3 Are you aware of any recent fauna surveys carried out over the area to be disturbed by this proposal?

✓ Yes **If yes**, please attach a copy of any related survey reports and provide the date and name of persons / companies involved in the survey(s).

If no, please do not arrange to have any biological surveys conducted prior to consulting with the DEC.

- [Biota 2009, Hope Downs S45C Targeted Fauna review](#)
- [Biota 2011, Hope Downs project Life of Mine Targeted Fauna Survey](#)
- [Biota 2014, Baby Hope Deposit targeted Fauna Survey](#)
- [Biota 2015, Baby Hope second Phase Troglifauna Survey](#)

2.2.4 Has a search of DEC records for known occurrences of Specially Protected (threatened) fauna been conducted for the site?

✓ Yes (please tick)

[Searches conducted and a copy is included in Appendix 4 and 5.](#)

2.2.5 Are there any known occurrences of Specially Protected (threatened) fauna on the site?

✓ Yes **If yes**, please indicate which species or communities are involved and provide copies of any correspondence with DEC regarding these matters.

[Two P4 fauna species listed under the Wildlife Conservation Act 1950 – the Western pebble-mound mouse and Australian bustard.](#)

2.3 Rivers, Creeks, Wetlands and Estuaries

2.3.1 Will the development occur within 200 metres of a river, creek, wetland or estuary?

✓ Yes **If yes**, complete the rest of this section.

2.3.2 Will the development result in the clearing of vegetation within the 200 metre zone?

✓ Yes **If yes**, please describe the extent of the expected impact.

[Minor clearing of vegetation is likely to be required within 200 m of Pebble Mouse Creek, upstream of Weeli Wolli Springs. Clearing of riparian vegetation will not be required.](#)

2.3.3 Will the development result in the filling or excavation of a river, creek, wetland or estuary?

✓ No **If yes**, please describe the extent of the expected impact.

2.3.4 Will the development result in the impoundment of a river, creek, wetland or estuary?

✓ No **If yes**, please describe the extent of the expected impact.

2.3.5 Will the development result in draining to a river, creek, wetland or estuary?

✓ No **If yes**, please describe the extent of the expected impact.

2.3.6 Are you aware if the proposal will impact on a river, creek, wetland or estuary (or its buffer) within one of the following categories? (please tick)

Conservation Category Wetland	✓ No
Environmental Protection (South West Agricultural Zone Wetlands) Policy 1998	✓ No
Perth's Bush Forever site	✓ No
Environmental Protection (Swan & Canning Rivers) Policy 1998	✓ No
The management area as defined in s4(1) of the <i>Swan River Trust Act 1988</i>	✓ No
Which is subject to an international agreement, because of the importance of the wetland for waterbirds and waterbird habitats (e.g. Ramsar, JAMBA, CAMBA)	✓ No

2.4 Significant Areas and/ or Land Features

2.4.1 Is the proposed development located within or adjacent to an existing or proposed National Park or Nature Reserve?

✓ No **If yes**, please provide details.

2.4.2 Are you aware of any Environmentally Sensitive Areas (as declared by the Minister under section 51B of the EP Act) that will be impacted by the proposed development?

✓ No **If yes**, please provide details.

2.4.3 Are you aware of any significant natural land features (e.g. caves, ranges etc) that will be impacted by the proposed development?

✓ No **If yes**, please provide details.

2.5 Coastal Zone Areas (Coastal Dunes and Beaches)

2.5.1 Will the development occur within 300metres of a coastal area?

✓ No **If no**, go to the next section.

2.6 Marine Areas and Biota

2.6.1 Is the development likely to impact on an area of sensitive benthic communities, such as seagrasses, coral reefs or mangroves?

- ✓ No **If yes**, please describe the extent of the expected impact.

2.6.2 Is the development likely to impact on marine conservation reserves or areas recommended for reservation (as described in *A Representative Marine Reserve System for Western Australia*, CALM, 1994)?

- ✓ No **If yes**, please describe the extent of the expected impact.

2.6.3 Is the development likely to impact on marine areas used extensively for recreation or for commercial fishing activities?

- ✓ No **If yes**, please describe the extent of the expected impact, and provide any written advice from relevant agencies (e.g. Fisheries WA).

2.7 Water Supply and Drainage Catchments

2.7.1 Are you in a proclaimed or proposed groundwater or surface water protection area?

(You may need to contact the Department of Water (DoW) for more information on the requirements for your location, including the requirement for licences for water abstraction. Also, refer to the DoW website)

- ✓ Yes **If yes**, please describe what category of area.

[Pilbara Groundwater Proclamation Area and Pilbara Surface Water Proclamation Area.](#)

2.7.2 Are you in an existing or proposed Underground Water Supply and Pollution Control area?

- ✓ No **If yes**, please describe what category of area.

2.7.3 Are you in a Public Drinking Water Supply Area (PDWSA)?

(You may need to contact the DoW for more information or refer to the DoW website. A proposal to clear vegetation within a PDWSA requires approval from DoW.)

- ✓ No **If yes**, please describe what category of area.

2.7.4 Is there sufficient water available for the proposal?

(Please consult with the DoW as to whether approvals are required to source water as you propose. Where necessary, please provide a letter of intent from the DoW)

- ✓ Yes (please tick)

2.7.5 Will the proposal require drainage of the land?

✓ No

If yes, how is the site to be drained and will the drainage be connected to an existing Local Authority or Water Corporation drainage system? Please provide details.

2.7.6 Is there a water requirement for the construction and/ or operation of this proposal?

✓ Yes

If yes, complete the rest of this section.

The existing mining operation has an operational water requirement that was described in Statement 584. Water for on-site requirements is presently sourced primarily from mine dewatering operations, which will not be modified by the Baby Hope Proposal.

2.7.7 What is the water requirement for the construction and operation of this proposal, in kilolitres per year?

The Baby Hope Proposal does not alter the operational water requirements of the HD1 Project as described in Statement 584. The Baby Hope Proposal does not require any changes to existing licenses held under the *Rights in Water and Irrigation Act 1914*.

2.7.8 What is the proposed source of water for the proposal? (e.g. dam, bore, surface water etc.)

Water needs for the existing mining operations are provided for from groundwater, abstracted from both out of pit bores and in pit bores used for mine dewatering.

2.8 Pollution

2.8.1 Is there likely to be any discharge of pollutants from this development, such as noise, vibration, gaseous emissions, dust, liquid effluent, solid waste or other pollutants?

✓ Yes

If yes, complete the rest of this section.

The clearing and mining of the deposit will likely generate dust emissions. Dust mitigation measures will be implemented to minimise dust loads. There are no sensitive receptors in proximity to the Mining Area.

2.8.2 Is the proposal a prescribed premise, under the Environmental Protection Regulations 1987?

✓ No

If yes, please describe what category of prescribed premise.

2.8.3 Will the proposal result in gaseous emissions to air?

✓ Yes

If yes, please briefly describe.

The Baby Hope Proposal is expected to result in a minor increase in the volume of gaseous emissions from combustion sources associated with the HD 1 Project.

2.8.4 Have you done any modelling or analysis to demonstrate that air quality standards will be met, including consideration of cumulative impacts from other emission sources?

✓ No

If yes, please briefly describe.

2.8.5 Will the proposal result in liquid effluent discharge?

- ✓ No **If yes**, please briefly describe the nature, concentrations and receiving environment.

2.8.6 If there is likely to be discharges to a watercourse or marine environment, has any analysis been done to demonstrate that the State Water Quality Management Strategy or other appropriate standards will be able to be met?

- ✓ No **If yes**, please describe.

2.8.7 Will the proposal produce or result in solid wastes?

- ✓ No **If yes**, please briefly describe the nature, concentrations and disposal location/ method.

2.8.8 Will the proposal result in significant off-site noise emissions?

- ✓ No **If yes**, please briefly describe.

2.8.9 Will the development be subject to the Environmental Protection (Noise) Regulations 1997?

- ✓ Yes **If yes**, has any analysis been carried out to demonstrate that the proposal will comply with the Regulations?

Please attach the analysis.

[The Baby Hope Proposal will be managed under existing management measures and licences for the HD1 Project.](#)

2.8.10 Does the proposal have the potential to generate off-site, air quality impacts, dust, odour or another pollutant that may affect the amenity of residents and other “sensitive premises” such as schools and hospitals (proposals in this category may include intensive agriculture, aquaculture, marinas, mines and quarries etc.)?

- ✓ No **If yes**, please describe and provide the distance to residences and other “sensitive premises”.

2.8.11 If the proposal has a residential component or involves “sensitive premises”, is it located near a land use that may discharge a pollutant?

- Not Applicable

2.9 Greenhouse Gas Emissions

2.9.1 Is this proposal likely to result in substantial greenhouse gas emissions (greater than 100 000 tonnes per annum of carbon dioxide equivalent emissions)?

- ✓ No **If yes**, please provide an estimate of the annual gross emissions in absolute and in carbon dioxide equivalent figures.

2.9.2 Further, if yes, please describe proposed measures to minimise emissions, and any sink enhancement actions proposed to offset emissions.

2.10 Contamination

2.10.1 Has the property on which the proposal is to be located been used in the past for activities which may have caused soil or groundwater contamination?

✓ No **If yes**, please describe.

2.10.2 Has any assessment been done for soil or groundwater contamination on the site?

✓ No **If yes**, please describe.

2.10.3 Has the site been registered as a contaminated site under the *Contaminated Sites Act 2003*? (on finalisation of the CS Regulations and proclamation of the CS Act)

✓ No **If yes**, please describe.

2.11 Social Surroundings

2.11.1 Is the proposal on a property which contains or is near a site of Aboriginal ethnographic or archaeological significance that may be disturbed?

✓ Yes **If yes**, please describe.

The Baby Hope Area has been subject to ethnographic and archaeological surveys which have located Aboriginal heritage sites in the vicinity of the Proposal; however no sites are expected to be impacted as a result of the Proposal.

2.11.2 Is the proposal on a property which contains or is near a site of high public interest (e.g. a major recreation area or natural scenic feature)?

✓ No **If yes**, please describe.

2.11.3 Will the proposal result in or require substantial transport of goods, which may affect the amenity of the local area?

✓ No **If yes**, please describe.

3. PROPOSED MANAGEMENT

3.1 Principles of Environmental Protection

3.1.1 Have you considered how your project gives attention to the following Principles, as set out in section 4A of the EP Act? (For information on the Principles of Environmental Protection, please see EPA Position Statement No. 7, available on the EPA website)

1. The precautionary principle. ✓ Yes
2. The principle of intergenerational equity. ✓ Yes
3. The principle of the conservation of biological diversity and ecological integrity. ✓ Yes

4. Principles relating to improved valuation, pricing and incentive mechanisms. ✓ Yes

5. The principle of waste minimisation. ✓ Yes

3.1.2 Is the proposal consistent with the EPA's Environmental Protection Bulletins/Position Statements and Environmental Assessment Guidelines/Guidance Statements (available on the EPA website)?

✓ Yes

3.2 Consultation

3.2.1 Has public consultation taken place (such as with other government agencies, community groups or neighbours), or is it intended that consultation shall take place?

✓ Yes

Relevant Decision Making Authorities (DMAs) have been consulted with regards the Baby Hope Proposal. The referral supporting document includes details of this stakeholder consultation.