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**Private and confidential**

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30<sup>th</sup> March 2011

Our reference      RTIO-HSE-0110220  
Your reference     Ministerial Statement 743 – section four (4)

Dear Mr Munro


**Ministerial Statement 743 – Condition 4-1  
Cape Lambert Port Operations - Dredging Program  
Annual Environmental Compliance Report 2010**

Please find attached the 2010 Annual Environmental Compliance Report for Rio Tinto's Cape Lambert Port Operations. The submission of this report is in accordance with condition 4-1 of Ministerial Statement 743.

The attached report covers the reporting period 1<sup>st</sup> January 2010 to 31<sup>st</sup> December 2010.

Should you have any queries regarding this report, please contact Melissa Gray in the first instance on P: 9217 4875 or [melissa.gray@riotinto.com](mailto:melissa.gray@riotinto.com)

Yours sincerely

  
Jack Sato  
Chief Operating Officer  
Pilbara Chain Supply  
Rio Tinto Iron Ore



**Table 4 Annual Environmental Compliance Audit Table for Ministerial Statement 743**

RTIO-HSE-0104626 - 2010 Annual Environmental Compliance Report for Ministerial Statement 743: <http://iodms/iodms/drl/objectId/090188a38034525d>

**Audit table for Ministerial Statement 743 Schedule 1**

Element	Description	Status details
Amount of material to be dredged within state waters	2.5 million cubic metres	Compliant. 1,990,741 cubic meters of material was dredged in state waters
Major Components		
New berth pockets	0.2 million cubic metres	Compliant The new berth pockets material was 154,823 cubic meters
Basin widening west and east	1.9 million cubic metres	Compliant The basin widening west and east was 1,835,918 cubic meters
Main channel	0.4 million cubic metres	Compliant The main channel material was 252,687 cubic meters
New Spoil ground 1 (State waters)	Approximately 1km wide by 2km long Maximum capacity of dredging material 2 million cubic metres	Compliant New spoil ground 1 is approximately 0.996km wide and 2.005km long Dredging material at the new spoil ground 1 was 1,255,003 cubic meters
Period of dredging and disposal	Dredging duration of approximately 13 to 19 weeks	Compliant Dredging started on July 30th 2007 and finished on November 6th 2007 (15 weeks)
Impact on Benthic Primary Producer Habitat	Maximum zones of impact, stress and influence ** as shown in Figure 3.	Compliant There were no influence zones as agreed with the DEC There was no significant net mortality at stress zones. There was <3% net mortality at impact zones (target is <10%).

	<b>Department of Environment and Conservation AUDIT TABLE</b> <b>PROJECT: Dredging programme for the Cape Lambert Port Upgrade (Assessment 1672, Statement 743)</b>	<b>Compliance Monitoring Section</b>
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Note:

- Phases that apply in this table = Pre-operation, Operation, Post-operation, Overall (several phases);
- This audit table is a summary and timetable of conditions and commitments applying to this project. Refer to the Minister's Statement of 12/7/07 for full detail/precise wording of individual elements;
- Code prefixes: M = Minister's condition; P = Proponent's commitment; N = Notes; Q = Procedure;
- Any elements with status = "Audited by proponent only" are legally binding but are not required to be addressed specifically in compliance reports, if complied with; and
- Acronyms list:- Minister for the Environment - Min for Env, Chief Executive Officer - CEO; Department of Environment and Conservation - DEC; Department of Planning and Infrastructure - DPI; Environmental Protection Authority - EPA; Department of Environment and Heritage - DEH (now Department of Environment and Water Resources); Department of Fisheries - DoF; Australian Quarantine Inspection Service - AQIS.

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M1.1 Proposal implementation	<p><b>Action</b> Implement the proposal.</p> <p><b>How</b> As documented and described in schedule 1 of the Statement subject to the conditions and procedures of Bulletin 1254.</p> <p><b>Objective</b> Avoid any unforeseen impacts.</p> <p><b>Evidence</b> Compliance Report.</p>	Overall	Min for Env	Compliant during the reporting period	The proposal is currently being implemented by the Proponent
743:M2.1 Proponent nomination and contact details	<p><b>Action</b> The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal.</p> <p><b>Objective</b> To ensure legal responsibility for the project rests with a nominated proponent.</p>	Overall	Min for Env	Compliant during the reporting period	The proposal is currently being implemented by the Proponent

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M2.2 Proponent nomination and contact details	<p><b>Action</b> Notify the CEO of the Department of Environment and Conservation (DEC) of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.</p> <p><b>How</b> In a letter or fax provide details of the name and address of the new proponent.</p> <p><b>Objective</b> To ensure the DEC is able to maintain contact with the proponent.</p> <p><b>Evidence</b> Notification of change of proponent contact name and/or address.</p>	Overall Within 30 days of change of name or address.	DEC	Compliant during the reporting period	The proponent has not changed contact name/address

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M3.1 Time limit of authorisation	<p><b>Action</b> The authorisation to implement the proposal provided for in this statement shall lapse and be void within five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.</p> <p><b>How</b> Evidence of substantial commencement of works is achieved through the lodgement of the first compliance report to DEC.</p> <p><b>Objective</b> To ensure the proposal is limited to a defined period.</p> <p><b>Evidence</b> Compliance Report.</p>	Overall 12/07/2012.	Min for Env	Compliant during the reporting period	<p>The proposal was substantially implemented in 2007.</p> <p>RTIO-HSE-0067641 - Cape Lambert Upgrade - Letter to DEC for MS743 Condition 3.1 and 3.2 providing evidence of Substantial commencement within 5 years and requesting clearance of condition</p> <p>Evidence of compliance is also demonstrated in this compliance report (RTIO-HSE-0104626 - 2010 Annual Environmental Compliance Report for Ministerial Statement 743)</p> <p>Previous submissions:</p> <p>RTIO-HSE-0083056 - Cape Lambert 2009 Annual Environmental Compliance Report for MS743 (submitted within 2009 TER: RTIO-HSE-0083100 - Final Triennial Environment Report 2007-2009 (2010 TER))</p> <p>RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009</p> <p>RTIO-HSE-0050010– Cape Lambert Dredging Annual Compliance Report 2008</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p>

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M3.2 Time limit of authorisation	<p><b>Action</b> Provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this Statement.</p> <p><b>How</b> Evidence of substantial commencement of works is achieved through the lodgement of the first compliance report to DEC.</p> <p><b>Objective</b> To ensure the proposal is limited to a defined period.</p> <p><b>Evidence</b> Compliance Report.</p>	Overall 12/07/2012.	DEC	Compliant during the reporting period	<p>The proposal was substantially implemented in 2007. A letter has been sent to the DEC to confirm this and provide the required evidence.</p> <p>RTIO-HSE-0067641 – Cape Lambert Upgrade - Letter to DEC for MS743 Condition 3.1 and 3.2 providing evidence of Substantial commencement within 5 years and requesting clearance of condition.</p> <p>Evidence of compliance is also demonstrated in this compliance report (RTIO-HSE-0104626 - 2010 Annual Environmental Compliance Report for Ministerial Statement 743)</p> <p>Previous submissions:</p> <p>RTIO-HSE-0083056 - Cape Lambert 2009 Annual Environmental Compliance Report for MS743 (submitted within 2009 TER: RTIO-HSE-0083100 - Final Triennial Environment Report 2007-2009 (2010 TER)). RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009. RTIO-HSE-0050010– Cape Lambert Dredging Annual Compliance Report 2008</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p>

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M4.1 Compliance reporting	<p><b>Action</b> Submit to the CEO environmental compliance reports annually reporting on the previous twelve month period, unless required by the CEO to report more frequently.</p> <p><b>Evidence</b> See M4.3:1 and M4.3:2.</p>	<p>Operation</p> <p>For the previous 12 month period.</p>	<p>DEC</p>	<p>Compliant during the reporting period</p>	<p>This report is the Annual Environmental Compliance Report for the reporting period 31st January to 31st December 2010 (RTIO-HSE-0104626).</p> <p>Request was sent to the DEC requesting re-alignment of reporting period (RTIO-HSE-0076710 - Letter to DEC PIMS re: Cape Lambert MS 743 - alignment of ACR reporting period with existing AER processes).</p> <p>This was approved by the EPA in the letter response dated 15 February 2010 (RTIO-HSE-0084588)</p> <p>Previous submission:</p> <p>RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009</p> <p>RTIO-HSE-0083056 - Cape Lambert 2009 Annual Environmental Compliance Report for MS743 (submitted within 2009 TER)</p> <p>No request for more frequent submission has been received.</p>

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743:M4.2 Audit Programme	<p><b>Action</b> Develop an audit programme.</p> <p><b>How</b> Approved by the CEO and shall be prepared and submitted in a format acceptable to the CEO.</p> <p><b>Evidence</b> Audit programme.</p>	Pre-operation	DEC	Condition cleared	<p>An audit programme for the Cape Lambert Dredging programme was developed and approved by the DEC.</p> <p>The audit programme was approved in a letter from the DEC and the condition was cleared.</p> <p>RTIO-HSE-0041131 - Letter from DEC re Audit programme for Cape Lambert Dredging MS 743 Clearance of Condition 4-2 (5/11/07)</p> <p>No change during the current reporting period.</p>

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743:M4.3:1 Compliance reporting	<p><b>Action</b> Submit audit compliance reports.</p> <p><b>How</b> Compliance Reports shall be submitted annually to the DEC addressing all relevant conditions and commitments. The compliance report shall:</p> <ol style="list-style-type: none"> <li>1. be endorsed by signature of the proponent's Managing Director or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's Managing Director;</li> <li>2. state whether the proponent has complied with each condition and procedure contained in this statement;</li> <li>3. provide verifiable evidence of compliance with each condition and procedure contained in this statement;</li> <li>4. state whether the proponent has complied with each key action contained in any environmental management plan or programme required by this statement;</li> <li>5. provide verifiable evidence of conformance with each key action contained in any environmental management plan or programme required by this statement;</li> <li>6. identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance;</li> <li>7. review the effectiveness of all corrective and preventative actions taken; and 8. describe the state of implementation of the proposal.</li> </ol> <p><b>Objective</b> To provide evidence that the proposal is being implemented as approved, and the relevant conditions and commitments are being met.</p> <p><b>Evidence</b> Annual Compliance Report.</p>	<p>Operation</p> <p>For the previous 12 month period.</p>	DEC	Compliant during the reporting period	<p>Submission of this report:</p> <p>RTIO-HSE-0104626 - 2010 Annual Environmental Compliance Report for Ministerial Statement 743</p> <p>Previous submissions:</p> <p>RTIO-HSE-0083056 - Cape Lambert 2009 Annual Environmental Compliance Report for MS743 (submitted within 2009 TER: RTIO-HSE-0083100 - Final Triennial Environment Report 2007-2009 (2010 TER)</p> <p>RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009</p> <p>RTIO-HSE-0050010 - Cape Lambert Annual Audit Compliance Report for MS 743 - Dredging programme Condition 4-1 - 2008 AACR</p>

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743:M4.3.2 Compliance reporting	<p><b>Action</b> Submit audit compliance reports.</p> <p><b>How</b> Compliance Reports shall be submitted annually to the DEC addressing all relevant conditions and commitments. The compliance report shall:</p> <ol style="list-style-type: none"> <li>1. be endorsed by signature of the proponent's Managing Director or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's Managing Director;</li> <li>2. state whether the proponent has complied with each condition and procedure contained in this statement;</li> <li>3. provide verifiable evidence of compliance with each condition and procedure contained in this statement;</li> <li>4. state whether the proponent has complied with each key action contained in any environmental management plan or programme required by this statement;</li> <li>5. provide verifiable evidence of conformance with each key action contained in any environmental management plan or programme required by this statement;</li> <li>6. identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance;</li> <li>7. review the effectiveness of all corrective and preventative actions taken; and</li> <li>8. describe the state of implementation of the proposal.</li> </ol> <p><b>Objective</b> to provide evidence that the proposal is being implemented as approved, and the relevant conditions and commitments are being met.</p> <p><b>Evidence</b> Annual Compliance Reports.</p>	Post-operation For the previous 12 month period.	DEC	Compliant during the reporting period	<p>Submission of this report: RTIO-HSE-0104626 - 2010 Annual Environmental Compliance Report for Ministerial Statement 743</p> <p>Previous submissions: RTIO-HSE-0083056 - Cape Lambert 2009 Annual Environmental Compliance Report for MS743 (submitted within 2009 TER: RTIO-HSE-0083100 - Final Triennial Environment Report 2007-2009 (2010 TER)</p> <p>RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009</p> <p>RTIO-HSE-0050010 – Cape Lambert Annual Audit Compliance Report for MS 743 - Dredging programme Condition 4-1 - 2008 AACR</p>

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743:M4.4 Compliance reporting	<p><b>Action</b> Make the environmental compliance reports required by condition 4.1 publicly available.</p> <p><b>How</b> Carry out the following:</p> <ol style="list-style-type: none"> <li>1. Advertise the availability in the public notices section of the local community newspaper.</li> <li>2. Provide free copies of the documentation to the LGA (2 copies), DEC library 1 hard copy 1 cd copy), JS Battye library (2 copies), and the Local Government public library (2 copies).</li> <li>3. Post document on proponent's website.</li> </ol> <p><b>Objective</b> To ensure the public is kept informed.</p> <p><b>Evidence</b> Evidence that the compliance report has been advertised.</p>	Overall For the previous 12 month period.	DEC		This will be completed for the 2010 AECR (this document) following submission of compliance report to government as per requirements of MS4.4. The proponents website address is: <a href="http://www.riotintoironore.com">http://www.riotintoironore.com</a>
743:M5.1 Control and management of dredging and spoil disposal	<p><b>Action</b> The proponent shall not conduct any dredging and/or spoil disposal activities during the predicted autumn coral mass spawning periods in March and April in any year. Note: The calendar dates for the predicted autumn coral spawning periods shall be determined in consultation with the DEC.</p> <p><b>Objective</b> Ensure there is minimal impact on corals during the predicted autumn mass coral spawning periods.</p> <p><b>Evidence</b> Annual Compliance Reporting.</p>	Operation For the previous 12 month period.	Min for Env DEC	Compliant during the reporting period.	Submission of this previous report: Dredging and/or spoil disposal activities were not conducted during March to April in any year and hence did not occur during the predicted autumn coral mass spawning. Dredging commenced on the 30th July 2007 and finished on the 6th November 2007. No mass spawning events occurred during this time. RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009 No change during the current reporting period.

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743:M5.2 Control and management of dredging and spoil disposal	<p><b>Action</b> Prepare a Coral Spawning Monitoring Plan aimed at identifying and predicting significant coral spawning periods that could occur during the dredging programme.</p> <p><b>How</b> In the event that dredging and/or spoil disposal is deferred or delayed such that these activities may extend into the spring season (September–November) in any year, prior to the commencement of dredging and/or spoil disposal, the proponent shall prepare a Coral Spawning Monitoring Plan in consultation with the Department of Conservation and Environment. The objective of this plan is to identify and predict significant coral spawning periods that could occur during the dredging programme. This Plan shall include:</p> <ol style="list-style-type: none"> <li>1. identification of dominant coral species in the area encompassed by the outer boundary of the predicted zone of influence of dredging and spoil disposal;</li> <li>2. identification of other less dominant corals using genus level grouping in the area of the zone of influence of dredging and spoil disposal;</li> <li>3. the protocols for preliminary investigations to determine the sex of corals;</li> <li>4. protocols and procedures for sampling of corals to determine if they will spawn;</li> <li>5. methodology to identify, and if required, to relocate corals monitored;</li> <li>6. establishment of a definition of significance which will be used as a basis for determining whether corals are deemed to be spawning;</li> <li>7. the reporting of results and predicted coral spawning periods; and</li> <li>8. the timing of the reporting of results.</li> </ol> <p><b>Objective</b> To better understand the spring coral-spawning periods. <b>Evidence</b> Coral Spawning Monitoring Plan.</p>	Pre-operation Prior to ommencement of dredging.	Min for Env DEC	Compliant during the reporting period	<p>A Coral Spawning Monitoring Plan was developed and is contained within Appendix B of the DSDMP (SKM, 2007).</p> <p>RTIO-HSE-0035955 - Cape Lambert Upgrade Dredging - pdf of final DEC and DEW approved Dredging and Spoil Disposal Management Plan (DSDMP)/Environmental Management Plan (EMP) - July 2007, Rev 11, prepared by SKM</p> <p>The Coral Spawning Plan was approved by the DEC (refer to letter below).</p> <p>RTIO-HSE-0035954 - Cape Lambert Upgrade Dredging - pdf of letter from DEC (Colin Murray) approving Statement conditions 743:M5-2 (Coral Spawning Monitoring Plan), 743:M7-1 (DSDMP), 743:M10-1 (Coral Community Condition Monitoring and Management Plan) and 743:M11-1 (Long Term Coral Habitat Monitoring and Management Plan) - letter dated 20 July 2007</p> <p>No change during the current reporting period.</p>

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743:M5.3 Control and management of dredging and spoil disposal	<p><b>Action</b> Subject to condition 5.2 the proponent shall prepare a report prior to each predicted significant coral spawning period, including:</p> <ol style="list-style-type: none"> <li>1. the spring mass coral spawning period/s of September to November; and</li> <li>2. periods over which there is predicted to be a significant spawning of any dominant or subdominant coral species.</li> </ol> <p><b>How</b> Analyse the results arising from the monitoring of coral required by condition 5.2 and submit the report to the DEC.</p> <p><b>Objective</b> To demonstrate whether corals will spawn in the predicted significant spring coral spawning period.</p> <p><b>Evidence</b> Coral Spawning Reports.</p>	<p>Operation</p> <p>Prior to each predicted significant Coral Spawning period.</p>	DEC	Compliant during the reporting period	<p>Dredging associated with the Cape Lambert dredging programme commenced on the 30th July 2007 and finished on the 6th November 2007.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>No change during the current reporting period.</p>

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743:M5.4 Control and management of dredging and spoil disposal	<p><b>Action</b> Notwithstanding the requirements of condition 5.1, the proponent will ensure that dredging and/or spoil disposal activities are not conducted during stated periods.</p> <p><b>How</b> Do not conduct dredging and/or spoil disposal activities during;</p> <ol style="list-style-type: none"> <li>1. the predicted spring coral spawning periods based on the results of the Coral Spawning Monitoring Plan required by condition 5-2; or</li> <li>2. the spawning periods for any dominant or subdominant coral species based on the results of the Coral Spawning Monitoring Plan required by condition 5-2, unless the proponent can demonstrate to the requirements of the Minister for the Environment acting on advice of the Department of Environment and Conservation that the corals within the area of influence of the dredge or spoil plumes are not significantly participating in a coral spawning event referred to in points 1 and 2 above.</li> </ol> <p><b>Objective</b> Ensure there is minimal impact on corals during the predicted autumn mass coral spawning periods.</p> <p><b>Evidence</b> Annual Compliance Reporting</p>	Operation For the previous 12 month period.	Min for Env DEC	Compliant during the reporting period	<p>Dredging associated with the Cape Lambert dredging programme commenced on the 30th July 2007 and finished on the 6th November 2007.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>Dredging was not undertaken during the autumn mass coral spawning period. No mass spawning events occurred during the dredging.</p> <p>No change during the current reporting period.</p>

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743:M5.5 Control & management of dredging & spoil disposal- coral health monitoring prog	<p><b>Action</b> At least 14 days prior to the commencement of dredging and/or spoil disposal activities, the proponent shall commence monitoring coral health and continue this monitoring on a fortnightly basis.</p> <p><b>How As</b> set out in the Coral Community Condition Monitoring and Management Plan required by condition 10.1 The Plan shall include prior baseline measurements of coral community health for: 1. potential impact monitoring sites located in the predicted zones of impact and stress shown in figure 3 of schedule 1; and 2. appropriately located reference sites accompanied by a rationale for the selection of each site.</p> <p><b>Objective</b> Monitor coral health and ensure that dredging and/or spoil disposal does not negatively impact on the coral.</p> <p><b>Evidence</b> See M5.7</p>	Pre-operation Fortnightly while dredging and/ or spoil disposal is underway, starting at least 14 days prior to commencement of activities.	Min for Env EPA	Compliant during the reporting period	<p>Three baseline surveys were undertaken to establish the coral health monitoring sites and to validate the methods.</p> <p>Dredging associated with the Cape Lambert dredging programme commenced on the 30th July 2007.</p> <p>The surveys were undertaken on the following dates: 6-9 June &amp; 19-21 June 2007 2-6 July 2007 16-20 July 2007</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Dredging associated with the Cape Lambert dredging programme finished on the 6th November 2007.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>No change during the current reporting period.</p>

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743:M5.6:1 Control & management of dredging & spoil disposal- coral health monitoring	<p><b>Action</b> Continue monitoring coral health as referred to in condition 5.5 during dredging and/or dredge spoil disposal activities and for at least two months after cessation of all dredging and dredge spoil disposal activities.</p> <p><b>Objective</b> Monitor coral health and ensure that dredging and/or spoil disposal does not impact on the coral.</p> <p><b>Evidence</b> See M5.7</p>	<p>Operation</p> <p>During dredging and/or spoil disposal.</p>	<p>Min for Env</p>	<p>Compliant during the reporting period</p>	<p>Coral Health Surveys were undertaken fortnightly at all eight sites during the dredging programme (dredging commenced on the 30th July 2007 and finished on the 6th November 2007). Eight surveys were completed during the dredging programme.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>No change during the current reporting period.</p>

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M5.6:2 Control & management of dredging & spoil disposal- coral health monitoring	<p><b>Action</b> Continue monitoring coral health as referred to in condition 5.5 at least two months after cessation of all dredging and dredge spoil disposal activities.</p> <p><b>Objective</b> Monitor coral health and ensure that dredging and/or spoil disposal does not negatively impact on the coral.</p> <p><b>Evidence</b> See M5.7.</p>	<p>Post-operation</p> <p>For at least two months after cessation of all dredging and spoil disposal activities.</p>	Min for Env	Compliant during reporting period	<p>Coral health monitoring continued for two months post dredging (dredging commenced on the 6th November 2007. The last survey was completed on the 11th January 2008.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>No change during the current reporting period.</p>

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743:M5.7 Control & management of dredging & spoil disposal-results of coral health mnmrng	<p><b>Action</b> Subject to condition 5.8 the proponent shall report on coral health each fortnight to the DEC within 72 hours of completion of each fortnightly monitoring survey for the duration of coral health monitoring, with the first report being submitted within 72 hours of the completion of the first pre-dredging monitoring survey (by fax/letter).</p> <p><b>How</b> Submit Coral Health Monitoring Reports within 72 hours of completion of each survey.</p> <p><b>Objective</b> Monitor coral health and ensure that dredging and/or spoil disposal does not negatively impact on the coral.</p> <p><b>Evidence</b> Coral Health Monitoring Report.</p>	<p>Overall</p> <p>Fortnightly for duration of programme to DEC with the first report being submitted within 72 hours following the completion of the first pre-dredging monitoring survey.</p>	DEC	Compliant during the reporting period	<p>Surveys were undertaken from Monday to Friday every second week. Coral Health reports were submitted to the DEC Compliance Monitoring Branch by the following Monday at the latest.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>No change during the current reporting period.</p>

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743:M5.8 Control & management of dredging & spoil disposal	<p><b>Action</b> Cease dredging where net coral mortality exceeds 10% at any impact monitoring site.</p> <p><b>How</b> If at any time during dredging and/or spoil disposal activities, net coral mortality at any potential impact monitoring site within the predicted zone of impact shown in figure 3 of schedule 1 exceeds the 'limit' level of 10 per cent, the proponent shall immediately cease all dredging and/or spoil disposal activities which are contributing to the observed mortality at the site(s) where that 'limit' level is exceeded.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Where an exceedance occurs, the exceedance shall be reported to the DEC within 24 hours (by fax/letter to Manager, Compliance Monitoring Section).</p>	Operation Where an exceedance occurs during dredging and/or spoil disposal activities.	DEC	Compliant during the reporting period	<p>Net coral mortality did not exceed 10% at any impact monitoring sites during the Cape Lambert Dredging programme.</p> <p>Net coral mortality throughout the dredging programme at the impact sites was determined to be Level 0 (Net Mortality &lt;3%).</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Reports and monitoring results were also provided to the Dredge Management Group (DMG) during DMG Meetings.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>No change during the current reporting period.</p>

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743:M5.9 Control & management of dredging & spoil disposal	<p><b>Action</b> If at any time during dredging and/or spoil disposal, net coral mortality is detected at any potential impact monitoring site within the predicted zone of stress or influence shown in figure 3 of schedule 1, the proponent shall immediately cease all dredging and/or spoil disposal activities which are contributing to the observed mortality at the site(s) and shall report the coral mortality to the Department of Environment and Conservation within 24 hours.</p> <p><b>How</b> Fax/letter.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Where an exceedance occurs, the exceedance shall be reported to the DEC within 24 hours (by fax/letter to Manager, Compliance Monitoring Section).</p>	Operation If at any time during dredging and/or spoil disposal.	DEC Dredging Management Group.	Compliant during the reporting period	<p>No exceedances of net coral mortality were recorded during the Cape Lambert Dredging programme.</p> <p>Net mortality throughout the dredging programme at the stress sites was determined to be 'No significant net mortality'.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>No change during the current reporting period.</p>

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743:M5.10 Control & management of dredging & spoil disposal	<p><b>Action</b> Recommend dredging and/or spoil disposal activities when approved.</p> <p><b>How</b> The proponent shall not recommence dredging and/or spoil disposal activities following any cessation required by conditions 5-8 and 5-9 until such time as:</p> <ol style="list-style-type: none"> <li>1. the proponent has sought advice from the Dredging Management Group (refer procedure 3); and</li> <li>2. the proponent has prepared and submitted a report on that advice to the DEC, and it can be demonstrated to the requirements of the Minister for the Environment that the recommencement of such activities will not contribute to further net mortality of corals within predicted zones of impact, stress and influence as specified in conditions 5-8 and 5-9.</li> </ol> <p><b>Objective</b> Ensure the recommencement of dredging and/or spoil disposal activities will not adversely affect coral health.</p> <p><b>Evidence</b> Report on advice from Dredging Management Group.</p>	<p>Operation</p> <p>During dredging and/or spoil disposal activities.</p>	<p>Min for Env Dredging Management Group.</p>	<p>Compliant during the reporting period</p>	<p>There were no requirements to cease dredging during the dredging programme.</p> <p>No change during the current reporting period.</p>

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743:M5.11 Control & management of dredging & spoil disposal	<p><b>Action</b> Cease dredging and spoil disposal when surveys have not been undertaken as specified.</p> <p><b>How</b> If for any reason, the fortnightly coral health monitoring surveys were not undertaken during any four-week period (i.e. two consecutive coral health monitoring surveys) at any potential impact monitoring site, the proponent shall immediately cease dredging and disposal activities which may affect water quality at that site until such time as the level of net coral mortality at that site can be assessed and demonstrated to be no greater than the 'limit' levels specified in conditions 5-8 and 5-9.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Assessment report of coral mortalities at potential impact sites.</p>	<p>Operation</p> <p>During dredging and/or spoil disposal activities.</p>	Min for Env	Compliant during the reporting period	<p>Surveys were undertaken as required. There was no need to cease dredging and spoil disposal as a result of surveys not being completed.</p> <p>No change during the current reporting period.</p>
743:M5.12 Control & management of dredging & spoil disposal	<p><b>Action</b> Report any cessation of dredging and/or disposal activities and subsequent recommencements which occur as a result of meeting the requirements of conditions 5.8, 5.9 and 5.11 to the DEC within 24 hours.</p> <p><b>How</b> Fax/letter.</p> <p><b>Objective</b> Ensure that authorities are aware of activities and ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Advice to the DEC, Manager Compliance Monitoring Section.</p>	<p>Operation</p> <p>When dredging and/or disposal activities are ceased.</p>	DEC	Compliant during the reporting period	<p>No requirement to cease dredging</p> <p>No change during the current reporting period.</p>

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743:M6.1 Benthic primary producer habit	<p><b>Action</b> Prior to commencement of dredging and/or spoil disposal activities, the proponent shall conduct a field survey to determine the current distribution of the different Benthic Primary Producer Habitats (BPPH) within a defined management unit(s) for all areas encompassed by the boundary of the predicted zone of influence shown in figure 3 of schedule 1.</p> <p><b>How</b> In the survey, the proponent shall: 1. Establish the location, spatial extent and percentage cover of the BPPHs in the area; and 2. Record the biota within the existing BPPHs communities to species level, where practicable.</p> <p><b>Objective</b> To determine the distribution, abundance and composition of the BPPHs in the areas in the zone of influence.</p> <p><b>Evidence</b> Survey that determines the current distribution of the different Benthic Primary Producer Habitats within a defined management unit(s) for all areas encompassed by the boundary of the predicted zone of influence shown in figure 3 of schedule 1 of the Minister's statement.</p>	<p>Pre-operation</p> <p>Prior to commencement of dredging and/or spoil disposal activities.</p>	Min for Env	Compliant during the reporting period	<p>Prior to the commencement of dredging and spoil disposal activities a field survey to determine the current distribution of the different BPPH was undertaken within the required area.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M6.2 Benthic primary producer habit	<p><b>Action</b> Prior to commencement of dredging and/or spoil disposal activities, the proponent shall conduct a survey to determine both the original historical* distribution of BPPHs within a defined management unit(s), and the cumulative BPPH loss resulting from human activity.</p> <p><b>How</b> The survey shall:</p> <ol style="list-style-type: none"> <li>1. be carried out in accordance with the EPA's Guidance Statement No. 29 Benthic Primary Producer Habitat Protection;</li> <li>2. employ field-verified benthic habitat mapping data, historical aerial photographic records, previous environmental review documents, management plans, monitoring programmes and other relevant information to assist in determining the original extent of BPPH and historical losses; and</li> <li>3. provide data to determine best, most probable and worst-case estimates of BPPH loss.</li> </ol> <p><b>Objective</b> To determine the historical distribution and cumulative habitat loss of the BPPHs in the areas in the zone of influence.</p> <p><b>Evidence</b> Survey that determines both the historical distribution of BPPHs within a defined management unit(s), and the cumulative BPPH loss resulting from human activity.</p>	Pre-operation  Prior to commencement of dredging and/ or spoil disposal activities.	Min for Env	Compliant during the reporting period	<p>Prior to the commencement of dredging and spoil disposal activities a field survey to determine the current distribution of the different BPPH was undertaken within the required area.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M6.3 Benthic primary producer habit	<p><b>Action</b> Estimate the Benthic Primary Producer habitat historical cumulative loss of BPPH.</p> <p><b>How</b> Determine best, most probable and worst-case estimates of the historical cumulative loss of BPPH and state the assumptions used to determine each estimate. * Note: "Historical distribution of BPPHs" is defined as "the original distribution of BPPHs prior to European impact".</p> <p><b>Evidence</b> BPPH Baseline Report-historical cumulative loss.</p>	<p>Pre-operation</p> <p>Prior to commencement of dredging and/ or spoil disposal activities.</p>	Min for Env	Compliant during the reporting period	<p>Prior to the commencement of dredging and spoil disposal activities a field survey to determined the current distribution of the different BPPH was undertaken within the required area.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>
743:M6.4 Benthic primary producer habit	<p><b>Action</b> Where there are scientific difficulties in determining the taxonomy of BPPHs to species level, the proponent shall obtain the advice of appropriate scientific authorities on the practicability of a determination to that level, to the requirements of the Minister for the Environment.</p> <p><b>Objective</b> Classify the BPPHs to species level.</p> <p><b>Evidence</b> Compliance Report.</p>	<p>Pre-operation</p> <p>Prior to commencement of dredging and/ or spoil disposal activities.</p>	Min for Env Appropriate Scientific Authorities.	Compliant during the reporting period	<p>Prior to the commencement of dredging and spoil disposal activities a field survey to determined the current distribution of the different BPPH was undertaken within the required area.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M7.1 Dredging and spoil disposal management plan	<p><b>Action</b> Prepare a Dredging and Spoil Disposal Management Plan.</p> <p><b>How</b> This Plan shall:</p> <ol style="list-style-type: none"> <li>1. identify and spatially define the different sensitive marine ecological attributes within the predicted zone of influence at Cape Lambert in liaison with the Department of Environment and Conservation;</li> <li>2. address monitoring requirements and management measures to protect hard coral communities and habitats outside the predicted zones of impact and stress and social values of Cape Lambert and minimise the impacts on non-hard coral communities/habitats consistent with the operational requirements of the Port, and any other areas within the potential zone of influence of the environmental effects of dredging and spoil disposal;</li> <li>3. identify the ecological and social values to be protected as described in the Pilbara Coastal Water Quality Consultation Outcomes: Environmental Values and Environmental Quality Objectives, Department of Environment (March 2006);</li> <li>4. identify and spatially define appropriate environmental quality objectives to be met during dredging and spoil disposal activities;</li> <li>5. establish the environmental quality criteria to protect social values in the long term;</li> <li>6. describe the type of dredge(s) and their mode of operation;</li> <li>7. determine most probable and worst-case timing and duration of dredging and spoil disposal activities and contingencies for unforeseen delays;</li> <li>8. contain maps showing the predicted zones of impact, stress and influence arising from the dredging and spoil disposal activities on water quality and sensitive benthic receptors;</li> <li>9. using information gathered to meet the requirements of point 8 above, specify appropriate reference sites outside the predicted zones of influence of dredging and spoil disposal activities on water quality and coral health; .</li> </ol>	Pre-operation  Prior to commencement of any dredging and/ or spoil disposal activities.	Min for Env  DEC, EPA, DEH, DPI, DoF.	Compliant during the reporting period	A Dredging and Spoil Disposal Management Plan / Environmental Management Plan (DSDMP/EMP) was prepared and approved by the Minister.  Clearance (written confirmation that this requirement is now complete) is requested.  No change during the current reporting period.

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743:M7.2 Dredging and spoil disposal management plan	<p><b>Action</b> Implement the Dredging and Spoil Disposal Management Plan.</p> <p><b>How</b> As per the Dredging and Spoil Disposal Management Plan.</p> <p><b>Objective</b> To ensure that dredging and/or spoil disposal activities do not have a negative effect on the surrounding environment.</p> <p><b>Evidence</b> Annual Compliance Reporting, monitoring data, dredging records, record of implementation of any contingency procedures.</p>	<p>Operation</p> <p>During dredging and/or spoil disposal activities.</p>	Min for Env	Compliant during the reporting period	<p>The DSDMP was implemented during dredging and spoil disposal activities.</p> <p>Compliance with the DSDMP is demonstrated in the previous submission of the Annual Compliance Report (RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009) which demonstrates compliance with key actions contained in the DSDMP using the Environmental Compliance Schedule for Cape Lambert Dredging programme (Appendix 1, DSDMP (SKM, 2007)).</p> <p>There has been no change during the current reporting period</p>
743:M7.3 Dredging and spoil disposal management plan	<p><b>Action</b> Make the Dredging and Spoil Disposal Management Plan publicly available.</p> <p><b>How</b> Carry out the following:</p> <ol style="list-style-type: none"> <li>1. Advertise the availability of the Plan in the Public Notices section of the local community newspaper.</li> <li>2. Provide free copies of the documentation when approved for release to organisations - the DEC library (1 hard copy, 1 cd copy), local government public library (2 copies), JS Battye library (2 copies); and</li> <li>3. Post document on proponent's website.</li> </ol> <p><b>Objective</b> To ensure the public is kept informed.</p> <p><b>Evidence</b> Evidence of newspaper advertisement of the Dredging and Spoil Disposal Management Plan.</p>	Operation	DEC	Compliant during the reporting period	<p>The DSDMP was issued to the following organisations:</p> <ul style="list-style-type: none"> <li>• DEC Library in Perth</li> <li>• Shire of Roebourne Community Library in Karratha</li> <li>• State Library of Western Australia</li> </ul> <p>A public notice was also placed in the Wednesday 25 July 2007 edition of the local newspapers and the RTIO website. The website for the DSDMP is <a href="http://www.riotintoirnore.com/ENG/media/337.asp">http://www.riotintoirnore.com/ENG/media/337.asp</a></p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M8.1 Water quality monitoring	<p><b>Action</b> Undertake water quality monitoring as specified in the Dredging and Spoil Disposal Management Plan.</p> <p><b>How</b> During dredging and spoil disposal activities, at intervals not exceeding three days between measurements, the proponent shall undertake water quality monitoring at potential impact sites and appropriate reference sites as specified in the Dredging and Spoil Disposal Management Plan required by condition 7.1, to the requirements of the Minister for Environment.</p> <p><b>Objective</b> The objectives of this monitoring are to: 1. calibrate and validate relevant numerical models of turbidity and sediment depositions generated through dredging and spoil disposal; 2. establish and document the extent and severity of turbidity plumes resulting from dredging and spoil disposal associated with this proposal in the waters offshore from Cape Lambert; 3. facilitate the establishment of relationships between coral health and dredging-related water quality/sediment deposition regimes; and 4. establish relationships between total suspended solids/turbidity and light attenuation coefficient in dredging and spoil disposal-induced turbidity plumes.</p> <p><b>Evidence</b> See M8.3.</p>	<p>Operation</p> <p>At intervals not exceeding three days between measurements, during dredging and spoil disposal activities.</p>	Min for Env	Compliant during the reporting period	<p>Water Quality monitoring was conducted as required.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M8.2 Water quality monitoring	<p><b>Action</b> Take water quality measurement at appropriate depths within the water column.</p> <p>How Take water quality measurements at “near surface”, “near bottom” and at other appropriate depths within the water column, where practicable, to the requirements of the Minister for Environment. The parameters to be measured shall include:</p> <ol style="list-style-type: none"> <li>1. turbidity (in NTUs);</li> <li>2. total suspended solids (mg/L);</li> <li>3. light attenuation coefficient;</li> <li>4. dissolved oxygen (mg/L);</li> <li>5. potential contaminants in the water column (metals and TBT);</li> <li>6. pH; and</li> <li>7. depth in the water column at which each measurement is taken.</li> </ol> <p>Total suspended solids (mg/L) and potential contaminants in the water column (metals and tributyl tin) can be measured less frequently, at intervals not exceeding 3 weeks.</p> <p><b>Objective</b> Evaluate the dredging and spoil disposal activity effects on water quality.</p> <p><b>Evidence</b> Monitoring data.</p>	<p>Operation</p> <p>During dredging and spoil disposal activities.</p>	Min for Env	Compliant during the reporting period	<p>Water Quality monitoring was conducted as required.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M8.3 Water quality monitoring	<p><b>Action</b> Report the results of water quality monitoring.</p> <p><b>How</b> Report the results of monitoring required by condition 8-1 to the Department of Environment and Conservation for the duration of dredging and spoil disposal activities, at monthly intervals on the same day of each successive calendar month, with the first report being submitted one month after the commencement of dredging.</p> <p><b>Objective</b> Ensure that authorities are informed of water monitoring results and ensure that there is no negative environmental effect from dredging and spoil disposal activities.</p> <p><b>Evidence</b> Report results of Water Quality Monitoring at monthly intervals on the same day of each successive calendar month, with the first report being submitted one month after the commencement of dredging.</p>	<p>Operation</p> <p>At monthly intervals on the same day of each successive calendar month, with the first report being submitted one month after the commencement of dredging.</p>	DEC	Compliant during the reporting period	<p>Water Quality monitoring was conducted and reported as required.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>
743:M8.4 Water quality monitoring	<p><b>Action</b> Prepare a report analysing the results of water quality monitoring.</p> <p><b>How</b> Prepare a report analysing the results of water quality monitoring referred to in condition 8-1 against the objectives outlined in condition 8-1 which shall be submitted to the DEC.</p> <p><b>Objective</b> Ensure that authorities are informed of water monitoring results and ensure that there is no negative environmental effect from dredging and spoil disposal activities.</p> <p><b>Evidence</b> Report analysing results of water quality monitoring.</p>	<p>Post-operation</p> <p>Following dredging.</p>	DEC	Compliant during the reporting period	<p>The report analysing the water quality monitoring results was submitted. Additional copies are available on request.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M9.1 Non-indigenous marine species and ballast water	<p><b>Action</b> Carry out inspection of vessels and equipment associated with dredging.</p> <p>How Prior to commencement of dredging one of the following management arrangements shall be adopted.</p> <p>(A) Within 48 hours following entry of the dredge and any other equipment or vessels associated with the proposal into the Port of Cape Lambert, the proponent shall have an inspection carried out by an appropriately qualified marine scientist to ensure that;</p> <ol style="list-style-type: none"> <li>1. there is no sediment in the dredging equipment; and</li> <li>2. any fouling organisms on or in any vessels, dredging equipment or ballast water associated with the proposal do not present any social, environmental or economic risk to the marine waters and marine environments within and surrounding Cape Lambert or</li> </ol> <p>(B) Immediately prior to the arrival of the dredge, associated equipment and vessels, the owner/operator of the equipment shall undertake dry-dock cleaning of all vessels and associated equipment, followed by an inspection carried out by an appropriately qualified marine scientist accompanied by a Department of Fisheries Officer to ensure that;</p> <ol style="list-style-type: none"> <li>1. there is no sediment in the dredging equipment; and</li> <li>2. any fouling organisms on or in any vessels, dredging equipment or ballast water have been removed or treated. Any remaining organisms that cannot be removed or treated do not present any social, environmental or economic risk to the marine waters and marine environments within and surrounding Cape Lambert. <p><b>Objective</b> To minimise the risk that equipment and vessels present to the ecosystem integrity of the marine water.</p> <p><b>Evidence</b> See M9.2</p> </li></ol>	Pre-operation  Within 48 hours of arrival of dredges and associated vessels into the port of Cape Lambert.	Min for Env  EPA, DoF, AQIS.	Compliant during the reporting period	<p>Dredge vessels and plant and equipment engaged in the dredging programme were inspected within 48 hours of arrival in port by an appropriately qualified marine scientist.</p> <p>A summary of vessels involved in the Cape Lambert dredging programme was prepared for DoF and can be provided if required.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request if required.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period as there were no vessels or equipment associated with dredging during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M9.2 Non-indigenous marine species and ballast water	<p><b>Action</b> Prior to the commencement of dredging, the proponent shall report to the DEC on the results of the inspection or cleaning referred to in condition 9.1.</p> <p><b>Objective</b> To minimise the risk that equipment and vessels present to the ecosystem integrity of the marine waters.</p> <p><b>Evidence</b> Inspection report on the results of the inspection or cleaning referred to in the management arrangements "A" or "B" required by condition 9.1.</p>	<p>Pre-operation</p> <p>Prior to commencement of any dredging and/or spoil disposal activities.</p>	<p>DEC</p> <p>DoF, AQIS</p>	<p>Compliant during the reporting period</p>	<p>Dredge vessels and plant and equipment engaged in the dredging programme were inspected within 48 hours of arrival in port by an appropriately qualified marine scientist.</p> <p>A summary of vessels involved in the Cape Lambert dredging programme was prepared for DoF and can be provided if required.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request if required.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period as there were no vessels or equipment associated with dredging during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M9.3 Non-indigenous marine species and ballast water	<p><b>Action</b> Manage any sediment or fouling organisms found as a consequence of the inspection required by condition 9.1.1, to the timing and other requirements of the Minister for Environment.</p> <p><b>Objective</b> To minimise the risk that equipment and vessels present to the ecosystem integrity of the marine waters.</p> <p><b>Evidence</b> Inspection Report Management Records</p>	<p>Pre-operation</p> <p>During dredging and spoil disposal activities.</p>	<p>Min for Env DEC, DoF, AQIS</p>	<p>Compliant during the reporting period</p>	<p>Only required for Lange Wapper.</p> <p>Initial inspection of the Lange Wapper in Singapore revealed significant colonies of recognized pests species (Asian Green Mussels &amp; 2 barnacle species). Further cleaning of affected areas was subsequently undertaken.</p> <p>A further inspection was undertaken and the vessel was confirmed to be effectively free of fouling organisms.</p> <p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request if required.</p> <p>Dredging did not occur during the reporting period (the project is not in an operational dredging phase) and hence this condition is not applicable during the reporting period as there were no vessels or equipment associated with dredging during the reporting period.</p> <p>For previous data, please refer to the previous ACR submitted RTIO-HSE-0050010.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>

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743:M9.4 Non-indigenous marine species and ballast water	<p><b>Action</b> If, following the completion of dredging and disposal activities, the dredging equipment is to be transferred to another location within Western Australia's territorial waters, the proponent shall undertake an investigation employing an appropriately qualified marine scientist to identify the presence of / the potential for non-indigenous marine species, to the requirements of the Minister for the Environment.</p> <p><b>How</b> Employ an appropriately qualified marine scientist to identify the presence of/the potential for introduced marine pests.</p> <p><b>Objective</b> To ensure no transferral of introduced marine pests on equipment used in the Cape Lambert Port to other WA ports.</p> <p><b>Evidence</b> Inspection report (if following completion of dredging and disposal activities, the dredging equipment is to be transferred to another location within WA's territorial waters).</p>	<p>Operation</p> <p>Prior to transfer of dredge within WA territorial waters.</p>	<p>Min for Env DEC, DoF, AQIS</p>	<p>Compliant during the reporting period</p>	<p>Copies of the reports were submitted to the DEC Compliance Monitoring Section as required. Additional copies are available on request if required.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p> <p>No change during the current reporting period.</p>
743:M9.5 Non-indigenous marine species and ballast water	<p><b>Action</b> In the event that any non-indigenous marine species are detected at any stage, the proponent shall put in place an appropriate Non-Indigenous Marine Species Management Strategy to ensure that non-indigenous marine species are not introduced or transferred to any locations within Western Australia's territorial waters.</p> <p><b>How</b> In the event that any non-indigenous marine species are detected a Non-indigenous Marine Species Management Strategy shall be put in place.</p> <p><b>Objective</b> To ensure no transferral of non-indigenous marine species on equipment used in the Cape Lambert Port to other WA ports.</p> <p><b>Evidence</b> Non-Indigenous Marine Species Management Strategy. Correspondence from DoF and AQIS.</p>	<p>Post-operation</p> <p>If marine pest/s are detected.</p>	<p>Min for Env EPA, DoF, AQIS.</p>	<p>Compliant during the reporting period</p>	<p>No non-indigenous marine species detected at any stage in Western Australia's territorial waters.</p>

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743:M10.1 Coral community condition monitoring and management plan	<p><b>Action</b> Prepare a Coral Community Condition Monitoring and Management Plan.</p> <p><b>How</b> This Plan shall include the following:</p> <ol style="list-style-type: none"> <li>the location of appropriate coral health potential impact monitoring sites and reference sites;</li> <li>protocols and procedures for monitoring and quantitatively determining the extent of coral mortality using fortnightly coral health monitoring surveys at all of the potential impact monitoring sites;</li> <li>demonstrate that the monitoring required by the Plan has Statistical Power of 0.8 or greater to detect changes in coral mortality specified in Schedule 1 with at least 95% confidence;</li> <li>provision for pre-dredging field surveys at appropriate potential impact and reference sites to be conducted at least two weeks prior to the commencement of this proposal, establishing the baseline conditions in terms of live coral cover at those sites;</li> <li>reporting procedures for the regular fortnightly coral health monitoring surveys; and</li> <li>the results of pre-dredging juvenile recruitment surveys at all potential impact sites and related reference sites.</li> </ol> <p><b>Objective</b> The objectives of this Plan are to: 1. establish the baseline health condition of coral prior to any dredging or spoil disposal activities undertaken as part of this proposal as indicated by the extent of living coral at appropriate reference and monitoring sites; 2. monitor and assess any changes in the health of corals and coral communities (by measuring mortality and sub-lethal stress as appropriate), as indicated by the net extent of coral mortality which occurs subsequent to the commencement of dredging and/or spoil disposal activities; and 3. provide the framework to manage dredging and spoil disposal such that requirements of conditions 5-8 and 5-9 are met.</p> <p><b>Evidence</b> Coral Community Condition Monitoring and Management Plan</p>	Pre-operation Prior to the commencement of dredging or spoil disposal activities.	Min for Env DEC	Compliant during the reporting period	A Coral Community Condition Monitoring and Management Plan was developed and is contained within Appendix B of the DSDMP (SKM, 2007).  RTIO-HSE-0035954 - Cape Lambert Upgrade Dredging - pdf of letter from DEC (Colin Murray) approving Statement conditions 743:M5-2 (Coral Spawning Monitoring Plan), 743:M7-1 (DSDMP), 743:M10-1 (Coral Community Condition Monitoring and Management Plan) and 743:M11-1 (Long Term Coral Habitat Monitoring and Management Plan) - letter dated 20 July 2007

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743:M10.2 Coral community condition monitoring and management plan	<p><b>Action</b> Provide results of pre-dredging field surveys to the DEC.</p> <p><b>How</b> The results of pre-dredging field surveys referred to in condition 10.1 point 4 are provided to the DEC.</p> <p><b>Objective</b> To ensure DEC are provided information baseline health condition of coral prior to dredging.</p> <p><b>Evidence</b> Results of pre-dredging field surveys.</p>	<p>Pre-operation</p> <p>Prior to the commencement of dredging.</p>	DEC	Compliant during the reporting period	<p>Refer to report below</p> <p>RTIO-HSE-0035906 - Cape Lambert Upgrade Dredging - pdf of letter from DEC Compliance Monitoring Section (Murray Hogarth) confirming various pre-dredging conditions are satisfactory to date - Ministerial Statement 743 - BPPH and baseline coral survey conditions - Statement conditions 743:M5-5, 6-1, 6-2, 10-2 - but some additional work required for 743:M6-1 and 6-2 BPPH report- letter dated 19 July 2007</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p>

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M10.3 Coral community condition monitoring and management plan	<p><b>Action</b> Undertake regular fortnightly coral health monitoring at all potential impact sites and appropriate reference sites.</p> <p><b>How</b> During dredging and spoil disposal activities, notwithstanding conditions 5-6 to 5-11, the proponent shall undertake regular fortnightly coral health monitoring at all potential impact sites and appropriate reference sites, in such a manner as set out in the Coral Community Condition Monitoring and Management Plan required by condition 10-1.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Coral Health monitoring data.</p>	<p>Operation</p> <p>Fortnightly - during dredging and spoil disposal activities.</p>	DEC	Compliant during the reporting period	<p>Surveys were undertaken from Monday to Friday every second week. Coral Health reports were submitted to the DEC Compliance Monitoring Branch by the following Monday at the latest. Survey and reporting dates are shown in the attached letters that have been forwarded to the DEC.</p> <p>RTIO-HSE-0035694 - Letter to DEC (Murray Hogarth) re: Coral Health Baseline Survey Cape Lambert</p> <p>RTIO-HSE-0035982 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 3) (Revised Baseline):</p> <p>RTIO-HSE-0036027 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 3) (Revised Baseline using the average of all 3 Surveys)</p> <p>RTIO-HSE-0036028 - Letter to DEWR (Jennifer Pickering) re: Coral Health Survey Cape Lambert (Survey 3) (Revised Baseline using the average of all 3 Surveys)</p> <p>RTIO-HSE-0036362 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 4) (First survey during dredging) cc Jennifer Pickering (DEWR)</p> <p>RTIO-HSE-0036693 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 5) (Second survey during dredging) cc Jennifer Pickering (DEWR)</p>

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					<p>RTIO-HSE-0037158 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 6) (third survey during dredging) cc Jennifer Pickering (DEWR)</p> <p>RTIO-HSE-0037668 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 7) (forth survey during dredging) cc Jennifer Pickering (DEWR)</p> <p>RTIO-HSE-0040099 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 8) (fifth survey during dredging) cc Martin Paull (DEWR)</p> <p>RTIO-HSE-0040462 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 9) (sixth survey during dredging) cc Martin Paull (DEWR)</p> <p>RTIO-HSE-0040596 - Letter to DEC (Barbara Porter) re: Revised Coral Health Survey Cape Lambert (Survey 9) (sixth survey during dredging) cc Martin Paull (DEWR)</p> <p>RTIO-HSE-0040763 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 10) (seventh survey during dredging) cc Martin Paull (DEWR)</p> <p>RTIO-HSE-0041199 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 11) (eighth survey during dredging) cc Martin Paull (DEWR)</p>

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743:M10.4 Coral community condition monitoring and management plan	<p><b>Action</b> Within three days following each monitoring of coral health required by condition 10-3, the proponent shall determine the gross extent of coral mortality at each potential impact monitoring site and at each reference site, based on the survey data, to the requirements of the Minister for the Environment.</p> <p><b>How</b> The gross extent of coral mortality is calculated as the total reduction in cover of living coral at a site occurring after the date of establishment of the original extent of live coral cover (See condition 10-1), expressed as a percentage of the established original extent of live coral cover at that site.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Coral health monitoring results</p>	<p>Operation</p> <p>Within three days following each coral health survey required by condition 10.3.</p>	<p>Min for Env EPA</p>	<p>Compliant during the reporting period</p>	<p>Surveys were undertaken from Monday to Friday every second week. Coral Health reports were submitted to the DEC Compliance Monitoring Branch by the following Monday at the latest. Survey and reporting dates are shown in the attached letters that have been forwarded to the DEC.</p> <p>Refer to 743:M5.7</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p>
743:M10.5:1 Coral community condition monitoring and management plan	<p><b>Action</b> In the event that gross coral mortality at any potential impact monitoring site, as determined in accordance with condition 10-4, is greater than the limits specified in conditions 5-8 and 5-9, the proponent shall determine the net extent of coral mortality at each potential impact monitoring site, to the requirements of the Minister for the Environment.</p> <p><b>How</b> The net extent of coral mortality at each potential impact monitoring site is calculated by subtracting the gross percentage of mortality measured at the appropriate reference site(s) from the gross percentage of mortality at the potential impact monitoring site.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Coral health monitoring results.</p>	<p>Operation</p>	<p>Min for Env EPA</p>	<p>Compliant during the reporting period</p>	<p>Net coral mortality did not exceed 10% (the limits specified in Condition 5-8 and 5-9) at any impact monitoring sites during the Cape Lambert Dredging programme (refer to Coral Health Survey Reports).</p>

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743:M10.5:2 Coral community condition monitoring and management plan	<p><b>Action</b> In the event that gross coral mortality at any potential impact monitoring site, as determined in accordance with condition 10-4, is greater than the limits specified in conditions 5-8 and 5-9, the proponent shall determine the net extent of coral mortality at each potential impact monitoring site, to the requirements of the Minister for the Environment.</p> <p><b>How</b> The net extent of coral mortality at each potential impact monitoring site is calculated by subtracting the gross percentage of mortality measured at the appropriate reference site(s) from the gross percentage of mortality at the potential impact monitoring site. The fortnightly coral health surveys at potential impact sites shall then continue for at least two months after completion of dredging and spoil disposal.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Coral health monitoring results.</p>	Post-operation	Min for Env EPA	Compliant during the reporting period	No exceedences were recorded during the Cape Lambert Dredging programme (refer to Coral Health Survey Reports).

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743:M10.6:1 Coral community condition monitoring and management plan	<p><b>Action</b> Undertake regular fortnightly coral health monitoring at potential impact and appropriate reference sites.</p> <p><b>How</b> The proponent shall continue the fortnightly coral health surveys at potential impact sites for the duration of dredging and spoil disposal, and for at least two months after completion of dredging and spoil disposal.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Coral health monitoring data.</p>	<p>Operation</p> <p>Fortnightly - during dredging and spoil disposal activities.</p>	DEC	Compliant during the reporting period	<p>Surveys were undertaken from Monday to Friday every second week. Coral Health reports were submitted to the DEC Compliance Monitoring Branch by the following Monday at the latest. Survey and reporting dates are shown in the attached letters that have been forwarded to the DEC.</p> <p>RTIO-HSE-0035694 - Letter to DEC (Murray Hogarth) re: Coral Health Baseline Survey Cape Lambert</p> <p>RTIO-HSE-0035982 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 3) (Revised Baseline):</p> <p>RTIO-HSE-0036027 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 3) (Revised Baseline using the average of all 3 Surveys)</p> <p>RTIO-HSE-0036028 - Letter to DEWR (Jennifer Pickering) re: Coral Health Survey Cape Lambert (Survey 3) (Revised Baseline using the average of all 3 Surveys)</p> <p>RTIO-HSE-0036362 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 4) (First survey during dredging) cc Jennifer Pickering (DEWR)</p> <p>RTIO-HSE-0036693 - Letter to DEC (Murray Hogarth) re: Coral Health Survey Cape Lambert (Survey 5) (Second survey during dredging) cc Jennifer Pickering (DEWR)</p>

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743:M10.6:2 Coral community condition monitoring and management plan	<p><b>Action</b> Undertake regular fortnightly coral health monitoring at potential impact and appropriate reference sites.</p> <p><b>How</b> The proponent shall continue the fortnightly coral health surveys at potential impact sites for the duration of dredging and spoil disposal, and for at least two months after completion of dredging and spoil disposal.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Coral health monitoring data.</p>	Post-operation  For at least two months after completion of dredging and spoil disposal.	DEC	Compliant during the reporting period	<p>RTIO-HSE-0037158 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 6) (third survey during dredging) cc Jennifer Pickering (DEWR)</p> <p>RTIO-HSE-0037668 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 7) (forth survey during dredging) cc Jennifer Pickering (DEWR)</p> <p>RTIO-HSE-0040099 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 8) (fifth survey during dredging) cc Martin Paull (DEWR)</p> <p>RTIO-HSE-0040462 - Letter to DEC (Barbara Porter) re: Coral Health Survey Cape Lambert (Survey 9) (sixth survey during dredging) cc Martin Paull (DEWR)</p> <p>Refer to 743:M10.6:1 Clearance (written confirmation that this requirement is now complete) is requested.</p>

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743:M10.7 Coral community condition monitoring and management plan	<p><b>Action</b> Compare the net extent of coral mortality at each potential impact monitoring site with the specified limit level for net coral mortality.</p> <p><b>How</b> Within twenty-four hours of calculating the net extent of coral mortality referred to in condition 10-5, the proponent shall compare the net extent of coral mortality at each potential impact monitoring site with limits specified in conditions 5-8 and 5-9, to the requirements of the Minister for the Environment.</p> <p><b>Objective</b> Ensure that there is a healthy population of coral maintained while dredging and/or spoil disposal activities are occurring.</p> <p><b>Evidence</b> Coral health monitoring results comparison.</p>	<p>Operation</p> <p>Within 24 hours where condition 10.5 is triggered.</p>	<p>Min for Env EPA</p>	<p>Compliant during the reporting period</p>	<p>Condition 10-5 was not triggered. Net coral mortality did not exceed 10% at any impact monitoring sites during the Cape Lambert Dredging programme (refer to Coral Health Survey Reports).</p> <p>Net coral mortality throughout the dredging programme at the impact sites was determined to be Level 0 (Net Mortality &lt;3%).</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p>

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743:M11.1 Long term coral habitat monitoring and management	<p><b>Action</b> Prepare a Long Term Coral Habitat Monitoring and Management Plan.</p> <p><b>How</b> This Plan shall include the following:</p> <ol style="list-style-type: none"> <li>1. the location of appropriate potential impact sites and reference sites;</li> <li>2. provision for pre-dredging field surveys describing baseline conditions at all sites specified in point 1 above in terms of the species of scleractinian corals present and community structure to be conducted prior to dredging commencing;</li> <li>3. criteria for spawning success and coral health against which to report monitoring data and to evaluate environmental performance;</li> <li>4. protocols and procedures for monitoring coral reef health;</li> <li>5. calculations of statistical power of the monitoring procedures in point 4 above to demonstrate that the procedures are appropriate to detect impacts associated with dredging and spoil disposal activities;</li> <li>6. the timing and frequency of coral reef health monitoring;</li> <li>7. the management response(s) to be implemented in the event that criteria established in point 3 above are not met;</li> <li>8. completion criteria for management response(s) in point 7 above; and</li> <li>9. reporting procedures.</li> </ol> <p><b>Objective</b> The objectives of this Plan are to:</p> <ol style="list-style-type: none"> <li>1. establish pre-dredging baseline conditions of coral reef location, spatial extent, biodiversity and community structure (e.g. community composition and per cent cover of coral communities), and the different scleractinian coral communities currently present at appropriate reference and monitoring sites;</li> </ol>	Pre-operation  Prior to the commencement of dredging and spoil disposal activities.	Min for Env  EPA, DEH, DoF,  DEC	Compliant during the reporting period	<p>A Long Term Coral Habitat Monitoring and Management Plan was developed and is contained within Appendix D of the DSDMP (SKM, 2007).</p> <p>RTIO-HSE-0035954 - Cape Lambert Upgrade Dredging - pdf of letter from DEC (Colin Murray) approving Statement conditions 743:M5-2 (Coral Spawning Monitoring Plan), 743:M7-1 (DSDMP), 743:M10-1 (Coral Community Condition Monitoring and Management Plan) and 743:M11-1 (Long Term Coral Habitat Monitoring and Management Plan) - letter dated 20 July 2007</p> <p>RTIO-HSE-0039960 - Cape Lambert Dredging - Long Term Coral Health Monitoring &amp; Measurement Plan - submission of revised plan</p> <p>The final surveys (24 months post dredging) of coral health, TBT and imposex monitoring was conducted in November 2009, with reports (and report receipts from OEPA) below:</p> <p>RTIO-HSE-0086255 - Cape Lambert 85mtpa 24 month post dredging survey - imposex</p> <p>RTIO-HSE-0086256 - Cape Lambert 85mtpa 24 month post dredging survey - TBT monitoring</p> <p>RTIO-HSE-0086958 - Cape Lambert long term coral health monitoring - 24 month post-dredge coral survey</p>

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	<p>2. monitor the effects of dredging and spoil disposal activities on the biodiversity, structure, health and reproductive success of coral reef habitats which occur within predicted zones of influence of dredging and spoil disposal activities;</p> <p>3. maintain the ecological integrity and biodiversity of coral reef habitats consistent with the operational requirements of the Port; and</p> <p>4. rehabilitate coral communities where impacts during dredging or disposal has been greater than the 10 per cent limit level for net coral mortality or where a significant change to community structure caused by dredging and/or spoil disposal has occurred.</p> <p><b>Evidence</b> Long Term Coral Habitat Monitoring and Management Plan. Correspondence from DEC, DoF and DEH</p>				<p>RTIO-HSE-0087445 - Cape Lambert 85mtpa 24 month post dredging report - Infauna and sediment sampling at Spoil grounds 1, 2 and 3</p> <p>RTIO-HSE-0087726 - Cape Lambert 85mtpa 24 month post dredging marine reports - letter from EPA acknowledging receipt of infauna report</p> <p>RTIO-HSE-0088387 - Cape Lambert 85mtps 24 month post dredging marine reports - receipt letter from EPA for coral health report</p> <p>RTIO-HSE-0087308 - Letter from EPA acknowledging receipt of TBT and Imposex reports for Cape Lambert 24 month post dredge monitoring</p> <p>A supplementary imposex survey was conducted at Bezout Island (Impact site) in November 2010, with samples from the survey expected to be analysed by February 2011. The report from this survey is pending.</p> <p>Clearance (written confirmation that this requirement is now complete) is requested</p>

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743:M11.2 Long term coral habitat monitoring and management	<p><b>Action</b> Develop a Rehabilitation Plan for coral communities where impact exceeds the 10% limit.</p> <p><b>How</b> In the event that the 10 per cent limit level for net coral mortality specified in condition 5-8 is exceeded, the proponent, in liaison with the Department of Environment and Conservation, shall develop a rehabilitation programme, including completion criteria, for coral communities where impacts during dredging or disposal associated with the proposal has been greater than the 10 per cent limit level for net coral mortality or where a significant change to community structure caused by dredging and/or spoil disposal associated with the proposal has occurred, to the requirements of the Minister for the Environment.</p> <p><b>Objective</b> To rehabilitate impacted coral communities.</p> <p><b>Evidence</b> Rehabilitation Plan.</p>	<p>Operation</p> <p>Following impacts to coral.</p>	<p>Min for Env DEC</p>	<p>Not triggered, therefore not required</p>	
743:M11.3 Long term coral habitat monitoring and management	<p><b>Action</b> Implement the Rehabilitation Plan for coral communities where impact exceeds the 10% limit.</p> <p><b>Objective</b> To rehabilitate impacted coral communities.</p> <p><b>Evidence</b> Annual compliance reporting.</p>	<p>Operation</p> <p>In the event condition 11.2 is triggered.</p>	<p>Min for Env</p>	<p>Not triggered, therefore not required</p>	

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M11.4 Long term coral habitat monitoring and management	<p><b>Action</b> Make the Rehabilitation Plan required by condition 11.2 publicly available in a manner approved by the CEO.</p> <p><b>How</b> Carry out the following:</p> <ol style="list-style-type: none"> <li>1. Advertise the availability of the Plan in the Public Notices section of the local community newspaper;</li> <li>2. Provide free copies of the documentation when approved for release to organisations - the DEC library (1 hard copy, 1 cd copy), local government public library (2 copies), JS Battye library (2 copies); and</li> <li>3. Post document on proponent's website.</li> </ol> <p><b>Objective</b> To ensure the public is kept informed.</p> <p><b>Evidence</b> Evidence of newspaper advertisement of Rehabilitation Plan.</p>	Operation	DEC	Not triggered, therefore not required	
743:M11.5 Long term coral habitat monitoring and management	<p><b>Action</b> Provide results of the pre-dredging field surveys referred to in condition 11.1 point 2 to the DEC.</p> <p><b>How</b> The results of the pre-dredging field survey referred to in Condition 11.1 point 2.</p> <p><b>Objective</b> Ensure the DEC are aware of baseline conditions in terms of species scleractinian.</p> <p><b>Evidence</b> Results of pre-dredging field surveys.</p>	Operation Within one month of dredging commencing.	DEC	Compliant during the reporting period	<p>The results of the pre-dredging field surveys was reported in the revised Long Term Coral Health Monitoring and Management Plan. Report reference provided below.</p> <p>RTIO-HSE-0039960 - Cape Lambert Dredging - Long Term Coral Health Monitoring &amp; Measurement Plan - submission of revised plan</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p>

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743:M11.6 Long term coral habitat monitoring and management	<p><b>Action</b> Implement the Long Term Coral Habitat Monitoring and Management Plan required by condition 11.1</p> <p><b>How</b> As per Plan.</p> <p><b>Objective</b> To ensure that dredging and spoil disposal activities do not have a long term effect on coral health.</p> <p><b>Evidence</b> Annual Compliance Reporting, monitoring data.</p>	<p>Overall</p> <p>Prior to the commencement of dredging, and for at least two years following the completion of dredging and disposal activities, or until completion criteria required by condition 11.1 have been met</p>	Min for Env	Compliant during the reporting period	<p>RTIO-HSE-0047434 - Long Term Coral Health Monitoring Report</p> <p>RTIO-HSE-0064641 – Cape Lambert Dredging Annual Compliance Report 2009</p>

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743:M11.7 Long term coral habitat monitoring and management	<p><b>Action</b> Make the Long Term Coral Habitat Monitoring and Management Plan required by condition 11.1 publicly available in a manner approved by the CEO.</p> <p><b>How</b> Carry out the following:</p> <ol style="list-style-type: none"> <li>1. Advertise the availability of the Plan in the Public Notices section of the local community newspaper;</li> <li>2. Provide free copies of the documentation when approved for release to the DEC library (1 hard copy, 1 cd copy), local government public library (2 copies), JS Battye library (2 copies); and</li> <li>3. Post document on proponent's website.</li> </ol> <p><b>Objective</b> To ensure the public is kept informed.</p> <p><b>Evidence</b> Evidence of newspaper advertisement of Long Term Coral Habitat Monitoring and Management Plan.</p>	Operation	DEC	Compliant during the reporting period	<p>The DSDMP (containing the Long Term Coral Habitat Monitoring and Management Plan) was issued to the following organisations:</p> <ul style="list-style-type: none"> <li>• DEC Library in Perth</li> <li>• Shire of Roebourne Community Library in Karratha</li> <li>• State Library of Western Australia</li> </ul> <p>A public notice was also placed in the Wednesday 25 July 2007 edition of the local newspapers and RTIO website at <a href="http://www.riotointonore.com/ENG/media/337.asp">http://www.riotointonore.com/ENG/media/337.asp</a></p> <p>The following letter was sent to the DEC Compliance Monitoring Section advising that the DSDMP had been made publicly available.</p> <p>RTIO-HSE-0036047 - Cape Lambert Upgrade Dredging - letter to CMS of DEC (Murray Hogarth) with package for clearance of Ministerial Statement conditions 743:7-3 and M11-7 - making DSDMP and Long Term Coral Habitat Monitoring and Management Plan publicly available - letter dated 26 July 2007</p> <p>Clearance (written confirmation that this requirement is now complete) is requested.</p>

Audit code Subject	What action must be taken How action must be taken and/or objective of action Evidence that action has been taken	Project phase When action to be taken Where it is to be taken	To req'ments of On advice from	Status	Evidence
743:M12.1 Marine turtle management plan	<p><b>Action</b> Within 6 months following the formal authority issued to the decision-making authorities under section 45(7) of the Environment Protection Act 1986, in consultation with the Department of Environment and Conservation (DEC) prepare a Marine Turtle Management Plan.</p> <p><b>How</b> This Plan shall:</p> <ol style="list-style-type: none"> <li>1. Identify project-related stressors, causes of environmental impacts and potential consequences to marine turtles (including impact of noise, vibration, light overspill and glow, vessel strike and changes to coastal processes);</li> <li>2. Identify and demonstrate the effectiveness of proposed management measures to mitigate project-related impacts and consequences to marine turtles; and 3. Identify a process for identifying, justifying and implementing additional management mitigatory measures in the event that monitoring (by the proponent or otherwise) identifies a change in the abundance, species diversity, geographical distribution, behaviour patterns, breeding success, predation levels, demographics and population viability of marine turtles that, frequent and rely, wholly or in part, on Cape Lambert or the waters adjacent to Cape Lambert.</li> </ol> <p><b>Objective</b> The objectives of this plan are to:</p> <ol style="list-style-type: none"> <li>1. Provide a management framework to enable the proponent to manage the ongoing aspects of the project to detect and mitigate as necessary any impact upon the natural abundance, species diversity, geographical distribution, behaviour patterns, breeding success, predation levels, demographics and population viability of marine turtles that, frequent and rely, wholly or in part, on Cape Lambert or the waters adjacent to Cape Lambert;</li> </ol>	Overall Prior to 13/01/2008 (within 6 months).	Min for Env DEC	Compliant during the reporting period	<p>Dr Michael Guinea of Charles Darwin University commissioned to develop the turtle management plan in consultation with Cape Lambert Operations and the DEC.</p> <p>RTIO-HSE-0041444 - Marine Turtle Management Plan Cape Lambert</p> <p>Draft Marine Turtle Management Plan (MTMP) submitted to DEC on 24 November 2007. Correspondence was received from DEC relating to the MTMP on 13 May 2008, with subsequent meetings between Rio Tinto, Point Samson Community Association, West Pilbara Community Turtle programme, DEC Karratha and Dr Mick Guinea (Nov 2008 - Feb 2009). A revised draft of MTMP submitted for comment by local DEC officers on 5 February 2009. Draft of MTMP submitted to OEPA as an appendix to Cape Lambert Port B Public Environmental Review (20 April 2009). Correspondence is tracked in RTIO-HSE-01062367 - Cape Lambert MS743 - supporting documents for delay in submission of Marine Turtle Management Plan</p> <p>Comments have been received from DEC (RTIO-HSE-0048008) and the Management Plan updated and re-provided to the DEC. No further comments were received from DEC, who advised that responsibility for signoff on the plan had now passed to OEPA.</p>

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	<p>2. Identify darkness strategies to reduce as far as practicable lights or light glow interfering with nesting female turtles and hatchlings and determining the impacts thereon; and</p> <p>3. Identify a methodology to measure and detect any changes to affected marine turtle populations.</p> <p><b>Evidence</b> Turtle Management Plan.</p>				<p>Marine Turtle Management Plan was submitted to OEPA (22 July 2010) (RTIO-HSE-0093702 - Cover letter to OEPA for submission of Marine Turtle Management Plan (MS743 Condition 12-1)); awaiting approval.</p>

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743:M12.2 Marine turtle management plan	<p><b>Action</b> Implement the Marine Turtle Management Plan required by condition 12.1.</p> <p><b>How As</b> per plan.</p> <p><b>Objective</b> To ensure that dredging and/or disposal activities do not have a negative effect on the surrounding environment.</p> <p><b>Evidence</b> Annual compliance reporting, monitoring data.</p>	Operation	Min for Env	On-going requirement:	<p>Turtle tagging, beach temperature profiling, hatching survival and track counts were conducted as part of the requirements of the Marine Turtle Management Plan in 2008/9 (RTIO-HSE-0071470 Cape Lambert Port B Development - pdf of report prepared by Biota Environmental Sciences titled Turtle Monitoring at Bells Beach and Selected Rookeries of the Dampier Archipelago: 2008/2009 Season - final report dated August 2009) and in 2009/10 (RTIO-HSE-0106238 Cape Lambert Marine Turtle Management Plan (MS743) - 2009/10 Turtle Monitoring report). Again, this work is ongoing, and an additional report will be prepared following the 2010/11 breeding season.</p> <p>Community monitoring by the West Pilbara Community Turtle programme continued in 2009/10. A total of 155 Flatback turtle nests were recorded at Bells Beach, and 13 Flatback nests at Cooling Water Beach. The programme continued in 2010/11, but as the programme is not complete for the current season, no report is available on turtle numbers.</p> <p>RTIO-HSE-0041444 - Marine Turtle Management Plan Cape Lambert</p>

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743:M12.3 Marine turtle management plan	<p><b>Action</b> Make the Marine Turtle Management Plan required by condition 12.1 publicly available in a manner approved by the CEO.</p> <p><b>How</b> Carry out the following:</p> <ol style="list-style-type: none"> <li>1. Advertise the availability of the Plan in the Public Notices section of the local community newspaper;</li> <li>2. Provide free copies of the documentation when approved for release to: - the DEC library (1 hard copy, 1 cd copy), local government public library (2 copies), JS Battye library (2 copies); and</li> <li>3. Post document on proponent's website.</li> </ol> <p><b>Objective</b> To ensure the public is kept informed.</p> <p><b>Evidence</b> Evidence of newspaper advertisement of the Marine Turtle Management Plan.</p>	Operation	DEC	Compliant during the reporting period	The MTMP has been made publicly available. It is on the public RT Website <a href="http://www.riotintoironore.com/ENG/media/337.asp">http://www.riotintoironore.com/ENG/media/337.asp</a> and was advertised in The West and the Pilbara News on the 23rd December 2009.

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743:M13.1 Marine environmental quality plan	<p><b>Action</b> Within 6 months following the formal authority issued to the decision-making authorities under Section 45(7) of the Environmental Protection Act 1986, in consultation with the Department of Environment and Conservation (DEC) prepare a Marine Environmental Quality Plan.</p> <p><b>How</b> Address the following:</p> <ol style="list-style-type: none"> <li>maps showing the spatially defined Environmental Quality Objectives for the Cape Lambert area and the environmental values shown in Figure 4 which are to be protected;</li> <li>maps showing the location of each water, sediment and biota quality monitoring sites, including reference sites;</li> <li>the environmental quality criteria to be met;</li> <li>procedures for assessing monitoring data against environmental quality criteria;</li> <li>decision schemes for applying the environmental quality criteria;</li> <li>routine water and sediment quality surveys (eg. Contaminants, turbidity, dissolved oxygen, pH);</li> <li>contaminant accumulation in biological tissue (eg. Deployed oysters);</li> <li>benthic habitat health surveys, including clear objectives to measure spatial and temporal changes/variation;</li> <li>spatial changes to distribution of coral habitat;</li> <li>regular surveys for non-indigenous marine species (every three years); or for as long as the Min for Env deems necessary;</li> <li>oil and chemical spill response with regular updates; and</li> <li>a management framework which can be implemented to prevent or mitigate any identified environmental impacts.</li> </ol> <p><b>Objective</b> Minimise the impact on the marine environment. <b>Evidence</b> Marine Environmental Quality Plan.</p>	<p>Operation</p> <p>Prior to 13/01/2008 (within 6 months).</p>	<p>Min for Env EPA, DEC, DoF, DPI (Maritime Division)</p>	<p>Compliant during the reporting period</p>	<p>RTIO-HSE-0042966 – Marine Environmental Quality Management Plan (MEQMP) by Dr David Masters</p> <p>The MEQMP was formally submitted to DEC Karatha Branch and Department of Fisheries (DoF) for comment on 13 January 2008. Coordination of DEC advice was transferred from the regional office to DEC EMB on 10 February 2008. No feedback was received from DEC, but a revised version of the MEQMP was submitted to DEC on 14 November 2008, based on feedback received from the DoF and a community survey. Correspondence is tracked in RTIO-HSE-0106237 – Cape Lambert MS743 – correspondence providing evidence of submission of Marine Environmental Quality Management Plan 2008-2010</p> <p>Rio Tinto met with the Marine Branch of the DEC to receive feedback on the MEQMP in October 2009. A request for an extension for submission of the MEQMP was requested on 22 July 2010 (RTIO-HSE-0093724 - Cover letter for delay of submission of Cape Lambert MEQP to OEPA - MS743:13-1)</p> <p>A revised version of the MEQMP was prepared and submitted to OEPA on 13 October 2010: RTIO-HSE-0098634 - Cape Lambert Marine Environmental Quality Management Plan (MEQMP) - letter for submission of MEQMP to OEPA 13 Oct 2010.</p>

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743:M13.2 Marine environmental quality plan	<p><b>Action</b> Implement the Marine Environmental Quality Plan required by condition 13.1.</p> <p><b>How</b> As per plan.</p> <p><b>Objective</b> To minimise the impact on the marine environment.</p> <p><b>Evidence</b> Annual compliance reporting, monitoring data.</p>	<p>Post-operation</p> <p>Within three months following completion of dredging and dredge spoil disposal activities.</p>	Min for Env	On-going requirement:	<p>RTIO-HSE-0042966 – Marine Environmental Quality Management Plan by Dr David Masters</p> <p>The MEQMP was formally submitted to DEC Karratha Branch and Department of Fisheries (DoF) for comment on 13 January 2008. Coordination of DEC advice was transferred from the regional office to DEC EMB on 10 February 2008. No feedback was received from DEC, but a revised version of the MEQMP was submitted to DEC on 14 November 2008, based on feedback received from the DoF and a community survey.</p> <p>Rio Tinto met with the Marine Branch of the DEC to receive feedback on the MEQMP in October 2009. A request for an extension for submission of the MEQMP was requested on 22 July 2010 (RTIO-HSE-0093724 - Cover letter for delay of submission of Cape Lambert MEQP to OEPA - MS743:13-1)</p> <p>A revised version of the MEQMP was prepared and submitted to OEPA on 13 October 2010: RTIO-HSE-0098634 - Cape Lambert Marine Environmental Quality Management Plan (MEQMP) - letter for submission of MEQMP to OEPA 13 Oct 2010.</p> <p>Comments were received from the DEC during the reporting period, and a revised version of the MEQMP is currently being prepared.</p>

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743:M13.3 Marine environmental quality plan	<p><b>Action</b> Make the Marine Environmental Quality Management and Monitoring Plan required by condition 13.1 publicly available in a manner approved by the CEO.</p> <p><b>How</b> Carry out the following:</p> <ol style="list-style-type: none"> <li>1. Advertise the availability of the Plan in the Public Notices section of the local community newspaper;</li> <li>2. Provide free copies of the documentation when approved for release to organisations - the DEC library (1 hard copy, 1 cd copy), local government public library (2 copies), JS Battye library (2 copies); and</li> <li>3. Post document on proponent's website.</li> </ol> <p><b>Objective</b> To ensure the public is kept informed.</p> <p><b>Evidence</b> Evidence of newspaper advertisement of the Marine Environmental Quality Management and Monitoring Plan.</p>	Operation	DEC	Compliant during the reporting period	<p>The MEQMP will be made publicly available once confirmation received from DEC (now the OEPA) that 743:M13.1 above has been met.</p> <p>The MEQMP will be made publicly available as per the requirements specified in the MS.</p> <ol style="list-style-type: none"> <li>1. Advertise the availability of the Plan in the Public Notices section of the local community newspaper</li> <li>2. Provide free copies of the documentation when approved for release to: - the DEC library (1 hard copy, 1 cd copy), local government public library (2 copies), JS Battye library (2 copies); and 3. Post document on proponent's website.</li> </ol>
743:N1 Notes 1	<p><b>Action</b> The Minister for the Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.</p>	Overall	Min for Env		
743:Q1 Procedures 1	<p><b>Action</b> Where a condition states "on advice of the Environmental Protection Authority", the Environmental Protection Authority will provide that advice to the Department of Environment and Conservation for the preparation of written notice to the proponent.</p>	Overall	Min for Env		
743:Q2 Procedures 2	<p><b>Action</b> The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment and Conservation.</p>	Overall	Min for Env		

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743:Q3 Procedures 3	<p><b>Action</b> A Dredging Management Group will be established by the proponent comprising representatives of, the proponent, a person nominated by the CEO of the DEC, a representative of the Dept of Planning and Infrastructure and an independent chairperson appointed by the Minister for the Environment. The Dredging Management Group shall;</p> <ol style="list-style-type: none"> <li>1. provide advice to the proponent on the (additional) management actions / options which could be implemented by the proponent where the 10 per cent limit level for net coral mortality has been exceeded at a monitoring site or is likely to be exceeded at a monitoring site;</li> <li>2. provide advice to the proponent on the (additional) management actions / options which could be implemented by the proponent where limits of acceptable change as described in schedule 1 of this statement have been exceeded at a monitoring site or are likely to be exceeded at a monitoring site;</li> <li>3. provide incident-specific advice on which management options should apply on a case-by-case basis if the 'limit' referred to in conditions 5-8 and 5-9 has been exceeded or is likely to be exceeded; 4) provide advice on the timing for recommencement of dredging and/or spoil disposal; and 5) provide regular briefings to the Department of Environment and Conservation.</li> </ol> <p><b>How</b> Obtain representation on the Dredge Management Group from the proponent, a person nominated by the CEO, a representative from the Dept of Planning and Infrastructure and an independent chairperson nominated by the Min for Environment.</p>	Overall	Min for Env	Compliant during the reporting period	<p>A DMG was established by the proponent. The first formal DMG meeting was held on the 20th July 2007 and the last was held on the 6th December 2007. The DMG was operational through the entire Cape Lambert Dredging programme which commenced on the 30th July 2007 and finished on the 6th November 2007.</p> <p>Des Lord was nominated as the chairperson for the DMG by the CEO of the DEC.</p> <p>A Modus Operandi was developed for the DMG.</p> <p>RTIO-HSE-0036006 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Modus Operandi</p> <p>RTIO-HSE-0035857 - Dredging Management Group CLU Site Visit Schedule 20th July 2007</p> <p>RTIO-HSE-0035859 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #1 Agenda 20 July 2007</p> <p>RTIO-HSE-0036242 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #1 Minutes 20 July 2007</p>

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					<p>RTIO-HSE-0035981 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting Agenda 26 July 2007</p> <p>RTIO-HSE-0036309 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #2 Minutes 26 July 2007</p> <p>RTIO-HSE-0036305 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting # 3 Agenda 9 August 2007</p> <p>RTIO-HSE-0036706 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #3 Minutes 9 August 2007</p> <p>RTIO-HSE-0036705 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #4 Agenda 23 August 2007</p> <p>RTIO-HSE-0037184 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #4 Minutes 23 August 2007</p> <p>RTIO-HSE-0037185 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #5 Agenda 6 September 2007</p>

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					RTIO-HSE-0037646 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #5 Minutes 6 September 2007  RTIO-HSE-0037696 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #6 Agenda 20 September 2007  RTIO-HSE-0040017 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #6 Minutes 20 September 2007  RTIO-HSE-0040019 - Cape Lambert Upgrades (CLU) Dredging Management Group (DMG) Meeting #7 Agenda 4 October 2007