

## APPENDIX 2

### LEGISLATION, POLICY AND GUIDANCE USED TO INFORM THE STRATEGIC ASSESSMENT

The legislation, policies and guidance relevant to the Strategic Assessment are provided in the table below. It includes Western Australian legislation, policies and guidance, because this is the regulatory framework in which BHP Billiton Iron Ore will implement the Proposal.

#### Legislation, policies and guidance material

Legislation, Policy and Guidance	Considerations	Strategic Assessment Relevance
<b>Commonwealth Legislation</b>		
<i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)	The EPBC Act is the principal piece of Commonwealth environmental protection legislation. It protects matters of national environmental significance (MNES), Commonwealth land and Commonwealth marine areas. The Act establishes a regime of inter-governmental agreements, management plans, approvals and permits for actions that will affect the environment.	BHP Billiton Iron Ore is seeking separate approval of the Strategic Proposal under the EPBC Act and has prepared a separate Impact Assessment Report and MNES Program in relation to that application.
<b>Commonwealth Guidance</b>		
Approved Conservation Advice for relevant species (Threatened Species Scientific Committee 2008a;2008b); specifically: <ul style="list-style-type: none"> <li>• <i>Liasis olivaceus barroni</i> (Olive Python – Pilbara subspecies) (2008);</li> <li>• <i>Lepidium catapycnon</i> (Hamersley lepidium)(2008); and</li> </ul>	Conservation Advices are developed by the Threatened Species Scientific Committee to assist in the recovery of listed native species and ecological communities under the EPBC Act, which provide guidance on immediate recovery and threat abatement activities that can be undertaken to ensure the conservation of a newly listed species or ecological community. For some species and ecological communities, recovery plans may also be developed to assist in recovery.	BHP Billiton Iron Ore has had regard to this conservation advice in the development of mitigation and management measures and will adopt the actions suggested in this advice in implementing the Strategic Assessment. Conservation advices have been used to inform the key threats, research priorities and threat abatement actions for the Specified Protected Matters presented in the IAR. Each relevant key threat is discussed in the impact assessment for the Specified Protected Matters in Section 5.2.

Legislation, Policy and Guidance	Considerations	Strategic Assessment Relevance
<ul style="list-style-type: none"> <li><i>Rhinonictis aurantia</i> (Pilbara form) (Pilbara Leaf-nosed Bat) (2016).</li> </ul>		
<p>Threat Abatement Plans for relevant species (DEWHA 2006; 2008a; 2008b; 2008c); specifically:</p> <ul style="list-style-type: none"> <li>For predation by the European fox;</li> <li>For predation by feral cats;</li> <li>For the biological effects, including lethal toxic ingestion, caused by cane toads</li> </ul>	<p>Threat abatement plans provide for the research, management, and any other actions necessary to reduce the impact of a listed key threatening process on native species and ecological communities. Implementing the plan should assist the long term survival in the wild of affected native species or ecological communities.</p> <p>The Australian Government Minister the Environment, may decide whether to have a threat abatement plan for a threatening process in the list of key threatening processes established under the EPBC Act.</p>	<p>BHP Billiton Iron Ore has had regard to these threat abatement plans in the development of mitigation and management measures and will adopt the actions suggested in this advice in implementing the Strategic Assessment. Threat abatement plans have been used to provide further information the key threats on each Specified Protected Matter where relevant.</p> <p>Predation and/or competition with cats and foxes are considered to be key threats for northern quoll and the greater bilby and have been discussed in Section 5.3.1 and 5.3.2 respectively.</p> <p>Toxic ingestion of cane toads is also considered a key threat for the northern quoll and is discussed in Section 5.3.1.</p>
<p>Threat abatement advice for ecosystem degradation, habitat loss and species decline in arid and semi-arid Australia due to the invasion of Buffel grass (<i>Cenchrus ciliaris</i> and <i>C. pennisetiformis</i>)</p>	<p>The purpose of this threat abatement advice is to identify key actions and research to abate the threat of ecosystem degradation, habitat loss and species decline in arid and semi-arid Australia due to the invasion of buffel grass (<i>Cenchrus ciliaris</i> and <i>C. pennisetiformis</i>)</p>	<p>BHP Billiton Iron Ore has had regard to this threat abatement advice in the development of mitigation and management measures and will adopt the actions suggested in this advice in implementing the Strategic Assessment. BHP Billiton Iron Ore has identified that invasive species are a particular threat to Hamersley Lepidium.</p> <p>Mitigation and management measures are discussed generally in Chapter 8 of the IAR. As such, the mitigation and management measures proposed in respect of impacts to Hamersley Lepidium have incorporated relevant actions suggested in the Threat Abatement Advice. Impacts to Hamersley Lepidium are discussed in Section 5.3.5 of the IAR.</p>
<p>National Recovery Plans:</p> <ul style="list-style-type: none"> <li>Northern Quoll <i>Dasyurus hallucatus</i>; and</li> <li>Greater Bilby <i>Macrostis lagotis</i>.</li> </ul>	<p>Recovery plans set out the research and management actions necessary to stop the decline of, and support the recovery of, listed threatened species or threatened ecological communities. The aim of a recovery plan is to maximise the long term survival in the wild of a threatened species or ecological community.</p>	<p>BHP Billiton Iron Ore has had regard to these national recovery plans in the development of mitigation and management measures and will adopt the actions suggested in this advice in implementing the Strategic Assessment. National recovery plans have been used to inform the key threats and conservation priorities for the northern quoll and greater bilby. Key threats and BHP Billiton Iron Ore's commitments address these key threats for these species; these have been discussed in the impact assessment for the Specified Protected</p>

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		Matters in Section 5.2.
Policy Statement – Listing events (2013)	<p>This Policy Statement provides guidance on:</p> <ul style="list-style-type: none"> <li>• what is a listing event;</li> <li>• the impact of listing events on: <ul style="list-style-type: none"> <li>○ actions with prior authorisation (section 43A of the EPBC Act) or lawful continuation of use of land (section 43B of the EPBC Act);</li> <li>○ actions which have been referred under the EPBC Act for a section 75 decision (a decision on whether or not an action is a controlled action); and</li> <li>○ actions which have not been referred under section 68 of the EPBC Act.</li> </ul> </li> </ul>	<p>BHP Billiton has had regard to this policy statement in developing the MNES Program. A process has been built into the MNES Program to address future listing events (where matters are listed under the EPBC Act as a MNES). These are primarily through:</p> <ul style="list-style-type: none"> <li>• The class of actions approval being limited to 30 years. After this time any matter that has been listed as a new MNES must be included in the newly-issued or revised class of actions in the next 30 year period.</li> <li>• A five yearly review of the Assurance Plan, which addresses listing events within the controlling provisions of class of actions approval. For this first class of actions approval, this would mean that new threatened species and migratory species would need to be included in the Assurance Plan.</li> </ul>
Policy Statement – Indirect consequences of an action (2013)	<p>This Policy Statement provides guidance on determining whether an event or circumstance is an 'indirect consequence' of an action for the purposes of the EPBC Act. An indirect consequence is frequently referred to as an indirect impact.</p>	<p>BHP Billiton has had regard to this policy statement in developing the Draft IAR, which considers the consequences of direct and indirect impacts associated with the primary actions, which are those actions proposed to be undertaken by BHP Billiton Iron Ore within the Strategic Assessment Area. Secondary actions, which are those actions not undertaken as part of the Strategic Proposal but facilitated by the Strategic Proposal, are discussed in Section 5.5.</p>
Policy Statement – Change of person proposing to take an action (2013)	<p>This Policy Statement concerns the processes for changing the person proposing to take an action and for transfers of approvals under the EPBC Act.</p>	<p>BHP Billiton Iron Ore has had regard to this policy statement in the development of MNES Program, which provides for the transfer of an approval of an action provided that BHP Billiton Iron Ore has issued a Notice of Intent to Proceed to the DotE for that action and that the DotE is satisfied that the new approval holder's environmental history is adequate to satisfy the approval requirements.</p>
Policy Statement – Consideration of a person's	<p>This Policy Statement relates assessing a person's 'environmental history' for the purposes of making decisions under the EPBC Act</p>	<p>BHP Billiton Iron Ore understands that the company's environmental history is an important consideration for the Minister in endorsing the</p>

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environmental history (2013)	and Environment Protection and Biodiversity Conservation Regulations 2000.	MNES Program. The Company's environmental history is presented within the IAR. This policy statement has been built into the MNES Program, which provides for the transfer of an approval of an action provided that BHP Billiton Iron Ore has issued a Notice of Intent to Proceed to the DotE for that action and that the DotE is satisfied that the new approval holder's environmental history is adequate to satisfy the approval requirements.
EPBC Act Environmental Offsets Policy (DSEWPaC 2012)	This Policy outlines the Australian Government's approach to the use of environmental offsets. It applies to matters of national environmental significance (MNES) protected under the EPBC Act. BHP Billiton Iron Ore has prepared separate impact assessment documents (IAR and MNES Program) for the Commonwealth assessment of the Strategic Proposal under the EPBC Act.	BHP Billiton Iron Ore has considered the EPBC Act Environmental Offsets Policy in the Draft IAR and MNES Program, which states that proposed new strategic assessments may consider alternative metrics other than the Offset assessment guide. BHP Billiton Iron Ore has committed to developing an Offsets Plan, which may be considered in the approval of an action or class of actions. Refer to Section 8.6.1 for further information.
Compliance and Enforcement Policy (2013)	The Policy describes the Department's approach to, and the principles that guide, compliance and enforcement activities under the EPBC Act. The policy is intended to promote a consistent, transparent and fair approach to EPBC Act compliance and enforcement activities, and provide guidance for stakeholders and the wider community about how the Department addresses potential contraventions of the EPBC Act.	BHP Billiton Iron Ore has had regard to this policy statement in the development of the MNES Program and Draft IAR. Section 8.6.3 of the Draft IAR provides an outline of the reporting, auditing and corrective action that will be undertaken to meet BHP Billiton Iron Ore's obligations under the MNES Program.
Significant Impact Guidelines 1.1 - Matters of National Environmental Significance (2013)	The purpose of these guidelines is to assist any person who proposes to take an action to decide whether or not they should submit a referral to the Australian Government Department of the Environment (the Department) for a decision by the Australian Government Environment Minister (the minister) on whether assessment and approval is required under the EPBC Act. Under the EPBC Act an action will require approval from the minister if the action has, will have, or is likely to have, a significant impact on a matter of national environmental significance. These guidelines outline a 'self-assessment' process, including detailed criteria, to	BHP Billiton Iron Ore has considered the Significant Impact Guidelines in determining whether the Proposal is likely to have an impact on threatened species and communities and migratory species, which are the Controlling Provisions for the Proposal. This screening assessment is provided in the Appendix 3 of the Draft IAR. The Proposal is considered to have the most potential to impact on five threatened species, which are considered as Specified Protected Matters and have been subject to a detailed impact assessment within the Draft IAR (refer to Chapter 8). The Specified Protected Matters are the northern quoll, greater bilby, Pilbara leaf-nosed bat, Pilbara

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	<p>assist persons in deciding whether or not referral may be required. Important terms and phrases are explained in the shaded boxes. The appendix to the guidelines provides further assistance for specific industry sectors.</p>	<p>olive python and the Hamersley lepidium.</p>
<p>Referral guidelines for the endangered northern quoll, <i>Dasyurus hallucatus</i> (2011)</p>	<p>These guidelines are intended to assist you in determining whether your action needs to be referred to the Australian Government Department of Sustainability, Environment, Water, Population and Communities (the department). These guidelines should be read in conjunction with the EPBC Act Policy Statement 1.1 Significant Impact Guidelines – Matters of National Environmental Significance.</p>	<p>BHP Billiton Iron Ore has had regard to the referral guidelines in the development of the Draft IAR. The Strategic Assessment Area is located within the modelled distribution of northern quoll habitat as described within the referral guidelines. The northern quoll is considered to be one of the Specified Protected Matters and the impact to this species from the Proposal is discussed in Section 5.3.1.</p>
<p>National Strategy for Ecologically Sustainable Development (Department of Sustainability, Environment, Water, Population and Communities 1992).</p>	<p>The Guiding Principles of this national strategy to manage development sustainably are:</p> <ul style="list-style-type: none"> <li>• decision making processes should effectively integrate both long and short-term economic, environmental, social and equity considerations;</li> <li>• where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;</li> <li>• the global dimension of environmental impacts of actions and policies should be recognised and considered;</li> <li>• the need to develop a strong, growing and diversified economy which can enhance the capacity for environmental protection should be recognised;</li> <li>• the need to maintain and enhance international competitiveness in an environmentally sound manner should be recognised;</li> <li>• cost effective and flexible policy instruments should be adopted, such as improved valuation, pricing and incentive mechanisms;</li> <li>• decisions and actions should provide for broad community</li> </ul>	<p>The impact assessment presented within the Draft IAR has considered long term (Full Conceptual Development Scenario) and reasonably foreseeable third party mining impacts to allow for impact assessment over appropriate geographic and time scales.</p> <p>Lack of certainty has not impeded the development of a management approach, but rather has accounted for via Validation Framework, which contains a series of validation and verification tasks that are to be undertaken prior to issuing the Department of the Environment with a Notice of Intent to Proceed.</p> <p>Section 8.3 of the Draft IAR discusses the principles of ecologically sustainable development and how the Draft MNES Program and Draft IAR have been developed to meet these.</p>

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	involvement on issues which affect them	
<b>Western Australian Legislation and Regulations</b>		
<i>Environmental Protection Act 1986 (WA) (EP Act)</i>	<p>The EP Act provides for the prevention, control and abatement of pollution and environmental harm, for the conservation, preservation, protection, enhancement and management of the environment and for matters incidental to or connected with those things.</p> <p>The object of the Act is to protect the environment of the State of Western Australia, having regard to a number of principles described in s 4A of the Act.</p>	<p>The Specified Protected Matters considered within the Draft IAR are also considered under the EP Act under the factors flora and vegetation (for Hamersley lepidium); terrestrial fauna (for northern quoll, greater bilby, Pilbara leaf-nosed bat and Pilbara olive python). Other factors, such as subterranean fauna; and landforms and terrestrial environmental quality, hydrological and inland water environmental quality and decommissioning and rehabilitation are also considered regulated by the EP Act.</p> <p>The environmental impact assessment detailed in the Public Environmental Review Strategic Proposal (PERSP) has been conducted in accordance with Part IV of the EP Act. Whether a future proposal constitutes a Derived Proposal will also be determined in accordance with Part IV. Further approvals (e.g., works approvals, clearing permits or environmental licences) may be required under Part V of the EP Act in relation to Derived Proposals.</p>
<i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (WA)</i>	<p>The vegetation clearing provisions of the EP Act set out the framework for WA's land clearing controls (for example, creating offences, setting out the process through which permits are to be issued and administered and the factors that are to be considered when issuing a permit).</p> <p>These Regulations clarify particular aspects of the EP Act, such as the definition of 'Native Vegetation'. They also set out what clearing activities are prescribed clearing activities for which a permit is not required (Prescribed Activities).</p>	<p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of these Regulations.</p> <p>BHP Billiton Iron Ore will consider its obligations in relation to clearing of native vegetation in relation to issuing Notices of Intent to Proceed and will comply with any applicable requirements under the Regulations.</p>
<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA) (Unauthorised Discharges Regulations)</i>	<p>The Unauthorised Discharges Regulations make it an offence to discharge prohibited materials without approval.</p> <p>Prohibited materials listed in Schedule 1 include a range of liquid solutions such as acids, alkalis, hydrocarbons, sewage and solutions containing heavy metals.</p> <p>Prohibited materials listed in Schedule 2 include a range of</p>	<p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of these Regulations.</p> <p>BHP Billiton Iron Ore will consider its obligations in relation to the discharge of prohibited materials in relation Notices of Intent to Proceed and will comply with any applicable requirements under the</p>

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	materials that must not be burnt so as to discharge visible smoke into the environment such as rubber, tyres, plastic and timber.	Regulations.
<i>Mining Act 1978 (WA) (Mining Act)</i>	<p>The Mining Act regulates mining and associated activities in the State of Western Australia. It is to be read and construed subject to the EP Act.</p> <p>The application of the Mining Act may be modified by State Agreements.</p>	<p>The Mining Act regulates the environmental obligations of tenement holders in Western Australia.</p> <p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of the Mining Act.</p> <p>BHP Billiton Iron Ore will consider the operation of the Mining Act to specific tenure for Notices of Intent to Proceed and will comply with any applicable obligations under this Act.</p>
<i>Bush Fires Act 1954 (WA) (Bush Fires Act)</i>	<p>The Bush Fires Act makes provision for diminishing the dangers resulting from bush fires and for the prevention, control and extinguishment of bush fires.</p> <p>Obligations apply under the Act in relation to certain activities during prohibited or restricted burning times, the carriage and deposit of incendiary material, the extinguishment of fires and the use of explosives.</p>	<p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of the Bush Fires Act.</p> <p>BHP Billiton Iron Ore will consider the Bush Fires Act in relation to Notices of Intent to Proceed and will comply with any applicable requirements under the Act.</p>
<i>Rights in Water and Irrigation Act 1914 (WA) (RIWI Act)</i>	<p>The RIWI Act governs rights in relation to natural waters (surface water and ground water) and makes provision for:</p> <ul style="list-style-type: none"> <li>• the conservation and use of such waters for industrial irrigation; and</li> <li>• the construction, maintenance and management of irrigation works.</li> </ul> <p>A licence or permit under the Act is generally required to:</p> <ul style="list-style-type: none"> <li>• take water;</li> <li>• construct or alter wells (including bores and soaks); or</li> <li>• interfere with the bed and banks of a water course.</li> </ul>	<p>BHP Billiton Iron Ore may require licences or permits under the RIWI Act in relation to activities within the scope of the Strategic Assessment.</p> <p>The potential impacts of surface water and groundwater activities under the Strategic Proposal (for which licences or permits may be required) are considered within the Public Environmental Review Strategic Proposal (PERSP) document for State assessment.</p>
<i>Country Areas Water Supply</i>	The CAWS Act provides for the construction, maintenance and administration of reticulated supplies of water to country areas and	BHP Billiton Iron Ore will comply with any applicable provisions of the

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<i>Act 1947(WA) (CAWS Act)</i>	<p>for the safeguarding of water supplies. The Act imposes obligations on proponents who use Water Corporation water in country areas. The obligations are mainly related to keeping equipment in good order and not fraudulently taking water.</p> <p>Permits may also be required under the CAWS Act to clear native vegetation near water, including where an EP Act clearing permit exemption applies in a CAWS Act controlled catchment.</p>	<p>CAWS Act in relation to the Strategic Assessment.</p> <p>Permits may be required for Material Actions involving clearing of native vegetation near water. BHP Billiton Iron Ore will consider and comply with any relevant specific requirements in preparation of a Notice of Intent to Proceed.</p>
<i>Wildlife Conservation Act 1950 (WA) (WC Act)</i>	<p>The WC Act provides for the conservation and protection of flora and native fauna.</p> <p>Generally, all native vertebrate fauna are protected, unless otherwise declared by the Minister as not protected (i.e. some venomous snakes). All native invertebrate fauna are not protected unless otherwise declared as protected (i.e. some stygofauna and rare insects).</p> <p>Generally, all native flora situated on Crown land is protected. Where protected flora occurs on private land it may be taken by the owner or occupier of that land for non-commercial purposes. Flora declared as 'rare flora' are protected on both Crown land and private land.</p> <p>Licences may be issued under the Act in relation to the taking of flora or fauna for purposes specified in the Act.</p>	<p>BHP Billiton Iron Ore will comply with any applicable provisions of the WC Act in relation to the Strategic Assessment.</p> <p>Licences may be required under the WC Act in relation to activities associated with Material Actions. BHP Billiton Iron Ore will consider and comply with any relevant specific requirements in preparation of a Notice of Intent to Proceed.</p>
<i>Conservation and Land Management Act 1984 (WA) (CALM Act)</i>	<p>This Act provides for the use, protection and management of conservation estate and managed lands.</p> <p>The Act contains provisions which apply specifically to certain areas, including areas declared as Timber Reserves, Nature Reserves, State Forests, National Parks and Conservation Parks.</p> <p>Additionally, Part VII of the Act applies generally to all Crown land – that is, land that has not been granted in fee simple (including pastoral leases and mining tenements).</p>	<p>BHP Billiton Iron Ore has considered the CALM Act in refining the scope of the Strategic Assessment and has excluded some areas protected under this Act (e.g., Karijini National Park) from the scope as a result.</p> <p>BHP Billiton Iron Ore will consider the CALM Act in relation to Material Actions and will comply with any applicable requirements under the Act.</p>
<i>Agriculture and Related Resources Protection Act 1976 (WA)</i>	<p>This Act provides for the management and control of certain plants and animals and the prohibition and regulation of the:</p>	<p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of this Act.</p>



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	<ul style="list-style-type: none"> <li>• introduction and spread of certain plants;</li> <li>• introduction, spread and keeping of certain animals; and</li> <li>• protection of agriculture and related resources.</li> </ul> <p>Proponents have obligations under the Act to control declared animals and declared plants found onsite, and to notify the Agriculture Protection Board or authorised persons of any declared animals or declared plants appearing or in existence on any of its sites.</p>	<p>BHP Billiton Iron Ore will consider the Agriculture and Related Resources Protection Act in relation to Material Actions and will comply with any applicable requirements under the Act.</p>
<p><i>Land Administration Act 1997 (WA) (LAA) and Land Administration (Land Management) Regulations 2006 (WA) (Land Management Regulations)</i></p>	<p>The LAA provides for the disposition and management of State land. The Land Management Regulations are made under the LAA and apply to:</p> <ul style="list-style-type: none"> <li>• unallocated State land;</li> <li>• unmanaged reserves, except those for which the care, control or management is provided under another Act;</li> <li>• managed reserves set out in Schedule 1 of the Regulations.</li> </ul> <p>It is an offence under the Regulations to, relevantly:</p> <ul style="list-style-type: none"> <li>• take water from regulated land;</li> <li>• pollute or interfere with any water, water-course or water storage facility on regulated land;</li> <li>• damage, deface, interfere with, pollute or remove any rock, soil or other natural substance on regulated land;</li> <li>• pull or dig up, damage, pick or injure any plant;</li> <li>• kill, injure, capture, chase, disturb, interfere with or feed any animal;</li> <li>• damage or interfere with the nest or habitat of any animal;</li> <li>• remove from any plant or animal from regulated land.</li> </ul> <p>Exemptions apply in relation to acts that are authorised under any other written law.</p>	<p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of the LAA and the Land Management Regulations.</p> <p>BHP Billiton Iron Ore will consider the Act and the Regulations in relation to Derived Proposals and will comply with any applicable requirements.</p>

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<p><i>Aboriginal Heritage Act 1972 (WA)</i></p>	<p>Protection and preservation of Aboriginal cultural heritage is regulated by the Aboriginal Heritage Act.</p>	<p>Mining activities have the potential to impact Aboriginal cultural heritage. The PERSP provides information on BHP Billiton Iron Ore's approach to Aboriginal heritage management.</p> <p>Some places of Aboriginal heritage significance are also listed as national heritage places under the EPBC Act; however none of these occur within the Strategic Assessment Area. Potential future national heritage places are considered under Section 6.2 of the Draft IAR.</p> <p>Material Actions will comply with the Aboriginal Heritage Act where relevant. In particular, development that is likely to require Aboriginal or Traditional Owner consent will be referred under s.18 of the Aboriginal Heritage Act where required.</p>
<p><i>Iron Ore (Marillana Creek) Agreement Act 1991 (WA) (Marillana Creek Agreement Act)</i></p> <p><i>Iron Ore (Mount Goldsworthy) Agreement Act 1964 (Area C) (WA) (Area C Act)</i></p> <p><i>Iron Ore (Mount Newman) Agreement Act 1964 (WA) (Mount Newman Act)</i></p> <p><i>Iron Ore (Mount Goldsworthy) Agreement Act 1964 (Area B) (WA) (Area B Act)</i></p> <p>Iron Ore (McCamey's Monster) Agreement Authorisation 1972 (WA)</p> <p><i>Iron Ore (Goldsworthy-Nimingarra) Agreement Act 1972 (WA) (Goldsworthy-Nimingarra Act)</i></p>	<p>The Agreements are a series of State Agreements that BHP Billiton Iron Ore has entered into with the Western Australian Government in respect of its iron ore projects in the Pilbara.</p> <p>State Agreements detail the rights, obligations, terms and conditions for the development of a specific project and establish a framework for ongoing relations and cooperation between the state and the project proponents.</p>	<p>The State Agreements ratified by these Acts apply to areas within the Strategic Assessment Area for the Strategic Assessment. The Agreements contain obligations relevant to some environmental factors. These obligations have been considered broadly by BHP Billiton Iron Ore as appropriate at the Strategic Assessment level and in developing the Management Framework outlined in Chapter 8 of the Draft IAR.</p> <p>For Material Actions that fall within areas to which State Agreements apply, approval may also be required under the State Agreement. Such approvals could impose conditions relating to environmental management.</p> <p>Specific relevant obligations in the State Agreements will be considered when developing and implementing Derived Proposals. BHP Billiton Iron Ore will comply with its obligations under the Agreements as relevant to the Strategic Proposal and Derived Proposals.</p>

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<b>Western Australian Environmental Protection Authority Policy</b>		
<p>WA Environmental Offsets Policy (Government of Western Australia 2011)</p>	<p>This policy provides a framework for the consistent application of environmental offsets to protect and conserve environmental and biodiversity values.</p>	<p>BHP Billiton Iron Ore's has committed within the MNES Program to develop an Offsets Plan, and this Policy will be considered and applied as relevant at the Material Actions. The policy framework and BHP Billiton Iron Ore's consideration of the policy is summarised below and provided in Section 8.6.1 of the Draft IAR:</p> <p><b>Environmental offsets will only be considered after avoidance and mitigation options have been pursued.</b></p> <p>BHP Billiton Iron Ore's application of the mitigation hierarchy focuses on avoidance and mitigation of impacts prior to any offset approach being considered.</p> <p><b>Environmental offsets are not appropriate for all projects.</b></p> <p>BHP Billiton Iron Ore recognises the benefits of the strategic approach to offsets that can be achieved as a result of the Strategic Assessment. The appropriateness of this offsets approach will be considered on a case-by-case basis for Material Actions.</p> <p><b>Environmental offsets will be cost-effective, as well as relevant and proportionate to the significance of the environmental value being impacted.</b></p> <p>A regional approach that is cost-effective and proportionate to impact is proposed. The cost-effectiveness, relevance and proportionality of this offsets approach will be reviewed on a case-by-case basis for Material Actions.</p> <p><b>Environmental offsets will be based on sound environmental information and knowledge.</b></p> <p>The Draft IAR presents BHP Billiton Iron Ore's substantial baseline understanding of the Pilbara environment. Further studies and analysis have been undertaken to inform the assessment in the Draft IAR. The impacts modelled will be validated for Material Actions in preparing a Notice of Intent to Proceed, and will include consideration of contemporary information and knowledge as required.</p> <p><b>Environmental offsets will be applied within a framework of</b></p>

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		<p><b>adaptive management.</b></p> <p>Adaptive management is integral to the management framework and is discussed in Section 8.4.</p> <p><b>Environmental offsets will be focused on longer term strategic outcomes.</b></p> <p>BHP Billiton Iron Ore considers that the offsets approach allows for the application of offsets with regional environmental benefits over the long-term.</p>
<p>Environmental Protection Bulletin No. 19: EPA Involvement in Mine Closure (EPA 2015c)</p>	<p>This Bulletin outlines the roles of the Department of Mines and Petroleum (DMP) and the EPA in mine closure and explains the circumstances when the EPA will assess mine closure.</p> <p>DMP is responsible for ensuring that mine sites are closed, decommissioned and rehabilitated in an environmentally sustainable manner under the <i>Mining Act 1978 (WA)</i> (Mining Act), the EPA will assess, in the Part IV process, the rehabilitation and decommissioning aspects of mine closure where there are potentially significant impacts or risks associated with mine closure.</p> <p>Where rehabilitation and decommissioning are seen as key integrating factors, the EPA will assess mine closure, and a condition will be recommended to require a Mine Closure Plan to be prepared in accordance with the relevant guidelines.</p>	<p>As the EPA determined that rehabilitation and decommissioning are key integrating factors that are considered in the State approvals process, and are considered in the PERSP.</p>
<p><b>Western Australian Environmental Protection Authority Guidance</b></p>		
<p>Position Statement No. 2: Environmental Protection of Native Vegetation (EPA 2000a)</p>	<p>This Position Statement outlines the EPAs expectations with regards to impact assessment and management of land clearing.</p> <p>The EPA adopts the principles and related objectives and actions of the National Strategy for the Conservation of Australia's Biological Diversity.</p> <p>The EPA considers that clearing in non-agricultural areas of the State may be environmentally acceptable if the proponent demonstrates clearly that the proposal meets the elements set out in</p>	<p>The PERSP considers clearing of native vegetation and demonstrates that clearing required in relation to the Strategic Assessment is environmentally acceptable because:</p> <ul style="list-style-type: none"> <li>different options have been compared to evaluate protection of biodiversity at the species and ecosystem levels, and it is demonstrated that all reasonable steps as are appropriate at the Strategic Assessment level have been taken to avoid disturbing existing native vegetation;</li> </ul>

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	<p>section 4.3 of the Position Statement and that actions to meet the two key objectives of the National Strategy for the Conservation of Australia's Biological Diversity are being met, namely:</p> <p>by the year 2000 Australia will be:</p> <ul style="list-style-type: none"> <li>• Arresting and reversing the decline of remnant native vegetation; and</li> <li>• Avoiding or limiting any further broad-scale clearance of native vegetation, consistent with ecologically sustainable management and bio-regional planning, to those instances in which regional biological diversity objectives are not compromised.</li> </ul>	<ul style="list-style-type: none"> <li>• no known species of plant or animal is likely to be caused to become extinct as a consequence of the Strategic Assessment and the risks to threatened species are considered to be acceptable;</li> <li>• no association or community of indigenous plants or animals is likely to cease to exist as a result of the Strategic Assessment;</li> <li>• vegetation removal under the Strategic Assessment will not compromise any vegetation type by taking it below the threshold level of 30% of the pre-clearing extent of the vegetation type;</li> <li>• it is intended that there will be comprehensive, adequate and secure representation of scarce or endangered habitats within the Strategic Assessment Area and/or in areas which are biologically comparable to the Strategic Assessment area, protected in secure reserves; and</li> <li>• it is intended that the Strategic Assessment Area itself will include a comprehensive and adequate network of conservation areas and linking corridors whose integrity and biodiversity is secure and protected;</li> <li>• any further broad-scale clearance of native vegetation will be avoided or limited, consistent with ecologically sustainable management and bio-regional planning, to those instances in which regional biological diversity objectives are not substantively compromised.</li> </ul> <p>The principles and objectives outlined in the Position Statement will be considered and applied where relevant in relation to Material Actions.</p>
<p>Position Statement No. 3: Terrestrial Biological Surveys as an Element of Biodiversity Protection (EPA 2002)</p>	<p>This Position Statement provides a basis for outlining the requirements of biodiversity protection and the requirements for terrestrial biological surveys for Environmental Impact Assessment in Western Australia.</p> <p>In particular:</p> <ul style="list-style-type: none"> <li>• The EPA expects proponents to demonstrate in their proposals that all reasonable measures have been undertaken</li> </ul>	<p>The Pilbara bioregion has been used as the basis for impact assessment in the Draft IAR, in line with the requirements of this Position Statement. The principles outlined in this statement have been considered in the approach to collecting baseline data and within the Draft IAR (see Section 8.1.4), with data being made publicly available through the lodgement documents.</p> <p>This Position Statement will be considered and applied as relevant in relation to validation of modelled impacts for Material Actions in</p>

Legislation, Policy and Guidance	Considerations	Strategic Assessment Relevance
	<p>to avoid impacts on biodiversity. Where some impact cannot be avoided, the proponent must demonstrate that the impact will not result in unacceptable loss;</p> <ul style="list-style-type: none"> <li>• Information gathered for EIA must meet State, National, and International Agreements, Legislation and Policy in regard to biodiversity conservation;</li> <li>• The EPA will use the Interim Biogeographic Regionalisation of Australia (IBRA) as the largest unit for EIA decision-making in relation to the conservation of biodiversity;</li> <li>• The EPA expects proponents to ensure that terrestrial biological surveys provide sufficient information to address both biodiversity conservation and ecological function values within the context of the type of proposal being considered and the relevant EPA objectives for protection of the environment; and</li> <li>• The EPA expects that terrestrial biological surveys will be made publicly available and will contribute to the bank of data available for the particular region, to aid the overall biodiversity understanding and assessment by facilitating transfer into State biological databases.</li> </ul>	<p>preparing a Notice of Intent to Proceed.</p>
<p>Position Statement No. 4: Environmental Protection of Wetlands (EPA 2004f)</p>	<p>This Position Statement defines important environmental values and functions of wetlands and establishes principles for the environmental protection of wetlands in general.</p> <p>A number of principles are articulated to provide guidance for the restoration, maintenance and enhancement of wetlands.</p>	<p>Hydrological processes and inland waters environmental quality is a key factor that is assessed as part of the PERSP and is consistent with the broad principles outlined in this Position Statement.</p> <p>The Position Statement will be considered and applied where relevant for Material Actions.</p>
<p>Position Statement No. 5: Environmental Protection and Ecological Sustainability of the Rangelands in Western Australia (EPA 2004c)</p>	<p>This Position Statement was withdrawn in December 2013.</p>	<p>The requirements of this Statement are addressed through Guidance Statement 6 (see below).</p>
<p>Guidance Statement No. 6: Rehabilitation of Terrestrial</p>	<p>This Guidance Statement promotes the use of completion criteria</p>	<p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of this</p>

Legislation, Policy and Guidance	Considerations	Strategic Assessment Relevance
Ecosystems (EPA 2006b)	<p>and definitions for the rehabilitation of natural ecosystems which:</p> <ul style="list-style-type: none"> <li>• Allow success to be measured within realistic timeframes;</li> <li>• Are sufficiently precise to allow outcomes to be effectively audited, but are also flexible when required;</li> <li>• Are based on sound scientific principles; and</li> <li>• Acknowledge the consequences of permanent changes to landforms, soils and hydrology.</li> </ul> <p>These include standard criteria that apply to all projects, as well as site specific criteria used to measure the recovery of ecosystems relative to reference sites.</p> <p>Other key areas of discussion are the importance of scientific research and long-term monitoring of outcomes and effective management of information required to measure outcomes.</p>	<p>Guidance. The Guidance will also be considered and applied as relevant for Material Actions.</p> <p>Environmental land factors are detailed in the PERSP in line with this Guidance Statement and includes rehabilitation objectives that have been set in line with this Guidance.</p>
Position Statement No. 8: Environmental Protection in Natural Resource Management (EPA 2005)	This Position Statement was withdrawn in December 2013.	The requirements of this Statement are addressed through Guidance Statement 6 (see above).
Position Statement No. 9: Environmental Offsets (EPA 2006a)	<p>This Position Statement has been withdrawn and replaced by:</p> <ul style="list-style-type: none"> <li>• WA Environmental Offsets Policy</li> <li>• WA Environmental Offsets Guidelines</li> <li>• Environmental Protection Bulletin 1 Environmental Offsets</li> </ul>	<p>BHP Billiton Iron Ore's has committed within the MNES Program to develop an Offsets Plan, and will be consistent with the requirements of the:</p> <ul style="list-style-type: none"> <li>• WA Environmental Offsets Policy</li> <li>• WA Environmental Offsets Guidelines; and</li> <li>• Environmental Protection Bulletin 1 Environmental Offsets.</li> </ul>
Environmental Protection Bulletin 23: Guidance on the EPA Landforms Factor (EPA 2015)	The purpose of this bulletin is to communicate how the Landform factor is considered by the EPA in the environmental impact assessment (EIA) process. This bulletin aims to provide proponents with some high level guidance on the EPA's objective for the Landforms factor to consider when developing their proposal or scheme.	Impacts to landforms are considered within the PERSP and will be verified at for Material Actions.

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Guidance Statement No. 19: Environmental Offsets-Biodiversity (EPA 2008b)	<p>This Guidance Statement has been withdrawn and replaced by:</p> <ul style="list-style-type: none"> <li>• WA Environmental Offsets Policy</li> <li>• WA Environmental Offsets Guidelines</li> <li>• Environmental Protection Bulletin 1 Environmental Offsets</li> </ul>	<p>BHP Billiton Iron Ore's has committed within the MNES Program to develop an Offsets Plan, and will be consistent with the requirements of the:</p> <ul style="list-style-type: none"> <li>• WA Environmental Offsets Policy</li> <li>• WA Environmental Offsets Guidelines; and</li> <li>• Environmental Protection Bulletin 1 Environmental Offsets.</li> </ul>
Guidance Statement No. 20: Sampling of Short Range Endemic Invertebrate Fauna for Environmental Impact Assessment in Western Australia (EPA 2009a)	<p>This Guidance Statement addresses the general standards and common framework including risk-based assessment for the sampling and assessment of short-range endemic invertebrate fauna for EIA in Western Australia. It sets out the EPA's current expectations in respect of the quality and quantity of information derived from these surveys and the consequent analysis, interpretation and reporting.</p> <p>The Guidance provides information which the EPA will consider when assessing proposals where short-range endemic invertebrate taxa is/are relevant environmental factor(s) in the assessment.</p>	<p>Impacts to short-range endemic invertebrate fauna are considered within the PERSP and are consistent with this Guidance Statement. The Guidance Statement will be considered and applied as relevant in relation to validation of the modelled results for Material Actions.</p>
Guidance Statement No. 51: Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia (EPA 2004d)	<p>This Guidance Statement:</p> <ul style="list-style-type: none"> <li>• provides the general standards and a common framework for terrestrial flora and vegetation surveys for EIA in Western Australia, the quality and quantity of information that should be derived from these surveys, and the consequent analysis, interpretation and reporting; and</li> <li>• Is primarily directed at the subset of biodiversity contained in all terrestrial vascular plants.</li> </ul> <p>The Guidance assists in the interpretation and application of the general principles outlined in Position Statement 3 and Position Statement 2.</p>	<p>This guidance has been considered in collecting flora data, which have been used to develop the impact assessment for Hamersley lepidium within the Draft IAR.</p> <p>Impacts to vegetation are considered within the PERSP and are consistent with this guidance statement. The vegetation mapping, currently over 422,425 ha of BHP Billiton Iron Ore tenure.</p> <p>This Guidance Statement will be considered and applied as relevant in relation to validation of impacts for Material Actions.</p>
Guidance Statement No. 55: <i>Implementing Best Practice in Proposals Submitted to the Environmental Impact</i>	<p>Proponents are required by the EPA to demonstrate best practice through the environmental approval process.</p> <p>This Guidance Statement provides guidance on what the EPA</p>	<p>The environmental impact assessment presented in the PERSP demonstrates that the Strategic Proposal is consistent with 'best practice' in that:</p>



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<p><i>Assessment Process</i> (EPA 2003)</p>	<p>means by the term 'best practice' when it is used in the EIA process. The thrust of the Guidance is that:</p> <ul style="list-style-type: none"> <li>• All relevant environmental quality standards must be met;</li> <li>• Common pollutants should be controlled by proponents adopting Best Practicable Measures (BPM) to protect the environment (further explanation around BPM is provided in the Guidance);</li> <li>• Hazardous pollutants (like dioxins) should be controlled to the Maximum Extent Achievable (MEA), which involves the most stringent measures available. For a small number of very hazardous and toxic pollutants, costs are not taken into account;</li> <li>• There is a responsibility for proponents not only to minimise adverse impacts, but also to consider improving the environment through rehabilitation and offsets where practicable.</li> </ul> <p>The Guidance further states that the achievement of best practice will be greatly facilitated if a proponent has an environmental management system in place, particularly if it is consistent with an international standard such as ISO 14001. Where appropriate, the proponent should demonstrate that an environmental management system is in place and includes the following elements:</p> <p>a) An environmental policy and corporate commitment to it;</p> <p>b) Mechanisms and processes to ensure:</p> <ul style="list-style-type: none"> <li>i) planning to meet environmental requirements;</li> <li>ii) implementation and operation of actions to meet environmental requirements; and</li> <li>iii) measurement and evaluation of environmental performance; and</li> </ul> <p>c) Review and improvement of environmental outcomes.</p>	<ul style="list-style-type: none"> <li>• The fauna modelling and impact assessment undertaken demonstrates that all relevant environmental quality standards will be met.</li> <li>• The subterranean fauna assessment undertaken demonstrates that all relevant environmental quality standards will be met.</li> <li>• The Land and Biodiversity Management Toolkit and the Environmental Assurance are consistent with the Guidance Statement in relation to environmental governance.</li> <li>• A key benefit of the Strategic Proposal is the environmental benefits that can be achieved through a strategic approach to the management of environmental Land Factors at the Derived Proposal stage.</li> </ul> <p>The closure, rehabilitation and offsets assessments and approaches for the Strategic Proposal are detailed in the PERSP.</p>

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<p>Guidance Statement No. 56: Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia (EPA 2004e)</p>	<p>This Guidance Statement:</p> <ul style="list-style-type: none"> <li>addresses the general standards and a common framework for terrestrial fauna and fauna assemblages for EIA in Western Australia, the quality and quantity of information derived from these surveys, and the consequent analysis, interpretation and reporting; and</li> <li>is primarily directed at the subset of biodiversity contained in all terrestrial faunal groups.</li> </ul> <p>The Guidance Statement assists in the interpretation and application of the general principles outlined in Position Statement No. 3 and should be read in conjunction with Guidance Statement 51 when planning for biological surveys for EIA and when practical fauna and vegetation surveys should be coordinated.</p>	<p>Fauna surveys have been undertaken in a targeted and site-specific manner in alignment with this guidance and the data has been used to inform the impact assessment for northern quoll, greater bilby, Pilbara olive python and Pilbara leaf-nosed bat in the Draft IAR.</p> <p>Terrestrial fauna of state conservation significance has been considered in the PERSP.</p> <p>This Guidance Statement will be considered and applied as relevant in relation to validation of modelled impacts in preparing a Notice of Intent to Proceed.</p>
<p>Technical Guide – Terrestrial Vertebrate Fauna Surveys for Environmental Impact Assessment (EPA and DEC 2010).</p>	<p>This Guide is specific to terrestrial vertebrate fauna. It provides advice on fauna sampling techniques and methodologies for different regions of the State and the analysis, interpretation and reporting requirements for EIA. It should be read in conjunction with Guidance Statement 56.</p> <p>The Guide is intended for use when planning and undertaking terrestrial vertebrate fauna surveys for assessment of the impacts of development generally (including new infrastructure, mining and native vegetation clearing) as well as for projects that are submitted for formal assessment under Part IV of the EP Act.</p> <p>The Guide provides detail on the different levels of terrestrial vertebrate fauna surveys that may be required for EIA.</p>	<p>The protocols detailed in this Guide have been followed for all fauna survey work undertaken historically by BHP Billiton Iron Ore. The results of these surveys form the basis of the impact assessment in the Draft IAR.</p> <p>Level 1 and Level 2 surveys have been undertaken as required, based on the significance of species at a particular location, or based on the nature of development, or the level of knowledge on the species. Sampling techniques, survey design and analysis are all in line with this Guide.</p> <p>The Guide will be considered and applied as relevant in relation to validation of modelled impacts in preparing a Notice of Intent to Proceed.</p>
<p>Guidance for environmental and water assessment relating to mining operations in the Fortescue Marsh Area (DoW, DEC &amp; OEPA 2013)</p>	<p>This is a Strategic Advice prepared by the EPA and provided to the Minister for Environment under section 16(e) of the EP Act.</p> <p>The Advice aims to provide consistent guidance for agencies and proponents to help streamline project assessment and approval processes to deliver positive environmental outcomes for the Fortescue Marsh.</p>	<p>Fortescue Marsh has been considered within the Draft IAR as a potential future wetland of international importance (Section 6.1.1). The potential impacts of the Strategic Proposal on the Fortescue Marsh land system were assessed in the Ecohydrological Change Assessment, which forms an appendix to the Draft IAR.</p> <p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of this</p>

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	<p>The Advice divides the Fortescue Marsh management area into zones according to key environmental values, which are prioritised according to relative environmental significance. For each environmental value, management objectives are identified and strategies to achieve these objectives outlined.</p>	<p>Guidance. The Guidance will also be considered and applied as relevant for Material Actions.</p>
<p>Draft guidance for environmental and water assessment relating to mining operations in the Fortescue Marsh Area (DoW &amp; OEPA 2011)</p>	<p>This draft guidance was identified as relevant to the Water theme in the ESD. The Guidance has since been finalised and published as Guidance for environmental and water assessment relating to mining operations in the Fortescue Marsh Area (DoW, DEC &amp; OEPA 2013), which is discussed above in this table.</p>	<p>See discussion in relation to the Guidance for environmental and water assessment relating to mining operations in the Fortescue Marsh Area (DoW, DEC &amp; OEPA 2013) above.</p>
<p><b>Other Western Australian Policy and guidance</b></p>		
<p>National Strategy for the Conservation of Australia's Biological Diversity (Department of the Environment, Sport and Territories 1996) (National Strategy)</p>	<p>The National Strategy was signed by the Commonwealth Government and all State and Territory Governments in 1996 to fulfil Australia's obligations under the international Convention on Biological Diversity.</p> <p>The Natural Resource Management Ministerial Council finalised a review of the National Strategy in 2010. A new strategy, Australia's Biodiversity Conservation Strategy 2010-2030 (2010) has now superseded the National Strategy.</p>	<p>The National Strategy has been superseded by Australia's Biodiversity Conservation Strategy 2010-2030. Comment is provided on the new Strategy below.</p>
<p>Australia's Biodiversity Conservation Strategy 2010-2030 (2010)</p>	<p>This Strategy is a national framework guiding the biodiversity conservation policies and programmes of the Commonwealth, State and Territories, so that Australia's biodiversity is healthy and resilient to threats, and valued in its own right and for its essential contribution to our existence.</p> <p>The Strategy is Australia's National Biodiversity Strategy and Action Plan under the international Convention on Biological Diversity.</p> <p>The Strategy highlights three priorities for action:</p> <ul style="list-style-type: none"> <li>Engaging all Australians through mainstreaming biodiversity, increasing indigenous engagement and enhancing strategic investment and partnerships;</li> </ul>	<p>BHP Billiton Iron Ore's Management Framework, which is detailed in Chapter 8 of the Draft IAR, is consistent with the requirements of this Guidance. For example, the adaptive management approach (Section 8.4) includes a step to share learnings. The Guidance will also be considered and applied as relevant for Material Actions.</p>

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	<ul style="list-style-type: none"> <li>• Building ecosystem resilience in a changing climate by protecting biodiversity, maintaining and re-establishing ecosystem functions and reducing threats to biodiversity; and</li> <li>• Getting measurable results by improving and sharing knowledge, delivering conservation initiatives effectively and implementing robust national monitoring, reporting and evaluation.</li> </ul> <p>National targets are set around each of these priorities for action.</p>	
<p>Managing Groundwater Dependent Ecosystems of the Pilbara (DoW 2011a).</p>	<p>This brochure outlines the results of groundwater dependent ecosystems studies conducted by the Department of Water in the Pilbara region.</p> <p>The information and mapping resulting from the studies has been used to describe the ecological values of the study areas and develop conceptual models of how groundwater supports river ecosystems.</p>	<p>The maps produced through these studies outlined in the brochure were used to inform, together with additional studies, information and analysis, the Ecohydrological Change Assessment. This Ecohydrological Change Assessment was used in the assessment of impacts to future potential wetlands of international importance (Section 6.1 of the Draft IAR).</p>
<p>Groundwater-dependent ecosystems: guideline for assessing licences in the Pilbara, Appendix B. In: Pilbara Groundwater Allocation Plan (DoW 2012a)</p>	<p>This Guideline describes how proponents should identify the potential ecological risks and impacts of groundwater abstraction for a proposed project and then demonstrate how these will be managed.</p> <p>It provides guidance on:</p> <ul style="list-style-type: none"> <li>• the steps for assessing impacts on groundwater-dependent ecosystems (GDEs) as part of a water licence assessment process;</li> <li>• aligning GDE and water licence assessment with environmental impact assessment and approvals under the EP Act (where relevant), using reference to the Department of Water's <i>Water in Mining Guideline</i> (DoW 2013d);</li> <li>• key issues that need to be considered for Pilbara GDEs;</li> <li>• sources and availability of relevant information that will be useful to proponents in identifying and planning how to manage potential impacts on GDEs;</li> </ul>	<p>This Guideline informed the Ecohydrological Change Assessment. This Ecohydrological Change Assessment was used in the assessment of impacts to future potential wetlands of international importance (Section 6.1 of the Draft IAR).</p> <p>The Guideline will be considered and applied as relevant in relation to Material Actions where relevant.</p>

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	<p>The Guideline supplements <i>Operational policy no. 5.12 – Hydrological reporting associated with a groundwater well licence</i> (DoW 2009c) and the <i>Water in Mining Guideline</i> (DoW 2013d), which together outline the information the DoW needs to assess an application for a licence under s 5C of the RIWI Act where there are likely to be impacts on GDEs.</p>	
<p>Guidelines for Preparing Mine Closure Plans (DMP &amp; EPA 2011 and 2015)</p>	<p>The aim of this Guideline is to ensure that, for every mine in Western Australia, a planning process is in place so that the mine can be closed, decommissioned and rehabilitated to meet DMA and EPA's objectives for rehabilitation and closure. The Guideline includes provisions for the consideration of surface water management and groundwater management in mine closure.</p> <p>The 2015 Guidelines have superseded the 2011 Guidelines that were identified in Section 7.2.3 of the ESD.</p>	<p>These Guidelines have informed BHP Billiton Iron Ore's rehabilitation and decommissioning approach described the PERSP. The approach is consistent with the Guidelines and will be verified and information provided within the Notice of Intent to Proceed where relevant. Mine Closure Plans will be prepared for mining operations as applicable.</p>
<p>Hydrogeological Investigations of Pilbara Groundwater Resources. Managing Groundwater Dependent Ecosystems of the Pilbara (DoW 2011b)</p>	<p>This brochure outlines the results of groundwater studies undertaken by the Department of Water in the Pilbara region. The DoW investigated the hydrogeology of six groundwater resources in the Pilbara region.</p> <p>The outcomes of the investigations and other parallel investigations were used to develop the Pilbara groundwater allocation plan.</p>	<p>The maps developed through the studies described in this brochure were used by BHP Billiton Iron Ore to support its understanding of the geological setting and regional hydrogeology. These maps, together with additional studies, information and analysis, were used to develop the Ecohydrological Change Assessment. This Ecohydrological Change Assessment was used in the assessment of impacts to future potential wetlands of international importance (Section 6.1 of the Draft IAR).</p>
<p>Leading Practice Sustainable Development Program for the Mining Industry – Handbooks:</p> <ul style="list-style-type: none"> <li>• Mine Closure and Completion (DITR 2006a)</li> <li>• Mine Rehabilitation (DITR 2006b)</li> <li>• Managing Acid and</li> </ul>	<p>The Leading Practice Sustainable Development Program for the Mining Industry developed fifteen handbooks to address the key issues affecting sustainable development.</p> <p>The Handbooks are designed to provide managers, communities and regulators with user-friendly, essential information on current sustainable mining practices.</p> <p>The Mine Closure and Completion, Mine Rehabilitation and</p>	<p>The Handbooks have informed the assessment and closure, rehabilitation, offsets and management approaches detailed in the PERSP.</p> <p>The principles and processes described in the Handbooks will be considered and applied where relevant, and information provided within the Notice of Intent to Proceed. Mine Closure Plans will be prepared for mining operations as applicable.</p>

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Metalliferous Drainage (DITR 2007)	Managing Acid and Metalliferous Drainage Handbooks provide information across a range of issues relevant to the subjects of the Handbooks, covering both technical and management processes.	
Leading practice sustainable development program for the mining industry. Water Management (DRET 2008)	<p>The Leading Practice Sustainable Development Program for the Mining Industry developed fifteen handbooks to address the key issues affecting sustainable development.</p> <p>The Handbooks are designed to provide managers, communities and regulators with user-friendly, essential information on current sustainable mining practices.</p> <p>The Water Management Handbook provides information for water management across a range of issues, covering both technical and management processes.</p>	<p>The Handbook has informed the Ecohydrological Change Assessment undertaken for the PERSP. This Ecohydrological Change Assessment was used in the assessment of impacts to future potential wetlands of international importance (Section 6.1 of the Draft IAR).</p> <p>The principles and processes described in the Handbook will be considered and applied where relevant for Material Actions.</p>
Joint Guidelines for Preparing Mine Closure Plans (2011 and 2015)	<p>The aim of these Guidelines is to ensure that, for every mine in Western Australia, a planning process is in place so that the mine can be closed, decommissioned and rehabilitated to meet DMP and EPA's objectives for rehabilitation and closure.</p> <p>Note: The 2015 Guidelines have superseded the 2011 Guidelines.</p>	<p>The Guidelines have informed BHP Billiton Iron Ore's rehabilitation and decommissioning approach, which is considered in the PERSP. The approach is consistent with the Guidelines and will be verified and detailed for Material Actions. Mine Closure Plans will be prepared for mine operations as applicable.</p>
Western Australian Offsets Guidelines (Government of Western Australia 2014)	<p>These Guidelines complement the WA Environmental Offsets Policy 2011 by clarifying the determination and application of environmental offsets. They apply to all biodiversity offsets required as a condition of Western Australian environmental approval processes.</p> <p>The Guidelines recognise that in some cases, a better environmental outcome can be achieved by considering offsets at a landscape rather than at a local scale. The use of a strategic approach, such as a fund, is a solution to overcome land use tenure issues by providing a coordination mechanism to implement offsets across a range of land tenures.</p>	<p>BHP Billiton Iron Ore's has committed within the MNES Program to develop an Offsets Plan, and will be consistent with the requirements of the:</p> <ul style="list-style-type: none"> <li>• WA Environmental Offsets Policy</li> <li>• WA Environmental Offsets Guidelines; and</li> <li>• Environmental Protection Bulletin 1 Environmental Offsets.</li> </ul>

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Western Australian State Sustainability Strategy (Government of WA 2003)	This Strategy is no longer active.	BHP Billiton Iron Ore will consider the National Strategy for Ecologically Sustainable Development (Department of Sustainability, Environment, Water, Population and Communities 1992) in managing sustainable development and operations.
Strategic Framework for Mine Closure (ANZMEC/MCA 2000).	This handbook, prepared by the Minerals Council of Australia (MCA), and the Australian and New Zealand Minerals and Energy Council (ANZMEC), outlines strategic framework concepts associated with stakeholder involvement, planning, financial provision, implementation, standards, and relinquishment. Examples of best practice are included.	The Guidelines have informed BHP Billiton Iron Ore's rehabilitation and decommissioning approach, which is considered in the PERSP. The approach is consistent with the Framework and will be verified and detailed as relevant for Material Actions. Mine Closure Plans will be prepared for mining operations as applicable.
Guide to Departmental requirements for the management and closure of tailings storage facilities (DMP 2015); and Guideline to the preparation of a design report for TSFs (DMP 2015)	This Guide has been provided to assist tailings storage facilities designers and operators with preparing the required reports for managing tailings storage facilities. It describes the reports that should be submitted to DMP.  This Guideline has been provided to assist tailings storage facility designers with preparing the design report for a tailings storage facility. It describes the preferred structure of the design report for tailings storage facilities should be submitted to the Department of Mines and Petroleum.	Tailings development is included in the scope for typical mining activities as described in Section 3.5. The design of these facilities will be consistent with these Guidelines, including operation and closure of any such facilities. Mine Closure Plans will be prepared for mining operations as applicable.