



Annual Performance and Compliance Report

Marillana Iron Ore Project (Ministerial Statement 855)

2011-2012



b.

**brockman
resources.**

doc no: 000000-U-DES-0001
revision number: A
author: Glenn Firth

Revisions and Version History

Rev	Author(S)	Recipients	Status	Reviewer	Date
A	G. Firth	DEC Library and PIMB (OEPA)	Final	R. Tipper	8 May 2012

TABLE OF CONTENTS

1	INTRODUCTION	1
1.1	Background.....	1
1.2	Previously Proposed Structure and Content	1
1.3	Structure and Content for this PCR	2
1.4	Period of Reporting	2
2	CURRENT STATUS.....	3
2.1	Engineering Studies	3
2.2	Development Schedule	3
3	COMPLIANCE.....	4
3.1	Summary of Compliance.....	4
3.2	Audits and Inspections	4
4	ENVIRONMENTAL MONITORING AND RESEARCH	5
5	STAKEHOLDER CONSULTATION.....	6
6	AUDIT TABLE.....	7
6.1	Status of Compliance with Conditions	7
6.2	Endorsement of Compliance	30
7	PUBLIC AVAILABILITY.....	31

LIST OF TABLES

Table 1	Summary of Stakeholder Consultation	6
Table 2	Varying Definitions of Compliance Status.....	7
Table 3	Ministerial Statement Audit Table	8

1 INTRODUCTION

1.1 Background

Brockman Resources Limited (Brockman) 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 the 8th 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 Performance and Compliance Report (PCR) 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 PCR 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 Performance and Compliance Report (PCR) as required by in Condition 4-6 of Ministerial Statement 855 which was published on the 8th 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 8th May 2012, 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 groundwater well license (related to the management of dewatering and aquifer recharge) or an environmental licence. Therefore, Brockman has structured this first PCR as per the Department of Environment and Conservation's (DEC) *Draft Compliance Monitoring and Reporting – Guidelines for Proponents* (DEC, 2007).

1.3 Structure and Content for this PCR

This PCR 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 PCR:

- Describes, or updates, the status of implementation of the proposal;
- Provides verifiable evidence of compliance with the conditions, procedures and commitments;
- Reviews the effectiveness of corrective and preventative actions contained in the environmental management plans and programmes;
- Provides verifiable evidence of the fulfilment of requirements specified in the environmental management plans and programmes;
- Identifies all confirmed non-conformances and non-compliances and describe the related corrective and preventative actions taken; and
- Identifies potential non-conformances and non-compliances and provide evidence of how these are being assessed for corrective action.

1.4 Period of Reporting

It has been fifteen (15) months from the date of issue of MS 855 (8th February 2011). This is the first PCR since the date of issue and covers the previous twelve months from 8th May 2011 to 8th May 2012.

2 CURRENT STATUS

2.1 Engineering Studies

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, and through to the commencement and completion of Front End Engineering and Design (FEED). Progress has been slower than expected due to a new owner (Wah Nam International Holdings Limited) taking majority control of Brockman during the year. Now that the new owner has strategically reviewed the project and other assets of Brockman, the Marillana project has moved into a Bankable Feasibility Study (BFS) stage with the objective being to have debt funding in place and a Final Investment Decision (FID) in 2013, leading to project construction and the commencement of iron ore production.

2.2 Development Schedule

Brockman has commenced the detailed inputs relating to the BFS schedule for the Marillana Project. The detailed project schedule is currently undergoing significant review to incorporate the FEED engineering, procurement and estimating outcomes. As at 8th May 2012, Brockman is planning to have commenced 'early works' at the project site by 1st November 2012. This includes the development of a borrow pit and site roads, and construction of a 336 person fly camp and airstrip. Completion of the BFS and FID is targeted during the first half of 2013 and the commencement of construction of major infrastructure (plant, mine, rail) in the second half of 2013.

3 COMPLIANCE

3.1 Summary of Compliance

Brockman Resources is compliant with the Ministerial Statement over the reporting period. Details of the status of compliance with each of the ministerial conditions are provided in the Audit Table of Section 6. 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 PCR's 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.

3.2 Audits and Inspections

There have been no formal internal (by Brockman) or external (by consultants) audits undertaken on the Marillana Project during the reporting period.

The Department of Environment and Conservation (DEC) has not audited the project nor visited site during the reporting period.

A complaints register is maintained by Brockman Resources and no complaints have been received during the reporting period.

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

4 ENVIRONMENTAL MONITORING AND RESEARCH

This section summarises the environmental monitoring undertaken over the reporting period. Typically, a summary of analysed monitoring results would be provided in tabular form and graphs also provided to represent any monitoring trends.

Given that no activity on site has commenced under MS 855, there has been no environmental monitoring or research undertaken. Future information provided will include tables of data showing the following:

- Sample location/identification number;
- Date/time when sample taken;
- Analytical parameters;
- Laboratory results
- Criterion levels against which results are compared.

Any exceedences against criteria will be highlighted with appropriate comments provided.

Raw monitoring data will be provided as an appendix or on a CD-Rom. Any issues specific to environmental monitoring will also be referred to or referenced in this section.

This section will provide the details on any research or studies that may have been undertaken during future reporting periods.

5 STAKEHOLDER CONSULTATION

This section summarises any stakeholder consultation undertaken during the reporting period and includes the details of any major issues raised during any consultation and a statement on how stakeholders will be consulted during the future reporting period.

Table 1
Summary of Stakeholder Consultation

Date	Stakeholder	Topic	Actions
September 2011	DEC	Changes to the project	DEC did not foresee any of the changes as being material or causing a significant increase in environmental impact
		Potential impact to the sand dune vegetation communities (PEC 6 and 7) by the rail project	DEC commented that the impact would not be environmentally adverse, given the stock and weed damage existing on that dune already, and would endorse that change provided that additional offsets were agreed.
September 2011	EPA	s45C processes	EPA prefer Brockman to submit a single application, rather than several
		changes in project footprint	increase from 2985ha to ~3500 ha acceptable in s45C and not likely to be a substantial change
		removal of balloon rail loop	Brockman to include rail spur in Rail API document
		offsite camp and airstrip	EPA want these infrastructure included in the Part IV process, not as VCP
December 2011	EPA	re-alignment of a public road	Concept of public road realignment is sound. Include details in s45C.
May 2012	EPA	relocate camp and airstrip to on-tenure	Concept of on-tenure infrastructure is sound. Include details in s45C.

6 AUDIT TABLE

6.1 Status of Compliance with Conditions

The Ministerial Statement Audit Table, as approved by DEC, has been updated and submitted as the major component of this PCR (Table 3). 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 2:

Table 2
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, e.g., 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

Table 3
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 DEC – Dept of Environment and Conservation); Evaluation Division - Part IV; Pollution Prevention Division - Part V; Waste Management Division - WMD; Department of Conservation and Land Management - CALM; Department of Minerals and Energy - DME; 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 Performance and Compliance Report (PCR)	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
855:M3.1	Time Limit of Authorisation	The authorisation to implement the proposal	Notify in Writing	Letter of notification	CEO		Overall	Before the 8 February 2016	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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.							
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 the 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 PCR	CEO		Overall	Ongoing	IP
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; 5. the table	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; 5. the table	Approved Compliance Assessment Plan Correspondence with OEPA	CEO		Pre-construction	Before 8 November 2011 or prior to ground disturbing activities, whichever is sooner.	IP

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		non-compliances and corrective actions taken; 5. the table of contents of compliance reports; and 6. public availability of compliance reports.	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 PCR	Min for Env		Overall	The First CAR submitted before 8 May 2012 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	In accordance with CAP	1. Endorsement in annual PCR. 2. annual PCR. 3. Uploaded on to proponent's website and copies sent to DEC Library and PIMB (OEPA).	CEO		Overall	The first PCR submitted before 8 May 2012 and then annually on this date.	C

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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.							
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 PCR.	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	Environmental Monitoring Plan (detailing vegetation monitoring) to be developed with advice from DEC.	Environmental Monitoring Report submitted annually with the PCR.	CEO	DEC	Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		satisfaction of the CEO on advice from the Department of Environment and Conservation							
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; 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 PCR.	CEO		Overall	Within 21 days of the decline being identified	NR
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 PCR.	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	Weeli Wolli Creek vegetation mapped with 30 m "exclusion zone" for project planning. Performance and Compliance Report.	Environmental Monitoring Report submitted annually with the PCR.	Min for Env		Overall	Reported to the Office of the Environmental Protection Authority prior to clearing	C

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		construction of drainage diversion structures or creek crossings should be reported to the Office of the Environmental Protection Authority prior to clearing.							
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 PCR.	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 PCR.	Min for Env		Overall	Ongoing	NR
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 PCR.	CEO	DEC	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	Routine environmental monitoring in accordance with the	Environmental Monitoring Report submitted annually with the	CEO		Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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.	Environmental Monitoring Plan	PCR.					
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 CEO 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 PCR.	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 PCR.	CEO		Overall	Ongoing	NR
855:M7.1	Weeds	The proponent shall ensure that: 1. No new species of weeds (including both declared weeds and environmental weeds) are introduced into the proposal area as	Environmental Monitoring Plan (including weeds) to be developed and implemented.	Environmental Monitoring Report submitted annually with the PCR.	CEO	DEC	Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		<p>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 CEO; 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</p>							

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		reference sites required by condition 7-1(3) which have not been disturbed during implementation of the proposal.							
855:M8.1	Groundwater – Fortescue Marsh	The proponent shall ensure that groundwater abstraction and dewatering required to implement the proposal do not adversely impact the hydrology or vegetation health of the Fortescue Marsh.	Environmental Monitoring Plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental Monitoring Report submitted annually with the PCR.	Min for Env	DEC	Overall	Ongoing	NR
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	Environmental Monitoring Plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental Monitoring Report submitted annually with the PCR.	Min for Env	DEC	Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		Areas (ESA) dataset (2004).							
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 CEO 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 PCR.	CEO	DEC, DoW	Overall	Prior to groundwater abstraction or dewatering.	NR
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 PCR.	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	Marillana Groundwater Model Review Report to be developed	Environmental Monitoring Report submitted annually with the PCR.	CEO	DEC, DoW	Pre-construction	Within one year of the commencement of dewatering	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		<p>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 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</p>							

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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	DEC, 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 5. implement actions including those	Environmental Monitoring Plan (including Fortescue Marsh hydrology) to be developed and implemented.	Environmental Monitoring Report submitted annually with the PCR.	CEO	DEC	Overall	Report to the CEO within 7 days of the exceedance being identified	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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 the CEO 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 PCR.	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 DEC 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.	Performance and Compliance Report.	Min for Evn		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	Internal audit of the Marillana Surface Water Management Plan	Performance and Compliance Report.	CEO		Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		CEO							
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 PCR.	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 DEC Library and PIMB (OEPA).	CEO		Overall	Within 7 days of the report being submitted	CLD
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 PCR.	Min for Env		Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
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 PCR.	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 PCR.	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 OEPA	Environmental Monitoring Report submitted annually with the PCR.	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 CEO within	Correspondence with the OEPA	Environmental Monitoring Report submitted annually with the PCR.	CEO		Overall	Report the findings within 21 days of a decline being identified	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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 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 PCR.	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 DEC 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	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
		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, 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	DEC, 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	Correspondence with the OEPA	Environmental Monitoring Report submitted	CEO		Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		condition 11-2 until such time as the CEO determines that the actions may cease.		annually with the PCR.					
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 PCR.	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 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.	Correspondence with the OEPA	Environmental Monitoring Report submitted annually with the PCR.	CEO		Overall	Provide a report within 21 days of the decline	NR
855:M11.6	Acid and Metalliferous Drainage	The proponent shall, on approval of the CEO, implement the actions	Correspondence with the OEPA	Environmental Monitoring Report submitted	CEO		Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		identified in condition 11-5(3) and continue to implement such actions until the CEO determines that the remedial actions may cease		annually with the PCR.					
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 DEC 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 and 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 of	Annual Environmental Monitoring Report	Uploaded on to Brockman's website and copies sent to DEC Library and PIMB (OEPA).	CEO		Overall	Annually in the compliance assessment report.	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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	Annual Environmental Monitoring Report	Uploaded on to Brockman's website and copies sent to DEC Library and PIMB (OEPA).	CEO		Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		management for the rehabilitation areas shall be carried out as per condition 7.							
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 PCR.	CEO	DEC		Within five years of ground-disturbing activities for the proposal	NR
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 CEO, 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 CEO, on advice of the Department of Environment and Conservation and Department of Mines and Petroleum.	Final Closure and Decommissioning Plan developed and submitted to DEC and DMP	Correspondence with the OEPA	CEO	DEC, 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> ;	Final Closure and Decommissioning Plan developed and submitted to DEC and DMP	DEC and DMP will confirm Plan meets the required level of detailed information.	Min for Env	DITR	Overall	Ongoing	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		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.							
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; 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.	Final Closure and Decommissioning Plan developed and submitted to DEC and DMP	DEC and DMP will confirm Plan meets the required level of detailed information.	Min for Env		Overall	Ongoing	NR
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 PCR.	Min for Env		Decommissioning	Ongoing	NR
855:M13.5	Final Closure and Decommissioning	The proponent shall make the Final Closure and	Final Closure and Decommissioning	Uploaded on to Brockman's	CEO		Overall	Within 7 days of the report being	NR

Audit	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
	Plan	Decommissioning Plan required by condition 13-1 publicly available in a manner approved by the CEO.	Plan	website and copies sent to DEC Library and PIMB (OEPA).				submitted	

6.2 Endorsement of Compliance

In accordance with the compliance reporting requirements of the Ministerial Statement 855, this PCR is submitted covering the twelve month period ending 8/05/2012. To the best of my knowledge, all the statements of compliance are true and correct.



Russell Tipper
Chief Executive Officer
Brockman Resources

8 May 2012

7 PUBLIC AVAILABILITY

In accordance with the requirements of OEPA's *Proposal Implementation Monitoring Branch – Fact Sheet 1, Making Documents Publicly Available* (April, 2010) the combined annual report containing all aspects of the PCR will be placed on the Brockman Resources website within two (2) weeks of submission to OEPA. All reports will remain on the Brockman website for the life of the Marillana Project. The Brockman website is available through the following link:

<http://www.brockman.com.au/>

A URL link to each report uploaded will be sent to the Proposal Implementation Monitoring Branch (PIMB) through the pims@epa.wa.gov.au email address.

This Annual PCR has been sent (1 hard copy and 1 CD) to:

- The CEO of the OEPA, c/- The Manager, Proposal Implementation Monitoring Branch (PIMB), Locked Bag 33, Cloisters Square, PERTH WA 6850; and
- Department of Environment and Conservation Library (Atrium) Locked Bag 104, BENTLEY DELIVERY CENTRE WA 6983.