



**EPA R&R No: 1424**

MINISTER FOR ENVIRONMENT

## **HOPE DOWNS IRON ORE MINE, 75 KILOMETRES NORTH-WEST OF NEWMAN, PILBARA REGION – CHANGE TO CONDITIONS OF MINISTERIAL STATEMENT 584 UNDER S46 OF THE EP ACT**

I refer to the Hon Donna Faragher's letter of 14 June 2010 requesting the Environmental Protection Authority (EPA) to report on Hamersley Hope Management Services Pty Ltd's proposed changes to the environmental conditions for the Hope Downs Iron Ore Mine proposal (Ministerial Statement 584).

The following is the EPA's Report and Recommendations (No. 1424) to you pursuant to section 46(6) of the *Environmental Protection Act 1986*.

### **Introduction**

The proponent, Hamersley Hope Management Services Pty Ltd, has approval to establish an iron ore mine in the Hope Downs area, including facilities for limited processing of the ore, and a rail connection from the mine to a rail network for the transport of iron ore product to the coast, as documented in schedule 1 of Ministerial Statement 584.

Schedule 1 of Ministerial Statement 584 requires the proponent to provide supplementary water to a nearby permanent natural spring known as Weeli Wolli Spring, which is being affected by the dewatering actions of the project.

On this issue schedule 1 states:

*Critical to the prevention of unacceptable impacts on Weeli Wolli Spring as a result of the dewatering operation are the following management strategies:*

1. *maintenance of spring flow by direct discharge of up to 18 000 kilolitres of water per day to the spring during dewatering;*

The proponent has requested that the specific volume limit be removed from Schedule 1, and a new condition added to Ministerial Statement 584 to ensure that the discharge of water to the Weeli Wolli Springs is limited to that necessary to maintain its environmental integrity.

In EPA Bulletin 1024, a supplementation limit of 'up to 18 000 kilolitres of water per day' was recommended to the Minister for Environment by the EPA, as the EPA was concerned with the potential for impact to the ecology of the spring from excessive discharges.

However, while this figure was set to provide protection to the spring from excessive discharge, the proponent has advised that it will become increasingly difficult to manage water supplementation of the spring under the current supplementation restrictions. This is due to a noted drying trend occurring in the climate of the area over recent years, and an increase in groundwater drawdown influence from nearby mining operations. For these reasons even the maximum 18,000 kilolitres of water per day is no longer sufficient to maintain acceptable levels of water at the springs, and this trend is expected to accentuate.

A range of options were explored by the EPA, in consultation with the Department of Environment and Conservation (DEC), in order to resolve this issue via section 45C of the *Environmental Protection Act 1986*, however none of these options were considered practical to implement.

Consequently the EPA advised that a section 46 change to the conditions of Ministerial Statement 584 would be required to replace the specific volume limit listed in Schedule 1 with a more flexible, outcome-based approach that would protect the spring from excess discharge, while allowing for supplementation waters to be introduced as required.

The proponent applied for a section 46 variation to Ministerial Statement 584 on 6 May 2010. Considering the application and the above information, the EPA considers that a new condition (Condition 7) should be added to Ministerial Statement 584, as recommended at the conclusion of this letter.

As part of this condition, several changes have been agreed to be implemented to the Weeli Wolli Springs Water Management Plan (WMP) Values Statement (which is referred to in Condition 7-1), and two vegetative monitoring programme improvements will be added to the WMP, as requested by the DEC.

In parallel with the insertion of the new condition, a section 45C alteration to the schedule of Ministerial Statement 584 would be completed to remove the current supplement limit.

#### **EPA Recommendation**

The EPA recommends that a new condition is included in Ministerial Statement 584 in order to provide a mechanism to ensure that the ecology of Weeli Wolli Spring is not detrimentally affected by excessive discharge. The recommended condition is as set out below:

#### *7. Supplementation discharge*

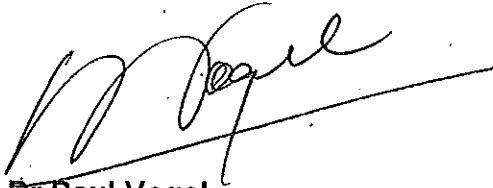
*7-1 The proponent shall ensure that supplementation of Weeli Wolli Springs protects dependent environmental values, as defined by the High Level Values Statement Weeli Wolli Springs & Creek November 2011, or subsequent revisions approved by the CEO of the Office of the EPA.*

*7-2 To verify that the requirements of Condition 7-1 are met:*

- 1. The proponent shall monitor the pool levels and the environmental values associated with the Weeli Wolli Spring Priority Ecological Community to the requirements of the CEO on advice of the Department of Environment and Conservation.*
- 2. The proponent shall establish supplementation criteria to protect the spring environmental values to the satisfaction of the CEO and in consultation with the Weeli Wolli Co-management Board and the Department of Environment and Conservation.*
- 3. The proponent shall submit annually the results of the monitoring of the pools and supplementation volumes to the CEO.*
- 4. In the event that monitoring required by condition 7-2-1 indicates an exceedance of trigger levels determined by condition 7-2-2 as a result of proponent supplementation:*
  - i. the proponent shall report such findings to the CEO within 21 days of the exceedance being identified;*

- ii. *in the report required by condition 7-2-4 (i) the proponent shall provide evidence which allows determination of the cause of the exceedance;*
- iii. *if determined by the CEO to be the result of activities undertaken in implementing the proposal, the proponent shall submit actions to be taken to remediate the exceedance within 21 days of the determination being made by the CEO; and*
- iv. *the proponent shall implement actions to remediate the exceedance upon approval of proposed actions by the CEO and shall continue these actions until such time as the CEO determines that the remedial actions may cease.*

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dr Paul Vogel', is written over a horizontal line.

**Dr Paul Vogel**  
CHAIRMAN

15 December 2011