

Our Ref: CC-EN-0111  
Your Ref: EPBC 2010/5706



Ms Carol Oates  
Assistant Director  
Monitoring and Audit Section  
Compliance and Enforcement Branch  
Approvals and Wildlife Division  
Department of Sustainability, Environment, Water, Population and Communities  
GPO Box 787  
**CANBERRA ACT 2601**

29 August 2013

Dear Ms Oates

**RE: ANNUAL COMPLIANCE REPORT – CHRISTMAS CREEK WATER  
MANAGEMENT SCHEME (EPBC 2010/5706)**

To satisfy the requirement of condition 3 of Approval Decision – Christmas Creek Water Management Scheme (EPBC 2010/5706), Fortescue Metals Group Limited (Fortescue) provides the enclosed Annual Compliance Report based on a reporting period of 1 July 2012 – 30 June 2013 and confirming compliance with the conditions of our approval.

The Christmas Creek Water Management Scheme involves the construction and operation of additional groundwater dewatering and reinjection infrastructure to allow mining to continue at Fortescue's Christmas Creek mine site below the water table.

If you have any questions in relation to the attached information, please do not hesitate to contact Kyle Goodwin directly on (08) 6218 8394 or email [kgoodwin@fmgl.com.au](mailto:kgoodwin@fmgl.com.au).

Yours sincerely

**FORTESCUE METALS GROUP**



**BRETT MCGUIRE**

Manager, Environmental Governance & Sustainability

**Enc.**

Attachment 1: *Annual Compliance Report: Christmas Creek Water Management Scheme (EPBC 2010/5706) – Fortescue Metals Group Limited, 1 July 2012 - 30 June 2013 (CC-RP-EN-0051)*

Attachment 2: *CD of Appendices 1-6*

**The New Force in Iron Ore**  
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Report

# EPBC 2010/5706: Christmas Creek Water Management Scheme

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## Annual Compliance Report

July 2013  
CC-RP-EN-0051

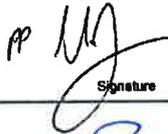


**Fortescue**  
The New Force in Iron Ore

EPBC 2010/5706: Christmas Creek Water Management Scheme – Annual  
Compliance Report  
CC-RP-EN-0051

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		EPBC 2010/5706: Christmas Creek Water Management Scheme – Annual Report	CC-RP-EN-0051
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CC-RP-EN-0051

## 1. INTRODUCTION

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Fortescue Metals Group Limited's (Fortescue) Christmas Creek Water Management Scheme (CCWMS) (the Project) was assessed as a 'controlled action' under Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) by the Department of Sustainability, Environment, Water, Population and Communities (the Department) during the 2011 approval stage of the Project; federal approval for the Project was granted on 11 August 2011. Environmental conditions placed on the Project are outlined in the associated federal approval document EPBC 2010/5706.

The Project involves the construction and operation of additional groundwater dewatering and reinjection infrastructure to allow mining to continue at Fortescue's Christmas Creek mine site below the water table.

This compliance report has been developed to meet the reporting requirements of Condition 3 of EPBC 2010/5706.

This compliance report is based on the 2012/13 annual reporting period for EPBC 2010/5706, 1 July 2012 – 30 June 2013.

CC-RP-EN-0051

## 2. COMPLIANCE AUDIT: EPBC 2010/5706 CONDITIONS

Table 1: Compliance audit of EPBC 2010/5706 conditions

Condition Number	Condition	Implementation Status
1	Within 10 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Action commenced on 15 March 2012, the Department was notified in writing within 10 days of commencement.  <b>Completed</b>
2	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the plans required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Accurate records are maintained of all activities associated with or relevant to the conditions of the approval through Fortescue's Business Management System (BMS).  Christmas Creek site environment staff members collate all data and information required of approval conditions in Fortescue's internal monthly environmental reports, which are maintained through Fortescue's document control system.  <b>Satisfactory to date</b>
3	By 1 September of each year after the commencement of the action, the person taking the action must publish a report on their website addressing compliance with the conditions of this approval for the last financial year (1 July to 30 June), including implementation of any management plans as specified in the conditions. Non-compliance with any of the conditions of this approval must be reported to the Department at the same time as the compliance report is published.	Completed for 2012/13 reporting period.  <b>Satisfactory to date</b>
4	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of the approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	No independent audit requested by the Minister during the reporting period.  <b>Not Required</b>

Condition Number	Condition	Implementation Status
5	<p>If the person taking the action wishes to carry out any activity otherwise than in accordance with the plans, as specified in the conditions, the person taking the action must submit to the department for the Minister's written approval a revised version of that plan. The varied activity shall not commence until the Minister has approved the varied plan in writing. The Minister will not approve a varied plan, unless the revised plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised plan that plan must be implemented in place of the plan originally approved</p>	<p>A revision was proposed to the Minister during the reporting period. An application for amendment in relation to Conditions 9 and 10 of EPBC 2010/5706 was submitted to the Department on 14 May 2013 (CC-EN-0116).</p> <p><b>Satisfactory to date</b></p>
6	<p>If the Minister believes that it is necessary or convenient for the better protection of EPBC Act listed threatened and migratory species to do so, the Minister may request that the person taking the action make specified revisions to the plans specified in the conditions and submit the revised plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved plan must be implemented. Unless the Minister has approved the revised plan then the person taking the action must continue to implement the plan originally approved, as specified in the conditions.</p>	<p>No revisions were proposed by the Minister during the reporting period.</p> <p><b>Not Applicable</b></p>
7	<p>If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.</p>	<p>Action substantially commenced within 5 years. Letter sent to the Department on 20 March 2012 (CC-EN-0002).</p> <p><b>Completed</b></p>
8	<p>Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all plans referred to in these conditions of approval on their website. Each plan must be published on the website within 30 calendar days of being approved.</p>	<p>All plans required in this approval have been published on Fortescue's public website:  <a href="http://www.fmg.com.au/our_commitment/Environment/Environment_Library">http://www.fmg.com.au/our_commitment/Environment/Environment_Library</a></p> <p><b>Satisfactory to date</b></p>

Condition Number	Condition	Implementation Status
9	<p>The person taking the action may undertake dewatering activities, known as the Christmas Creek Water Management Scheme, up to a maximum rate of 50 gigalitres per annum and for a period of not more than 5 years from the date of commencement of dewatering activities.</p>	<p>Dewatering activities are as described.                      The volume of water dewatered for the current reporting period is 28 GL (April 2012 – March 2013).                      Groundwater monitoring reports are provided to the Department of Water (DoW) and the Office of the Environmental Protection Authority (OEPA).  <i>CC-RP-HY-0031, 0034, 0037 and 0038</i></p> <p><b>Satisfactory to date</b></p>
10	<p>The person taking the action must not clear more than 100 hectares outside of the ground disturbance footprint as described in EPBC Act referral 2004/1897. Clearing must only be undertaken for the purpose of dewatering and re-injection infrastructure.</p>	<p>Conditions adhered to during the reporting period.                      To date, 11.8 ha have been cleared outside of the ground disturbance footprint described in EPBC Act referral 2004/1897.</p> <p><b>Satisfactory to date</b></p>
11	<p><b>Groundwater Mounding</b>                      The person taking the action must manage the injection of surplus water to ensure that mounding of the groundwater level within impact zones, but outside the exclusion area, does not result in groundwater levels rising to within (or less than) 2 metres of the surface (the impact zone trigger level).                      To verify the impact zone trigger level, the person taking the action must undertake baseline monitoring prior to the commencement of the action at locations determined in consultation with the Western Australian Department of Water and the Western Australian Department of Environment and Conservation (WA DEC). Ground water levels must then be monitored at these locations on a monthly basis at a minimum. The results of groundwater monitoring for the last financial year (1 July to 30 June) must be submitted to the Minister and be made publicly available on the proponent's website by 1 September of each year. In the event that the monitoring indicates that the impact zone trigger level has been exceeded, the person taking the action must:</p> <p>(a) Report such findings to the department within 7 days of the exceedance being identified;</p>	<p>Baseline monitoring, as agreed to by the DoW and WA DEC, was undertaken prior to commencement of the action, all baseline data required of the approval document is contained within the <i>Christmas Creek Quarterly Groundwater Monitoring Summary: 1 August 2011 – 31 October 2011 (CC-RP-HY-0023_Rev1)</i> which has been uploaded to Fortescue's public website.</p> <p>Operational monitoring has been undertaken following the <i>Christmas Creek Groundwater Operating Strategy (CC-PH-HY-0002_Rev 5)</i>, which outlines the triggers used to detect unacceptable groundwater levels at monitoring bores.</p> <p>Operational monitoring data for the reporting period has been included as appendices to this document and uploaded to Fortescue's public website in the form of each successive quarterly (or annual) Christmas Creek Groundwater Monitoring report available for the reporting period.</p> <p>No trigger levels were exceeded during the operational phase of the reporting period.</p> <p><b>Satisfactory to date</b></p>

Condition Number	Condition	Implementation Status
	<p>(b) Provide written advice to the department, within 21 days of the exceedance being identified, stating:</p> <ul style="list-style-type: none"> <li>(i) the direct cause of the exceedance; and</li> <li>(ii) actions and associated timelines proposed to remediate the groundwater levels.</li> </ul> <p>(c) If actions cannot be undertaken to address the exceedance or there is a loss of EPBC Act listed threatened species habitat, then an offset, for approval by the Minister, must be provided within 3 months of the identification of the exceedance. The offset must be for the long term protection of habitat that maximises the potential for the conservation of EPBC Act listed threatened fauna species including the Greater Bilby (<i>Macrotis lagotis</i>), Night Parrot (<i>Pezoporus occidentalis</i>), and Mulgara (<i>Dasyercus cristicaudata</i>), at a ratio of 7 hectares for every 1 hectare impacted by the exceedance. The approved offset must be implemented. The operation of the action cannot continue beyond 4 months of an exceedance being identified, unless the offset has been approved.</p>	
12	<p><b>Fortescue Marsh</b></p> <p>The person taking the action must manage the injection of surplus water to groundwater levels to ensure that it does not rise more than 1.5 metres at locations MB1 and 1 metre at MB2, MB3 and MB4 (depicted at Figure 1) from the baseline groundwater levels (the Fortescue Marsh groundwater trigger level).</p> <p>To verify the Fortescue Marsh groundwater trigger level, the person taking the action must undertake baseline monitoring prior to the commencement of the action at MB1, MB2, MB3 and MB4, having regard to seasonal variation. Ground water levels must then be monitored at these locations on a monthly basis at a minimum. The results of groundwater monitoring for the last financial year (1 July to 30</p>	<p>Baseline monitoring was undertaken prior to commencement of the action, all baseline data required is contained within the Christmas Creek Groundwater Monitoring report supplied in Appendix 1 of this document (CB-RP-HY-0031), which is also available on Fortescue’s public website.</p> <p>Operational monitoring has been undertaken following the <i>Christmas Creek Groundwater Operating Strategy (CC-PH-HY-0002_Rev 5)</i>, which outlines the triggers used to detect unacceptable groundwater levels at monitoring bores.</p> <p>Operational monitoring data for the reporting period has been included as appendices to this document and uploaded to Fortescue’s public website in</p>

Condition Number	Condition	Implementation Status
	<p>June) must be submitted to the Minister and be made publicly available on the proponent's website by 1 September of each year.</p> <p>In the event that monitoring indicates that the Fortescue Marsh groundwater trigger level has been exceeded, the person taking the action shall:</p> <ul style="list-style-type: none"> <li>(a) Report such findings to the department within 7 days of the exceedance being identified;</li> <li>(b) Provide written advice to the department, within 21 days of the exceedance being identified, stating:                             <ul style="list-style-type: none"> <li>(i) the direct cause of the exceedance; and</li> <li>(ii) actions and associated timelines proposed to remediate the groundwater levels.</li> </ul> </li> <li>(c) If actions cannot be undertaken to address the exceedance or there is a loss of EPBC Act listed threatened species habitat, then an offset, for approval by the Minister, must be provided within 3 months of the identification of the exceedance. The offset must be for the long term protection of habitat that maximises the potential for the conservation of EPBC Act listed threatened fauna species including the Greater Bilby (<i>Macrotis lagotis</i>), Night Parrot (<i>Pezoporus occidentalis</i>), and Mulgara (<i>Dasyercus cristicaudata</i>), at a ratio of 7 hectares for every 1 hectare impacted by the exceedance. The approved offset must be implemented. The operation of the action cannot continue beyond 4 months of an exceedance being identified, unless the offset has been approved.</li> </ul>	<p>the form of each successive quarterly (or annual) Christmas Creek Groundwater Monitoring report available for the reporting period.</p> <p>No trigger levels were exceeded during the operational phase of the reporting period.</p> <p><b>Satisfactory to date</b></p>
13	<p><b>Vegetation Health Monitoring and Management Plan</b></p> <p>The person taking the action must prepare a Vegetation Health Monitoring and Management Plan, for the approval of the Minister, that when implemented maximises the ongoing protection and long term conservation of habitat that supports EPBC Act listed threatened fauna</p>	<p><i>Vegetation Health Monitoring and Management Plan (CC-PL-EN-0004_Rev2)</i> prepared by Dr Mark Garkaklis of Astron Environmental Consultants, who was endorsed by the WA DEC and approved by the Minister.</p> <p><i>Vegetation Health Monitoring and Management Plan</i></p>

Condition Number	Condition	Implementation Status
	<p>species. The Plan must be developed by an appropriately qualified expert, approved by the Minister, and in consultation with WA DEC. The Plan must address, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>(a) Measures to ensure there is no adverse impact on native vegetation communities attributable to the project outside the predicted impact areas;</li> <li>(b) Identification of plant species and habitat characteristics and limits of acceptable change in health and/ or condition of these to be used as the basis for monitoring;</li> <li>(c) Locations for predicted impact and reference monitoring sites (outside the predicted impact areas) for baseline and ongoing monitoring, with sites selected based on scientific rationale and to the satisfaction of the Minister;</li> <li>(d) Define the collection and timeframes of baseline monitoring for vegetation health, species composition and habitat characteristics at both predicted impact and reference monitoring sites and groundwater levels and ground water quality at agreed sites in proximity to the vegetation monitoring sites;</li> <li>(e) Specifications for the monitoring program for vegetation health, species composition and habitat characteristics, including trigger levels for additional management actions to prevent further impacts and ensure compliance;</li> <li>(f) Reporting on milestones and compliance with this plan; and</li> <li>(g) The results of the monitoring program and compliance with the plan for the last financial year (1 July to 30 June) must be published on the company's website by 1 September of each year.</li> </ul> <p>In the event that the monitoring indicates that the triggers defined as part of condition 13b have been exceeded, the person taking the action</p>	<p>(<i>CC-PL-EN-0004_Rev2</i>) submitted to and approved by the Minister prior to the commencement of the controlled action.</p> <p>Letter received from the Department on 19 November 2011 approving nominated qualified expert (<i>LR-100-E-3290</i>).</p> <p>Letter received from the Department dated 9 December 2011 approving the management plan and provision of baseline monitoring data (<i>LR-100-E-3317</i>).</p> <p>Vegetation health monitoring was undertaken in 2012 and 2013 (<i>CC-SW-EN-0048</i>) and <i>12306-13ELR-1Rev0_130722</i>.</p> <p>Results of the monitoring plan and compliance status with the plan for the reporting period (included in this document) is available on Fortescue's public website <i>CC-RP-EN-0048</i>.</p> <p>No triggers were exceeded during the reporting period.</p> <p><b>Satisfactory to date</b></p>

Condition Number	Condition	Implementation Status
	<p>shall:</p> <ul style="list-style-type: none"> <li>(h) Report such findings to the department within 7 days of the exceedance being identified;</li> <li>(i) Provide written advice to the department, within 21 days of the exceedance being identified, stating                             <ul style="list-style-type: none"> <li>(i) the direct cause of the exceedance; and</li> <li>(ii) actions and associated timelines proposed to remediate the groundwater levels.</li> </ul> </li> <li>(j) If actions cannot be undertaken to address the exceedance or there is a loss of EPBC Act listed threatened species habitat, then an offset, for approval by the Minister, must be provided within 3 months of the identification of the exceedance. The offset must be for the long term protection of habitat that maximises the potential for the conservation of EPBC Act listed threatened fauna species including the Greater Bilby (<i>Macrotis agotis</i>), Night Parrot (<i>Pezoporus occidentalis</i>), and Mulgara (<i>Dasyercus cristicaudata</i>), at a ratio of 7 hectares for every 1 hectare impacted by the exceedance. The approved offset must be implemented. The operation of the action cannot continue beyond 4 months of an exceedance being identified, unless the offset has been approved.</li> </ul> <p>The Vegetation Health Monitoring and Management Plan must be submitted to the Minister for approval prior to commencing operation of the action. The baseline data must be submitted to the Minister prior to commencing operation of the action. The approved Vegetation Health Monitoring and Management Plan must be implemented.</p>	
14	<p><b>Fauna Management Plan</b></p> <p>The person taking the action must prepare a Fauna Management Plan, for the approval of the Minister, that maximises the ongoing protection and long term conservation of EPBC Act listed threatened fauna</p>	<p>An extension until 11 Dec 2011 on the submittal date of the required Fauna Management Plan was received from the Department.</p>

Condition Number	Condition	Implementation Status
	<p>species. The Fauna Management Plan must be developed by an appropriately qualified expert who is approved by the Minister and in consultation with the WA DEC. The Plan must address, but is not limited to, the following information:</p> <ul style="list-style-type: none"> <li>(a) Measures to minimise mortality of EPBC Act listed threatened fauna species during construction;</li> <li>(b) Measures to protect EPBC Act listed threatened fauna habitat located adjacent to cleared areas;</li> <li>(c) Implementation of measures to rehabilitate areas disturbed during construction;</li> <li>(d) Design details of trenches that will allow fauna to escape;</li> <li>(e) A fauna monitoring program to be undertaken to:                             <ul style="list-style-type: none"> <li>(i) collate baseline population data prior to the commencement of construction, and followed with ongoing annual monitoring (to be undertaken during the same period each year) of EPBC Act listed threatened fauna species for the life of the project to measure the impacts of the action over time; and</li> <li>(ii) measure the success of management measures to inform an adaptive management approach.</li> </ul> </li> <li>(f) Reporting on milestones and compliance with this plan for the last financial year (1 July to 30 June) to be provided to the department by 1 September of each year; and</li> <li>(g) The results of the monitoring program and compliance with the plan for the last financial year (1 July to 30 June) must be published on the proponent's website by 1 September of each year.</li> </ul> <p>The Fauna Management Plan must be submitted to the Minister for approval within 3 months of the date of this approval. The approved Fauna Management Plan must be implemented. The operation of the action must not continue beyond 11 January 2012 unless the Fauna Management Plan has been approved by the Minister.</p>	<p>Department approval of the <i>Fauna Management Plan (CC-PL-EN-0003_Rev1)</i> and qualified expert received 12 January 2012.</p> <p><i>Fauna Management Plan (CC-PL-EN-0003_Rev1)</i> has been implemented.</p> <p>Results and compliance outcomes of the management plan presented in this document are available on Fortescue's public website at:  <a href="http://www.fmgl.com.au/our_commitment/Environment/Environment_Library">http://www.fmgl.com.au/our_commitment/Environment/Environment_Library</a></p> <p>Fauna monitoring for the Night Parrot, Northern Quoll, Greater Bilby, Pilbara Leaf-nosed Bat, Mulgara and Pilbara Olive python was conducted between November 2012 and June 2013- <i>Christmas Creek Water Management Scheme, Conservation Significant Fauna Baseline (CC-AS-EN-0019)</i> Appendix 5.</p> <p>A letter was sent to the department in June 2013 <i>CC-EN-0119</i>, to propose no additional monitoring due to the absence of suitable habitat and any confirmed populations.</p> <p><b>Satisfactory to date</b></p>

Condition Number	Condition	Implementation Status
16	<p><b>Fortescue Marsh Baiting Plan</b></p> <p>For the better protection and long term conservation of EPBC Act listed threatened fauna species at the Fortescue Marsh, in the Pilbara bioregion of Western Australia, the person taking the action must engage a suitably qualified expert, approved by the Minister, to prepare a Fortescue Marsh Baiting Plan. The suitably qualified expert must have a demonstrated capacity to undertake feral baiting programmes and native wildlife management at the regional scale. The Fortescue Marsh Baiting Plan must be developed in consultation with the WA DEC. The Fortescue Marsh Baiting Plan must include:</p> <ul style="list-style-type: none"> <li>(a) Details of a comprehensive landscape-scale feral cat baiting program on the proposed conservation estate for the Fortescue Marsh (pastoral lease 2015 relinquishment area) across a minimum area of 150,000 hectares, for the life of the action;</li> <li>(b) A baiting program developed with expert advice, defining intensity and frequency of baiting, that maximises the benefits of the removal of feral species and minimises any threats to EPBC Act listed threatened species and migratory species;</li> <li>(c) Funding commitments to cover the cost of the implementation and management of the baiting program, monitoring of feral populations and EPBC Act listed threatened and migratory species, and analysis of the effectiveness of the baiting program;</li> <li>(d) Reporting of the results of the plan and evidence of funding payments for the last financial year (1 July to 30 June) must be provided to the department by 1 September of each year; and</li> <li>(e) The Fortescue Marsh Baiting plan and annual monitoring results for the last financial year (1 July to 30 June) must be published on the proponent's website by 1 September of each year.</li> </ul> <p>The Fortescue Marsh Baiting Plan must be submitted to the Minister for approval within 3 months of the commencement of the action. The person taking the action must implement the approved Fortescue Marsh Baiting Plan. The operation of the action cannot continue beyond 11 January 2012, unless the Fortescue Marsh Baiting Plan has been approved.</p>	<p><i>Fortescue Marsh Baiting Plan (CC-PL-EN-0007_Rev0)</i> prepared by a Department approved qualified expert, Dr Dave Algar of DEC.</p> <p><i>Fortescue Marsh Baiting Plan (CC-PL-EN-0007_Rev0)</i> approved by the Minister.</p> <p>Extension of the annual reporting deadline for the results of the plan to after November but before the following compliance report deadline of each year approved by the Department.</p> <p>Results from the 2012 baiting program (CC-AN-EN-0001) have been published on Fortescue's public website.</p> <p>Evidence of funding payments provided to the Department in Appendix 6 of this document.</p> <p><b>Satisfactory to date</b></p>

Condition Number	Condition	Implementation Status
	<p>Upon the direction of the Minister the person taking the action must cease the Fortescue Marsh Baiting program if the Minister determines that the program is not beneficial to EPBC Act listed threatened and migratory species. If the Fortescue Marsh Baiting program ceases, then the person taking the action must provide an alternate land management plan of equal or greater value to the Minister for approval within 4 months of ceasing the program. The approved alternate land management plan must be implemented. The operation of the action cannot continue beyond 6 months of ceasing the Fortescue Marsh Baiting program, unless the alternate land management plan has been approved.</p>	
17	<p>The person taking the action must revise the Strategic Land Management Plan (Fortescue Metals Group Ltd, 2 November 2012) to include funding arrangements for preparing an Implementation Plan for the Management Area shown in Figure 2 of the Strategic Land Management Plan, or an alternative area agreed in writing by the minister. The revised Strategic Land Management Plan must specify:</p> <ul style="list-style-type: none"> <li>a. the amount and timing of funding to be provided by the person taking the action</li> <li>b. who the funding will be provided to</li> <li>c. how the funding will be used to prepare the Implementation Plan</li> <li>d. the indicative timeframe for finalising the Implementation Plan.</li> </ul> <p>The person taking the action must submit the revised Strategic Land Management Plan to the minister by 31 March 2013, or an alternative date agreed in writing by the minister. If the revised plan is approved by the minister, the person taking the action must provide funding as and when specified in the approved plan.</p>	<p>The Revised Strategic Land Management Plan was submitted to DSEWPaC in March 2013. No formal feedback has been received on the document.</p> <p><b>Satisfactory to date</b></p>
18	<p>The person taking the action must prepare and submit a Land Management Action Plan to the Minister for approval. The plan must include provisions for the funding of land management actions targeted at improving the conservation of EPBC Act listed threatened fauna species in the Management Area, or in an alternative area subject to the agreement of the minister. The plan must include:</p>	<p>The Land Management Action Plan is currently being drafted and will be submitted by 31 August 2013.</p> <p><b>Satisfactory to date</b></p>

Condition Number	Condition	Implementation Status
	<p>a. details of the land management actions to be undertaken, including locations, timing, frequency, duration and funding commitments</p> <p>b. the anticipated benefits of each of the land management actions for the conservation of EPBC listed threatened fauna species</p> <p>c. details of how the effectiveness of the land management actions will be monitored and determined.</p> <p>The plan must be submitted to the minister by 31 August 2013 and detail actions that can be undertaken in the following 12 months, or a period otherwise determined by the minister. The plan must be revised following finalisation of the Implementation Plan, referred to in condition 17, to take account of the outcomes of that plan. The revised Land Management Action Plan must be submitted to the minister within three months of finalisation of the Implementation Plan and provide for a measurable reduction in the level of threat to EPBC listed threatened fauna species over an area of not less than 20 000 ha. The approved Land Management Action Plan must be implemented.</p> <p>Alternatively, in lieu of preparing, revising and implementing the Land Management Action Plan, the person taking the action may seek the written agreement of the minister to incorporate commitments commensurate with the Land Management Action Plan into an existing or new land management plan or program within the Pilbara bioregion. The person taking the action must provide written agreement from the person or persons responsible for implementing the plan or program and /or receiving funds, to receive funds and undertake the specified land management actions within the specified timeframes.</p>	

### 3. VEGETATION HEALTH MONITORING AND MANAGEMENT PLAN COMPLIANCE REVIEW

Table 2: Compliance audit of Vegetation Health Monitoring and Management Plan (CC-PL-EN-0004\_Rev2) key management actions

Management Plan Reference	Management Plan Action	Implementation Status
Table 4, Section 1	Conduct a baseline vegetation assessment for dewatering impact areas and mounding impact areas identified in Figure 2 of this Plan.	Baseline vegetation assessment undertaken, results submitted to relevant regulatory authorities (CC-SW-EN-009).  <b>Satisfactory to date</b>
Table 4, Section 2	Implement the Vegetation Health Monitoring Program in Section 9 of this Plan to monitor any change in vegetation health at dewatering impact areas and mounding impact areas and where necessary implement corrective actions.	The first vegetation health monitoring event was undertaken from 15-22 May 2012. A Letter report outlining the achievements of the monitoring round is provided in Appendix 2. The second monitoring event was conducted in November 2012, with the third (most recent) event completed in May 2013. A full report incorporating the data from the monitoring events will be submitted in the next annual report.  <b>Satisfactory to date</b>
Table 4, Section 3	Where vegetation health monitoring detects vegetation stress potentially attributable to the Project, implement management measures outlined in the <i>Christmas Creek Groundwater Operating Strategy (CC-PH-HY-0002)</i> .	No detriment in vegetation health noted during the reporting period.  <b>Satisfactory to date</b>
Table 4, Section 4	Where trigger levels have been exceeded as a result of the implementation of the Project, comply with Condition 8-5 of MS871 and Condition 13 of EPBC Approval 2010/5706.	No trigger levels exceeded during the reporting period.  <b>Satisfactory to date</b>

#### Milestones

The first operational vegetation health monitoring event was undertaken in May 2012, with additional monitoring events conducted in November 2012 and May 2013.

CC-RP-EN-0051

#### 4. FAUNA MANAGEMENT PLAN COMPLIANCE REVIEW

Table 3: Compliance audit of Fauna Management Plan (CC-PL-EN-0003\_Rev1) and reporting on milestones

Management Plan Reference	Management Plan Action	Implementation Status
Key Management Actions		
Objective 1: Maintain Compliance with all Approval Conditions and Environmental Commitments		
1	Compliance with all directives, conditions and Fortescue environmental commitments	Fortescue have implemented the <i>Fauna Management Plan (CC-PL-EN-0003_Rev1)</i> during the reporting period.  <b>Satisfactory to date</b>
Objective 2: Protection of EPBC Act Listed Threatened Fauna		
2	<p><b>General management measures:</b></p> <ul style="list-style-type: none"> <li>(i) Vehicles using access roads around the Christmas Creek mine site are limited to a maximum speed of 70 km/hr.</li> <li>(ii) Low-noise equipment will be used where practicable.</li> <li>(iii) Noise management will be incorporated into Personnel Induction Training.</li> <li>(iv) Egress matting, buoyancy rings and / or external fencing may be installed if considered necessary at transfer, storage and settlement ponds.</li> </ul>	<p>The speed limit on the mine access roads is 80km/h. No significant fauna mortalities have occurred in 80km/h zones to date. Recent surveys have identified that there are no suitable habitats for significant fauna species. At this stage it is not considered necessary to reduce the speed limit to 70km/h.</p> <p>All staff and contractors are made aware of speed limits around the Project area via the Christmas Creek site induction process and speed limit signage (as per WA road rules). Noise levels are taken into account when selecting equipment to be used for Project construction purposes. Noise management has been included in the Christmas Creek site induction program. Egress points and/or fencing are installed where necessary at transfer, storage and settlement ponds.</p> <p><b>Satisfactory to date</b></p>
3	<p><b>Protection from predation by feral animals:</b></p> <ul style="list-style-type: none"> <li>(v) Putrescible waste will be managed in a manner that does not encourage feral animals through fencing and covering of dumps</li> </ul>	<p>Putrescible waste related to the Project is relocated to the fenced Christmas Creek landfill facility and covered as required. There has not been a significant increase in feral animal sightings during the reporting period.</p>

Management Plan Reference	Management Plan Action	Implementation Status
	<p>where practicable.</p> <p>(vi) Humane trapping of feral animals will be undertaken when sightings indicate an increase in population numbers.</p> <p>(vii) Feral animals (including domestic dogs and cats) will not be brought onto the project area.</p> <p>(viii) All opportunistic feral animal sightings will be reported through the incident reporting procedures.</p>	<p>No feral animals are intentionally brought onto the Project area.</p> <p>All feral animal sightings are reported using Fortescue’s Business Management System (BMS).</p> <p><b>Satisfactory to date</b></p>
4	<p><b>Protection from entrapment in trenches:</b></p> <p>(ix) Trenches required for the project will be open for the shortest period possible, and will not be left open overnight.</p> <p>(x) Trenches will be inspected and cleared of any fauna prior to backfilling of trenches.</p> <p>(xi) Egress points and/or fauna refuges providing suitable shelter from the sun and predators will be provided as required, and at intervals not exceeding 50 m.</p>	<p>Trenches have been open for the shortest period practicable however on several occasions trenches have been required to be open overnight. These trenches were inspected at the end of shift (prior to dusk) and within 3 hours of sunrise and no fauna were identified from the trench.</p> <p>Trench inspections have been undertaken prior to any backfilling activities. Inspection results have been logged by the Christmas Creek Environment Team.</p> <p>Egress points and fauna refuges were utilised where required during the reporting period.</p> <p><b>Satisfactory to date</b></p>
5	<p><b>Clearing of native vegetation:</b></p> <p>(xii) All clearing and disturbance will be managed using Fortescue’s ground disturbance procedure.</p> <p>(xiii) Clearing of native vegetation will be minimised during construction.</p> <p>(xiv) Clearing limits will be identified on design and construction documentation.</p> <p>(xv) Clearing limits will be pegged in the field prior to commencement</p>	<p>All clearing required by the Project has been undertaken through Fortescue’s internal Ground Disturbance Permit (GDP) procedure, which ensures all key factors, including environment and heritage, are taken into account prior to approval of ground disturbance. No clearing can be undertaken at Fortescue operations without an approved GDP. This system has been implemented during any clearing activities relating to the Project during the reporting period.</p> <p>Fortescue maintains records of GDP status on its internal BMS, including spatial data of areas cleared.</p> <p>Clearing has been minimised for the Project through utilisation of</p>

Management Plan Reference	Management Plan Action	Implementation Status
	<p>of clearing operations.</p> <p>(xvi) Trees of outstanding habitat value will be identified and retained where practicable.</p> <p>(xvii) The extent of clearing will be progressively surveyed and reported internally.</p>	<p>existing access tracks and pipeline corridors. Clearing limit boundaries have been included on detailed design and construction documents.</p> <p>A Fortescue operations survey team member marks out approved GDP areas (on a GPS system and / or in the field) prior to the commencement of any ground disturbing activities. The environment team pegs out the boundary (including a buffer zone) of any P1 or P2 flora species if they are in close proximity to GDP boundaries.</p> <p>No trees of outstanding habitat value were identified for any of the clearing areas during the reporting period.</p> <p>Extents of clearing are verified via aerial imagery on a biannual basis.</p> <p><b>Satisfactory to date</b></p>
<p>Objective 3: Protection of EPBC Act Listed Threatened Fauna Habitat</p>		
<p><b>6</b></p>	<p><b>General management measures:</b></p> <p>(xviii) Access for all staff and contractors will be limited to the approved project area.</p> <p>(xix) Existing access tracks will be utilised wherever practicable for the project.</p>	<p>Access is limited to the approved project areas through the use of Fortescue's GDP process. Signage is installed at locations where access is restricted to authorised personnel. Existing access tracks are utilised where practical.</p> <p><b>Satisfactory to date</b></p>
<p><b>7</b></p>	<p><b>Clearing of native vegetation:</b></p> <p>(xx) All clearing and disturbance will be managed using Fortescue's ground disturbance procedure.</p> <p>(xxi) Existing access tracks will be utilised wherever practicable for the project.</p> <p>(xxii) Clearing of native vegetation/fauna habitat will be minimised</p>	<p>All clearing required by the Project has been undertaken through Fortescue's internal Ground Disturbance Permit (GDP) procedure, which ensures all key factors, including environment and heritage, are taken into account prior to approval of ground disturbance. No clearing can be undertaken at Fortescue operations without an approved GDP. This system has been implemented during any clearing activities relating to the Project during the reporting period.</p> <p>Fortescue maintains records of GDP status on its internal BMS, including spatial data of areas cleared.</p>

Management Plan Reference	Management Plan Action	Implementation Status
	<p>during construction.</p> <p>(xxiii) Clearing limits will be identified on design and construction documentation.</p> <p>(xxiv) Clearing limits will be pegged in the field prior to commencement of clearing operations.</p> <p>(xxv) Trees of outstanding habitat value will be identified and retained where practicable.</p> <p>(xxvi) The extent of clearing will be progressively surveyed and reported internally.</p>	<p>Clearing has been minimised for the Project through utilisation of existing access tracks and pipeline corridors. Clearing limit boundaries have been included on detailed design and construction documents.</p> <p>A Fortescue operations survey team member marks out approved GDP areas (on a GPS system and / or in the field) prior to the commencement of any ground disturbing activities. The environment team pegs out the boundary (including a buffer zone) of any P1 or P2 flora species if they are in close proximity to GDP boundaries.</p> <p>No trees of outstanding habitat value were identified for any of the clearing areas during the reporting period.</p> <p>Extents of clearing are verified via aerial imagery on a biannual basis.</p> <p><b>Satisfactory to date</b></p>
<p><b>Objective 4: Rehabilitate all temporary disturbance areas not required for operation</b></p>		
<p><b>8</b></p>	<p><b>Identification of areas to be rehabilitated:</b></p> <p>(xxvii) Information recorded within the ground disturbance procedure system and geographic information system (GIS) database will be used to identify areas disturbed and requiring rehabilitation.</p> <p>(xxviii) Rehabilitation work plans will be developed for areas as they become available.</p>	<p>Areas requiring rehabilitation will be identified on an ongoing basis following closure of GDPs, due to the infancy of the Project, no areas were identified for rehabilitation during the reporting period., Progressive rehabilitation work plans are currently under development.</p> <p><b>Not required during the reporting period</b></p>
<p><b>9</b></p>	<p><b>Vegetation re-establishment:</b></p> <p>(xxix) Where possible, removed native vegetation and topsoil will be retained and reused in rehabilitation in compliance with <i>Fortescue's Vegetation Clearing and Topsoil Management Procedure (45-PR-EN-0013)</i>.</p>	<p>All topsoil removed during the reporting period was stored in declared topsoil storage areas at Christmas Creek. Stored topsoil will be progressively used for rehabilitation purposes in the Christmas Creek project area.</p> <p><b>Satisfactory to date</b></p>

Management Plan Reference	Management Plan Action	Implementation Status
10	<b>Restoration of fauna habitat:</b> (xxx) Identify any outstanding individual habitat trees and modify project footprint designs to allow their retention.	No outstanding individual habitat trees were identified during the reporting period in the Project footprint.  <b>Satisfactory to date</b>
<b>Milestones</b>		
Fauna monitoring for the Night Parrot, Northern Quoll, Greater Bilby, Pilbara Leaf-nosed Bat, Mulgara and Pilbara Olive python was conducted between November 2012 and June 2013. A letter was sent to the department in June 2013, to propose no additional monitoring due to the absence of suitable habitat and any confirmed populations (Appendix 7).		

## **LIST OF APPENDICES PROVIDED ON SUPPLEMENTARY CD**

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- Appendix 1: Christmas Creek Annual Groundwater Monitoring Review 1 August 2011 - 31 July 2012 (CB-RP-HY-0031)
- Appendix 2: Quarterly Groundwater Monitoring Summary 1 August – 31 October 2012 (CC-RP-HY-0034)
- Appendix 3: Christmas Creek Groundwater Monitoring Summary 1 November – 31 January 2013 (CC-RP-HY-0037)
- Appendix 4: Christmas Creek Groundwater Monitoring Summary 1 February – 31 April 2013 (CC-RP-HY-0038)
- Appendix 5: Christmas Creek Water Management Scheme, Conservation Significant Fauna Baseline Survey Report (CC-AS-EN-0019)
- Appendix 6: Fortescue Marsh Baiting Plan - Evidence of provision of funds.