



ANNUAL COMPLIANCE ASSESSMENT REPORT

Marillana Iron Ore Project (Ministerial Statement 855)

2013 – 2014

Revision history:

Revision	Date drafted	Author	Date reviewed	Reviewed by	Authorised by	Date issued
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1. INTRODUCTION

1.1 Background

Brockman Mining Australia Pty Ltd (formally Brockman Resources Limited) was granted conditional environmental approval for the Marillana Iron Ore Project under Part IV of the Western Australian *Environmental Protection Act 1986* by the Minister for Environment. Approval was through the implementation of Ministerial Statement 855 (MS 855) which was issued on 8 February 2011. A condition of project implementation included in the statement requires Brockman to submit a report on performance and compliance on an annual basis (Condition 4-6). Specifically, this condition states:

"The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this Statement addressing the twelve month period from the date of issue of this Statement and then annually from the date of submission of the first compliance report. The compliance assessment report shall:

- 1. be endorsed by the proponent's Managing Director or a person, approved in writing by the Office of the Environmental Protection Authority, delegated to sign on the Managing Director's behalf;*
- 2. include a statement as to whether the proponent has complied with the conditions;*
- 3. identify all potential non-compliances and describe corrective and preventative actions taken;*
- 4. be made publicly available in accordance with the approved compliance assessment plan; and*
- 5. indicate any proposed changes to the compliance assessment plan required by Condition 4-1."*

This Compliance Assessment Report (CAR) has been prepared to satisfy Condition 4-6 of MS 855 for the Marillana Iron Ore Project.

1.2 Previously proposed structure and content

In August 2011, Brockman submitted a Compliance Assessment Plan (CAP) to the CEO in accordance with the requirements of Condition 4-2 of MS 855. The CAP proposed a structure and content of the CAR that aims to consolidate all statutory compliance reporting requirements of several different government agencies into a single document, namely:

- an Annual Environmental Report (AER) as required by the *Mining Act 1978*;
- an Annual Licence Report (ALR) as will be required by the (yet to be issued) Environmental Licence covering Prescribed Premises under the *Environmental Protection Act 1986*;
- an Annual Compliance Assessment Report (CAR) as required by in Condition 4-6 of Ministerial Statement 855 which was published on 8 February 2011; and
- An Annual Production and Monitoring Report associated with Groundwater Well Licences / Operating Strategy for the proposed groundwater dewatering and re-injection activities.

As at 8 May 2014, the Marillana project has not undertaken significant project activities at site under MS 855. Given that the project has not yet been implemented, Brockman has not progressed applications for a groundwater well licence (related to the management of dewatering and aquifer recharge) or an environmental licence.



Therefore, Brockman has structured this CAR as per the Office of the Environmental Protection Authority's *PAG3 Post Assessment Guideline for Preparing a Compliance Assessment Report* (OEPA, 2012). Some minor modifications to this template have been made to reflect:

- the simplistic nature of the reporting given the project's current (pre-construction) status;
- the Project's approved Compliance Assessment Plan (CAP); and
- recent discussions with the OEPA Environmental Officer managing Statement 855.

1.3 Structure and content of this CAR

Based on OEPA (2012), this CAR contains:

- an introduction;
- a summary of the proposal's implementation status;
- a statement of compliance with the requirements of the Statement;
- details of declared compliance status; and
- information/documentation which supports/verifies declarations of compliance status.

This CAR is a public statement made by Brockman certifying that the conditions and commitments outlined within MS 855 have been, or are being, complied with. This CAR:

- indicates the status of implementation of the proposal;
- declares for each implementation condition and/or procedure of the Statement, whether it has been, is being, has not or is not being complied with (that is, declare its compliance status);
- provides documentation which supports/verifies the declared compliance status of the implementation conditions and/or procedures of the Statement;
- where management or monitoring plans are required to be implemented, provide documentation which supports/verifies whether the requirements specified in those plans have been, are being, have not or are not being fulfilled;
- reviews the performance of any management plans required to be implemented in achieving environmental outcomes required;
- reviews the effectiveness of any monitoring plans required to be implemented in verifying whether objectives are met or in adequately monitoring the relevant factors;
- identifies all non-compliances and describes the related corrective and preventative actions taken or being taken; and
- identifies all potential non-compliances and provides evidence of how these are being assessed for corrective action.

1.4 Period of reporting

It has been twelve (12) months since the lodgement of Marillana's last CAR. This is the third CAR for the project and covers the previous twelve months from 8 May 2013 to 8 May 2014.



2. SUMMARY OF PROPOSED IMPLEMENTATION STATUS

The Marillana Project's implementation status is "pre-construction". Since approval of the PER and issuing of MS 855, Brockman has continued to refine the design of the project, moving from the Definitive Feasibility Study (DFS) in September 2010 to the Project Value Analysis phase, including the completion of Front End Engineering and Design (FEED) since that time. Progress is dependent on securing an integrated infrastructure solution. Brockman will complete an updated project feasibility study in conjunction with relevant rail and port studies to support the final investment decision and project financing.

Brockman is currently evaluating two rail solution options: (1) a new rail project with Aurizon (the East Pilbara Independent Rail study); and (2) third party access to TPI's regulated rail network (that services the mines of Fortescue Metals Group). Both rail options will integrate into the South-west Creek port facilities in Port Hedland where a 50 Mtpa junior ore allocation has been conferred on the North West Infrastructure of which Brockman is a foundation shareholder. Brockman is currently in negotiations with the Port Hedland Port Authority to finalise the necessary port lease documentation which are due to complete in Q2 2014. It also expects to have determined a viable rail option by the end of 2014.



3. STATEMENT OF COMPLIANCE

Brockman is compliant with the Ministerial Statement over the reporting period.

Details of the declared compliance status of each of the ministerial conditions are provided in the Audit Table of section 3.1. The Status field of the audit table describes the current stage of implementation for each Action and its compliance. Status is defined as per Table 1.

Table 1: Varying Definitions of Compliance Status

Status	Acronym	Description
Compliant	C	Sufficient evidence has been provided to confirm that the requirements of the condition or commitment have been satisfactorily met
Non-compliant	NC	The requirements of a condition or commitment have not been met.
Completed	CLD	The condition has been satisfactorily met and no ongoing requirements exist
Not required at this Stage	NR	Where a condition is not required to be implemented at the time of reporting due to the phase of the project, <i>e.g.</i> , Decommissioning conditions that require submission or implementation of a Management Plan 6 months prior to the proposed decommissioning, if the project is in construction or initial operation phase.
In process	IP	If a management plan is required to be submitted but is still pending approval by OEPA or another government agency then it should be referred to as In Process

The OEPA's Post Assessment Form for a Statement of Compliance has not been used in this report, but will be included in future annual reports once construction and operation of the project occurs.

Many of the conditions have not been required to be implemented at the time of reporting due to the project not having been commenced.

Future annual CARs will detail any issues of non-conformance¹ and non-compliance² in this section including any potential non-conformances and non-compliances. Details of any corrective actions taken for any non-conformances and non-compliances will also be provided, if relevant.

¹ A non-conformance is considered to be any deviation from the procedures, programmes and/or management actions detailed within an Environmental Management Plan.

² A non-compliance is considered to be a failure to meet requirements specified in the Ministerial Statement



3.1 Ministerial Statement Audit Table

Note:

- Phases that apply in this table = **Pre-Construction, Construction, Operation, Decommissioning, 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 for full detail/precise wording of individual elements.
- Code prefixes: M = Minister's condition; P = Proponent's commitment; A = Audit specification; N = 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.
- Acronyms list:- Minister for the Environment - Min for Env; Chief Executive Officer - CEO; Department of Environment – DoE (now DER – Dept of Environmental Regulation); evaluation division - Part IV; pollution prevention division - Part V; waste management division - WMD Department of Conservation and Land Management – CaLM (now DER - Dept of Parks and Wildlife); Department of Minerals and Energy – DME (now DMP – Dept of Mines and Petroleum); Environmental Protection Authority - EPA; Health Department of WA - HDWA; Water and Rivers Commission - WRC; Bush Fires Board - BFB.

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
855:m1.1	Proposal implementation	The proponent shall implement the proposal as documented and described in schedule 1 of this statement subject to the conditions and procedures of this statement	As per schedule 1, statement 855	Annual Compliance Assessment report (CAR)	Min for Env		Overall	Ongoing	NR
855:m2.1	Proponent nomination and contact details	The proponent for the time being nominated by the minister for environment under sections 38(6) or 38(7) of the <i>Environmental Protection Act 1986</i> is responsible for the implementation of the proposal.	Notify in writing a letter that provides details of the name and address of the new proponent	Letter applying for a transfer of proponent and a copy of the statement endorsed by the proposed replacement proponent	Min for Env		Overall	Ongoing	NR
855:m2.2	Proponent nomination and contact details	The proponent shall notify the chief executive officer of the office of the environmental protection authority (CEO) 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.	Notify in writing a letter that provides details of the name and address of the new proponent	Letter of notification	CEO		Overall	Within 30 days of such change	NR

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Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
855:m3.1	Time limit of authorisation	The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.	Notify in writing	Letter of notification	CEO		Overall	Before 8 February 2016	NR
855:m3.2	Time limit of authorisation	The proponent shall 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.	Notify in writing	Letter of notification	CEO		Overall	Before 8 February 2016	NR
855:m4.1	Compliance reporting	The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.	Correspondence with the OEPA Preparation of a compliance assessment plan and an audit table in compliance with the requirements of the OEPA.	Approved compliance assessment plan (CAP). A completed and approved audit table (this document). Annual CAR	CEO		Overall	Ongoing	C
855:m4.2	Compliance reporting	The proponent shall submit to the CEO the compliance assessment plan required by Condition 4-1 at least 6 months prior to the first compliance report required by Condition 4-6, or prior to ground-disturbing activities, whichever is sooner. The compliance assessment plan shall indicate: 1. The frequency of compliance reporting; 2. The approach and timing of compliance assessments; 3. The retention of compliance assessments; 4. Reporting of potential non-compliances and corrective actions taken;	The compliance assessment plan shall indicate: 1. The frequency of compliance reporting; 2. The approach and timing of compliance assessments; 3. The retention of compliance assessments; 4. Reporting of potential non-compliances and corrective actions taken;	Approved compliance assessment plan Correspondence with OEPA	CEO		Pre-construction	Before 8 November 2011 or prior to ground disturbing activities, whichever is sooner.	CLD

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Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		5. The table of contents of compliance reports; and 6. Public availability of compliance reports.	5. The table of contents of compliance reports; and 6. Public availability of compliance reports.						
855:m4.3	Compliance reporting	The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by Condition 4-1.	As specified in CAP	Overview provided in annual CAR	Min for Env		Overall	The 3 rd CAR submitted before 8 may 2014 and then annually on this date.	C
855:m4.4	Compliance reporting	The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by Condition 4-1 and shall make those reports available when requested by the CEO.	Records and reports will be maintained in accordance with the proponent's document management system requirements so that they can be retrieved if requested.	Availability at the request of the CEO	CEO		Overall	When requested by the CEO	C
855:m4.5	Compliance reporting	The proponent shall advise the CEO of any potential non-compliance within 7 business days of that non-compliance being known	Notify in writing	Correspondence to CEO of OEPA	CEO		Overall	Within 7 days of non-compliance being known	C
855:m4.6	Compliance reporting	The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this statement addressing the twelve month period from the date of issue of this statement and then annually from the date of submission of the first compliance report. The compliance assessment report shall: 1. Be endorsed by the proponent's managing director or a person, approved in writing by the office of	In accordance with CAP	1. Endorsement in annual CAR. 2. Annual CAR. 3. Uploaded on to proponent's website and copies sent to DER library and PIMB (OEPA).	CEO		Overall	The first CAR submitted before 8 may 2012 and then annually on this date.	CLD



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		the environmental protection authority, delegated to sign on the managing director's behalf; 2. Include a statement as to whether the proponent has complied with the conditions; 3. Identify all potential non-compliances and describe corrective and preventative actions taken; 4. Be made publicly available in accordance with the approved compliance assessment plan; and 5. Indicate any proposed changes to the compliance assessment plan required by Condition 4-1.							
855:m5.1	Marillana sand dune community	The proponent shall implement the proposal so that it does not adversely affect the Marillana sand dune community shown as vegetation units 6 and 7 in figure 2 of schedule 1.	Sand dune communities mapped as "development exclusion zones" for project planning.	Annual CAR.	Min for Env		Overall	Ongoing	NR
855:m5.2	Marillana sand dune community	The proponent shall monitor, prior to disturbance and at intervals during the operation of the project, the health and condition of the Marillana sand dune community shown as vegetation units 6 and 7 in figure 2 of schedule 1. This monitoring is to be carried out to the satisfaction of the CEO on advice from the department of environment and conservation	Environmental Monitoring Plan (detailing vegetation monitoring) to be developed with advice from DER.	Environmental monitoring report submitted annually with the CAR.	CEO	DER	Overall	Ongoing	NR
855:m5.3	Marillana sand dune community	Should any monitoring site show a 25 per cent (or greater) decline in health or condition, the proponent shall provide a report to the CEO within 21 days of the decline being identified which: 1. Describes the decline;	Routine environmental monitoring in accordance with the Environmental Monitoring Plan	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Within 21 days of the decline being identified	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		2. Provides information which allows determination of the likely root cause of the decline; and 3. If likely to be caused by activities undertaken in implementing the proposal, states the actions and associated timelines proposed to remediate the decline.							
855:m5.4	Marillana sand dune community	The proponent shall, on approval of the CEO, implement the actions identified in Condition 5-3(3) and continue to implement such actions until the CEO determines that the remedial actions may cease	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	On approval of the CEO	NR
855:m6.1	Weeli Wolli creek riparian vegetation	The proponent shall ensure that no clearing is undertaken within 30 metres of the bank of Weeli Wolli creek as defined in schedule 2, unless required for the construction of drainage diversion structures or creek crossings. Areas required for the construction of drainage diversion structures or creek crossings should be reported to the office of the environmental protection authority prior to clearing.	Weeli Wolli creek vegetation mapped with 30 m "exclusion zone" for project planning. Compliance Assessment report.	Environmental monitoring report submitted annually with the CAR.	Min for Env		Overall	Reported to the office of the environmental protection authority prior to clearing	C
855:m6.2	Weeli Wolli creek riparian vegetation	The proponent shall ensure that groundwater abstraction and dewatering required to implement the proposal do not adversely impact the riparian vegetation of Weeli Wolli creek.	Routine environmental monitoring in accordance with the environmental monitoring plan	Environmental monitoring report submitted annually with the CAR.	Min for Env		Overall	Ongoing	NR
855:m6.3	Weeli Wolli creek riparian vegetation	To verify that the requirement of Condition 6-2 is met the proponent shall: 1. Monitor soil moisture levels within the riparian vegetation area; and 2. Monitor the health and cover of vegetation within the riparian vegetation area, particularly <i>eucalyptus victrix</i> .	Routine environmental monitoring in accordance with the environmental monitoring plan	Environmental monitoring report submitted annually with the CAR.	Min for Env		Overall	Ongoing	NR

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Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
855:m6.4	Weeli Wolli creek riparian vegetation	Monitoring undertaken as required by Condition 6-3 is to be carried out according to a monitoring schedule and using methods developed to the satisfaction of the CEO on advice from the department of environment and conservation, prior to the commencement of dewatering.	Routine environmental monitoring in accordance with the environmental monitoring plan	Environmental monitoring report submitted annually with the CAR.	CEO	DER	Overall	Ongoing	NR
855:m6.5	Weeli Wolli creek riparian vegetation	Monitoring undertaken as required by Condition 6-3 is to continue until such time as groundwater levels below Weeli Wolli creek have returned to pre-mining levels, or until such time as the CEO determines that monitoring and management actions may cease.	Routine environmental monitoring in accordance with the environmental monitoring plan	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Ongoing	NR
855:m6.6	Weeli Wolli creek riparian vegetation	Should any monitoring site show a 25 per cent (or greater) decline in health or cover of the riparian vegetation of Weeli Wolli creek, the proponent shall provide a report to the within 21 days of the decline being identified which: 1. Describes the decline; 2. Provides information which allows determination of the likely root cause of the decline; and 3. If likely to be caused by activities undertaken in implementing the proposal, states the actions and associated timelines proposed to remediate the decline.	Routine environmental monitoring in accordance with the Environmental Monitoring Plan	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Brockman shall provide a report to the CEO within 21 days of the decline being identified	NR
855:m6.7	Weeli Wolli creek riparian vegetation	The proponent shall, on approval of the CEO, implement the actions identified in Condition 6-6(3) and continue to implement such actions until the CEO determines that the remedial actions may cease.	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Ongoing	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
855:m7.1	Weeds	<p>The proponent shall ensure that:</p> <ol style="list-style-type: none"> 1. No new species of weeds (including both declared weeds and environmental weeds) are introduced into the proposal area as defined in schedule 1 as a result of the implementation of the proposal; 2. Prior to ground-disturbing activities the proponent shall undertake a baseline weed survey to determine the species and extent of weeds (including both declared weeds and environmental weeds) present within the proposal area as defined in schedule 1 to the requirements of the; 3. Prior to ground-disturbing activities the proponent shall establish at least three reference sites on undisturbed land within one kilometre of the proposal (not impacted by the proposal). Reference sites are to be chosen in consultation with the office of the environmental protection authority. The reference sites are to be monitored every two years, with a baseline survey to be conducted at the concurrently with the survey required by Condition 7-1(2); and 4. The species and extent of weed cover within the proposal area shall not exceed that identified in the baseline survey identified in Condition 7-1(2) or exceed that existing on comparable, nearby land, determined by reference sites required by Condition 7-1(3) which have not been disturbed during implementation of the proposal. 	Environmental monitoring plan (including weeds) to be developed and implemented.	Environmental monitoring report submitted annually with the CAR.	CEO	DER	Overall	Ongoing	NR
855:m8.1	Groundwater – Fortescue Marsh	The proponent shall ensure that groundwater abstraction and dewatering required to implement	Environmental monitoring plan (including	Environmental monitoring report submitted	Min for Env	DER	Overall	Ongoing	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		the proposal do not adversely impact the hydrology or vegetation health of the Fortescue Marsh.	Fortescue marsh hydrology) to be developed and implemented.	annually with the CAR.					
855:m8.2	Groundwater – Fortescue Marsh	To verify that the requirement of Condition 8-1 is met, and subject to Conditions 8-3 and 8-4, the proponent shall: 1. Monitor groundwater levels and quality between the mine site and the Fortescue Marsh; 2. In the event that groundwater monitoring demonstrates that drawdown associated with the proposal extends beyond the northern boundary of the tenement, the proponent shall: a. Monitor surface water levels at the southern boundary of the Fortescue Marsh; and b. Monitor the health and cover of vegetation on the southern boundary of the Fortescue Marsh. Note: the southern boundary of the Fortescue Marsh is defined in the department of environment and conservation clearing regulations - environmentally sensitive areas (ESA) dataset (2004).	Environmental monitoring plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental monitoring report submitted annually with the CAR.	Min for Env	DER	Overall	Ongoing	NR
855:m8.3	Groundwater – Fortescue Marsh	The proponent shall ensure that the monitoring required by Condition 8-2 is conducted in accordance with a monitoring plan that addresses monitoring frequency, schedule, methodology and location, developed to the satisfaction of the on the advice of the department of environment and conservation and the department of water prior to groundwater abstraction or dewatering.	Environmental monitoring plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental monitoring report submitted annually with the CAR.	CEO	DER, DOW	Overall	Prior to groundwater abstraction or dewatering.	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
855:m8.4	Groundwater – Fortescue Marsh	The proponent shall undertake the monitoring required by Condition 8-2: 1. Prior to groundwater abstraction or dewatering to establish a baseline, including a baseline of the parameters required to be monitored by Condition 8-2(2); and 2. For the duration of groundwater abstraction or dewatering and shall continue until the CEO determines that monitoring may cease.	Environmental monitoring plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental monitoring report submitted annually with the CAR.	CEO		Pre-construction	Prior to groundwater abstraction or dewatering	NR
855:m8.5	Groundwater – Fortescue Marsh	The proponent shall, within one year of the commencement of dewatering, provide a report to the CEO which has been prepared in consultation with the department of environment and conservation and the department of water. The report shall detail the following: 1. Verification of the groundwater model presented in the <i>Marillana iron ore project public environmental review</i> , prepared by <i>Ecologia</i> environment, Perth, western Australia (may, 2010) against actual data; 2. Recalibration of the model and implications of any deviations from the model on the Fortescue Marsh; 3. Details of baseline data on the hydrology and vegetation of the southern boundary of the Fortescue Marsh collected in accordance with Condition 8-4; 4. Appropriate trigger values developed to the satisfaction of the CEO on advice from the department of environment and conservation to determine compliance with Condition 8-1, and discussion of the selection of the	Marillana groundwater model review report to be developed	Environmental monitoring report submitted annually with the CAR.	CEO	DER, DOW	Pre-construction	Within one year of the commencement of dewatering	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		trigger levels in relation to the environmental protection authority's objectives; 5. A detailed strategy developed to the satisfaction of the CEO on advice from the department of environment and conservation to avoid and mitigate any impacts to the Fortescue Marsh detected by the monitoring program required by Condition 8-2.							
855:M8.6	Groundwater – Fortescue Marsh	Prior to providing the report required by Condition 8-5 to the CEO, the proponent shall have the report peer reviewed by an independent expert acceptable to the office of the environmental protection authority on the advice of the department of environment and conservation and the department of water.	Marillana groundwater model review report	Independent groundwater expert engaged to review Marillana groundwater model review report	CEO	DER, DOW	Pre-construction	Prior to providing the report required by Condition 8-5	NR
855:M8.7	Groundwater – Fortescue Marsh	In the event that monitoring required by Condition 8-2 indicates an exceedance of the trigger levels determined in Condition 8-5(4): 1. The proponent shall immediately implement mitigation measures indicated by the mitigation strategy required to be developed by Condition 8-5(5); 2. Report to the CEO within 7 days of the exceedance being identified; 3. Provide evidence which allows determination of the cause of the exceedance; 4. If determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall submit actions to be taken including those required to be developed by Condition 8-5(5); and	Environmental monitoring plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental monitoring report submitted annually with the CAR.	CEO	DER	Overall	Report to the CEO within 7 days of the exceedance being identified	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		5. Implement actions including those required to be developed by Condition 8-5(5) upon approval of the CEO on advice from the department of environment and conservation and shall continue until such time that determines that the remedial actions may cease.							
855:M8.8	Groundwater – Fortescue Marsh	The proponent shall submit annually the results of monitoring required by Condition 8-2 to the CEO.	Environmental monitoring plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Annually submit results of monitoring within the compliance assessment report.	NR
855:M8.9	Groundwater – Fortescue Marsh	The proponent shall make publicly available the monitoring reports required by Condition 8-2 in a manner approved by the CEO.	Annual environmental monitoring report.	Uploaded on to Brockman’s website and copies sent to DER library and PIMB (OEPA).	CEO		Overall	Within 7 days of the report being submitted	NR
855:M9.1	Surface water flows	The proponent shall not cause disturbances to Weeli Wolli creek which could lead to alterations in surface water flows to the Fortescue Marsh.	Weeli Wolli creek vegetation mapped with 30 m “exclusion zone” for project planning.	Compliance Assessment report.	Min for Env		Overall	Ongoing	C
855:M9.2	Surface water flows	The proponent shall implement the proposal in accordance with the Marillana surface water management plan (Aquaterra, 2010) provided as appendix s of the <i>Marillana iron ore project public environmental review</i> , prepared by <i>Ecologia</i> environment, Perth, western Australia (may, 2010) or subsequent revisions approved by the CEO	Internal audit of the Marillana surface water management plan	Compliance Assessment report.	CEO		Overall	Ongoing	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
855:M9.3	Surface water flows	The proponent shall review and revise the Marillana surface water management plan required by Condition 9-1 when requested by the CEO, to ensure that the mitigation and management techniques remain valid and incorporate any relevant new research	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	When requested by the CEO	NR
855:M9.4	Surface water flows	The proponent shall make the Marillana surface water management plan required by Condition 9-1 publicly available in a manner approved by the CEO	Marillana surface water management plan	Uploaded on to Brockman's website and copies sent to DER library and PIMB (OEPA).	CEO		Overall	Within 7 days of the report being submitted	C
855:M10.1	Groundwater and surface water quality	The proponent shall ensure that run-off and/or seepage from the mine and infrastructure do not cause the quality of surface water or groundwater within or adjacent to the proposal area to exceed the trigger values for a slightly to moderately disturbed ecosystem provided for in table 3.4.2 of chapter 3 of the Australian and New Zealand environment and conservation council and agriculture and resource management council of Australia and New Zealand (2000) <i>Australian water quality guidelines for fresh and marine waters</i> and its updates, taking into consideration natural background water quality.	Environmental monitoring plan (including surface and groundwater quality) to be developed and implemented.	Environmental monitoring report submitted annually with the CAR.	Min for Env		Overall	Ongoing	NR

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855:M10.2	Groundwater and surface water quality	The proponent shall monitor the quality of surface water and groundwater upstream and downstream of the mine and infrastructure to ensure that the requirements of Condition 10-1 are met. This monitoring is to be carried out using methods consistent with Australian and New Zealand environment and conservation council and agriculture and resource management council of Australia and New Zealand (2000) <i>Australian guidelines for water quality monitoring and reporting</i> , and its updates, and to the satisfaction of the CEO.	Environmental monitoring plan	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Ongoing	NR
855:M10.3	Groundwater and surface water quality	The proponent shall commence the water quality monitoring required by Condition 10-2 prior to ground-disturbing activities to collect baseline data	Environmental monitoring plan	Environmental monitoring report submitted annually with the CAR.	Min for Env			Prior to ground-disturbing activities	NR
855:M10.4	Groundwater and surface water quality	The proponent shall submit annually the results of monitoring required by Condition 10-2 to the CEO.	Correspondence with the OPEA	Environmental monitoring report submitted annually with the CAR.	CEO			Annually submit monitoring results within the annual compliance report.	NR
855:M10.5	Groundwater and surface water quality	In the event that monitoring required by Condition 10-2 indicates that the requirements of Condition 10-1 are not being met, the proponent shall: 1. Report such findings to the within 21 days of the decline in water quality being identified; 2. Provide evidence which allows determination of the root cause of the decline in water quality; and 3. If determined to be a result of activities undertaken in	Correspondence with the OPEA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Report the findings within 21 days of a decline being identified	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		implementing the proposal, state the actions and associated timelines proposed to be taken to remediate the water quality.							
855:M10.6	Groundwater and surface water quality	The proponent shall, on approval of the CEO, implement the actions identified in Condition 10-5(3) and continue to implement such actions until the CEO determines that the remedial actions may cease	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Ongoing	NR
855:M10.7	Groundwater and surface water quality	The proponent shall make the monitoring reports required by Condition 10-2 publicly available in a manner approved by the CEO.	Annual environmental monitoring report	Uploaded on to Brockman's website and copies sent to DER library and PIMB (OEPA).	CEO			Within 7 days of the report being submitted	NR
855:M11.1	Acid and Metalliferous drainage	Prior to ground-disturbing activities the proponent shall use geochemical testing to characterise the leaching potential of waste material and provide a report with a detailed risk assessment, using national and international standards*, for any potential acid or Metalliferous drainage (as defined in section 2.1 of the managing acid and Metalliferous drainage, February 2007 developed by the Australian government) to the satisfaction of the CEO to: 1. Identify the extent of the acidity or metal contamination hazard associated with the proposal; 2. Identify the potential environmental receptors that could be impacted on exposure to this hazard; and 3. Demonstrate that the proposed use and storage of waste material is unlikely to impact environmental values in or near the project area,	Correspondence with the OEPA	Geochemical testwork report submitted to the CEO	CEO		Pre-construction	Prior to ground-disturbing activities	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		including the Fortescue Marsh.							
855:M11.2	Acid and Metalliferous drainage	Prior to mining any material with the potential to generate acid or Metalliferous drainage, the proponent shall develop and implement long-term prevention, monitoring, contingency and remediation strategies for the management of any potential acid or Metalliferous drainage to the satisfaction of the CEO on the advice of the department of environment and conservation and the department of mines and petroleum.	Geochemical testwork report	Correspondence with the OEPA	CEO	DER, DMP	Pre-construction	Prior to mining any material with the potential	NR
855:M11.3	Acid and Metalliferous drainage	The proponent shall continue to implement the action required by Condition 11-2 until such time as the CEO determines that the actions may cease.	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Ongoing	NR
855:M11.4	Acid and Metalliferous drainage	The proponent shall continue to undertake geochemical testing for potential acid or Metalliferous drainage as part of the long-term monitoring strategies required by Condition 11-2 using national and international standards* to the satisfaction of the CEO, until such time as it is determined by the CEO that monitoring may cease.	Environmental monitoring plan	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Ongoing	NR
855:M11.5	Acid and Metalliferous drainage	In the event that monitoring required by Condition 11-2 indicates that environmental values are being impacted by acid or Metalliferous drainage, the proponent shall: 1. Report such findings to the CEO within 21 days of the decline in water quality being identified; 2. Provide evidence which allows determination of the root cause of	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Provide a report within 21 days of the decline	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		the decline in water quality; and 3. If determined to be a result of activities undertaken in implementing the proposal, state the actions and associated timelines proposed to be taken to remediate the water quality.							
855:M11.6	Acid and Metalliferous drainage	The proponent shall, on approval of the CEO, implement the actions identified in Condition 11-5(3) and continue to implement such actions until the CEO determines that the remedial actions may cease	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO		Overall	Ongoing	NR
855:M11.7	Acid and Metalliferous drainage	The proponent shall make the monitoring reports required by Condition 11-2 publicly available in a manner approved by the CEO	Annual environmental monitoring report	Uploaded on to Brockman's website and copies sent to DER library and PIMB (OEPA).	CEO		Overall	Ongoing	NR
855:M11.8	Acid and Metalliferous drainage	The proponent shall report the results and assessment of efficacy of the long-term prevention, monitoring, contingency and remediation strategies required by Condition 11-2 as part of the compliance assessment report required by Condition 4-6 to the CEO. *note: the national CEO international standards referred to in Condition 11 are the <i>managing acid and Metalliferous drainage</i> , February 2007 developed by the Australian government, department of industry tourism and resources, the <i>global acid and Metalliferous drainage (GARD) guide</i> , December (2008) developed by the international network for acid prevention (INAP) and the Australian and New Zealand environment conservation council and agriculture and resource management council	Annual environmental monitoring report	Uploaded on to Brockman's website and copies sent to DER library and PIMB (OEPA).	CEO		Overall	Annually in the compliance assessment report.	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		of Australia and New Zealand (2000) <i>Australian water guidelines for fresh and marine waters and its updates.</i>							
855:M12.1	Rehabilitation	The proponent shall undertake progressive rehabilitation over the life of the proposal to achieve the following outcomes: 1. The waste rock dumps and other final landforms shall be non-polluting and shall be constructed to ensure that their stability, surface drainage, resistance to erosion and ability to support local native vegetation are similar to undisturbed natural analogue landforms as demonstrated a methodology acceptable to the CEO; 2. Waste rock dumps and other areas disturbed through implementation of the proposal (excluding mine pits), shall be progressively rehabilitated with vegetation composed of native plant species of local provenance; 3. The percentage cover and species diversity of living self-sustaining native vegetation in all rehabilitation areas shall be comparable to that of undisturbed natural analogue sites as demonstrated by a methodology acceptable to the CEO; and 4. Weed management for the rehabilitation areas shall be carried out as per Condition 7.	Annual environmental monitoring report	Uploaded on to Brockman's website and copies sent to DER library and PIMB (OEPA).	CEO		Overall	Ongoing	NR
855:M12.2	Rehabilitation	The proponent shall provide rehabilitation completion criteria for the approval of the CEO on advice of the department of environment and conservation within five years of ground-disturbing activities for the proposal.	Correspondence with the OEPA	Environmental monitoring report submitted annually with the CAR.	CEO	DER		Within five years of ground-disturbing activities for the proposal	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
855:M12.3	Rehabilitation	Rehabilitation activities shall continue until such time as the requirements of Conditions 12-1 and 12-2 are met, for a minimum of five years following mine completion demonstrated by inspections and reports to the satisfaction of the, on advice of the department of mines and petroleum.	Environmental monitoring report	Correspondence with the OEPA	CEO	DMP	Overall	Ongoing	NR
855:M13.1	Final closure and decommissioning plan	At least five years prior to mine completion, the proponent shall prepare and submit a final closure and decommissioning plan to the requirements of the, on advice of the department of environment and conservation and department of mines and petroleum.	Final closure and decommissioning plan developed and submitted to DER and DMP	Correspondence with the OEPA	CEO	DER, DMP		At least five years prior to mine completion	NR
855:M13.2	Final closure and decommissioning plan	The final closure and decommissioning plan shall be prepared consistent with: 1. ANZMEC/MCA (2000) <i>strategic framework for mine closure planning</i> ; including any subsequent revisions, and 2. Department of industry tourism and resources (2006) <i>mine closure and completion</i> (leading practice sustainable development program for the mining industry), commonwealth government, Canberra, including any subsequent revisions.	Final closure and decommissioning plan developed and submitted to DER and DMP	DER and DMP will confirm plan meets the required level of detailed information.	Min for Env	DITR	Overall	Ongoing	NR
855:M13.3	Final closure and decommissioning plan	The final closure and decommissioning plan shall provide detailed technical information on the following: 1. The final closure of all areas disturbed through implementation of the proposal ensuring that they are safe, stable and non-polluting;	Final closure and decommissioning plan developed and submitted to DER and DMP	DER and DMP will confirm plan meets the required level of detailed information.	Min for Env		Overall	Ongoing	NR



Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		2. Decommissioning of all plant and equipment; 3. Disposal of waste materials; 4. Final rehabilitation of waste rock dumps and other areas; 5. Management and monitoring following mine completion; and 6. Inventory of all contaminated sites and proposed management.							
855:M13.4	Final closure and decommissioning plan	The proponent shall close, decommission and rehabilitate the proposal in accordance with the final closure and decommissioning plan.	Final closure and decommissioning plan	Environmental monitoring report submitted annually with the CAR.	Min for Env		Decommissioning	Ongoing	NR
855:M13.5	Final closure and decommissioning plan	The proponent shall make the final closure and decommissioning plan required by Condition 13-1 publicly available in a manner approved by the CEO.	Final closure and decommissioning plan	Uploaded on to Brockman's website and copies sent to DER library and PIMB (OEPA).	CEO		Overall	Within 7 days of the report being submitted	NR

3.2 Endorsement of compliance

In accordance with the compliance reporting requirements of the Ministerial Statement 855, this CAR is submitted covering the twelve month period ending 8/05/2014. To the best of my knowledge, all the statements of compliance are true and correct.

Russell Tipper
 Chief Executive Officer
 8 May 2014

4. DETAILS OF DECLARED COMPLIANCE STATUS

Once Brockman has commenced construction of the Marillana project, additional reporting requirements will be triggered. Future annual reports will include details on activities and compliance with environmental management plans, environmental monitoring and research commitments, supporting data and documentation, as well as raw data. No details on these requirements are necessary at this stage.