

UNCLASSIFIED

DEPARTMENT OF THE ENVIRONMENT

For Decision: Shane Gaddes, AS, CEB

File No: 2014/03698

Through: s22, A/g Director, PAS

Section: PAS

Timing: High

s22

1/10/14

Nelson Bay River Magnetite and Hematite mine – north west Tasmania

EPBC 2011/5846

Recommendations:

- |  |                       |
|--|-----------------------|
| 1. Approve the variation to condition 15 of the approval at <b>Attachment A.</b> | Approved/Not approved |
| 2. Sign the notification letter to the approval holder at <b>Attachment B.</b>   | Signed/Not signed     |

Comments:

S. Gaddes

Shane Gaddes  
AS, CEB

3 October 2014

Key Points:

- The Minister has delegated you as decision maker for this matter pursuant to section 515(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- The project to develop and operate an iron ore mine near Nelson Bay River, Tasmania by Shree Minerals Limited (approval holder) was approved by the then Minister on 23 July 2013 subject to 30 conditions (**Attachment C**).
- Approval condition 15 required the approval holder to pay \$70,000 (20% of the total offset contribution of \$350,000) to the Save the Tasmanian Devil Program by 12 August 2014.
- Due to court action against Shree Minerals, the project has been delayed by approximately 1.5 years. Furthermore, the mining operations were suspended in mid June 2014 due to low iron ore prices.
- As a result, on 23 July 2014 the approval holder requested an extension of time for payment of the total offset contribution. On 12 August 2014 the approval holder also made a similar request to the Minister requesting an extension up to 7 years (**Attachment D**).
- On 8 September 2014 a telephone conference was held between the departmental officers (Shane Gaddes, Assistant Secretary, CEB and s11C(1)(a) Director, PAS) and representatives from Shree Minerals (s47F), and s47F, s47F) to discuss the matter.

- During the teleconference the approval holder agreed to pay 10% of the total payment (\$35,000) to the Save the Tasmanian Devil Program by 30 October 2014 with subsequent payments to be made following commencement of mining operations and within 7 years of commencement of the action. As discussed at the teleconference, Shree Minerals will pay the second 10% instalment within 8 months of re-commencement of mining operations (agreement at **Attachment E**). This requirement has been included in the notification letter. Please note that the condition has been worded to avoid the need to define re-commencement of operations.
- To date there are no confirmed non-compliances with conditions of approval. However, Compliance Section is examining whether Shree Minerals are acting in accordance with a requirement within an approved management plan.
- Section 143(1)(c)(i) provides for the Minister/delegate to vary an approval condition if:
  - (i) The approval holder agrees to the proposed variation; and
  - (ii) The condition as varied is necessary or convenient for protecting the matter protected by a provision of Part 3.
- On 19 September 2014 the approval holder agreed to the proposed variation (**Attachment F**).
- Officers of the Post Approvals Section have reviewed the information and are of the view that the proposed variation is not inconsistent with the object of s143(1)(c)(i) given that the development of the mine has not resulted to date in any death or injury to any Tasmanian Devils.
- If you agree, please sign the variation notice at **Attachment A** and the notification letter at **Attachment B**.

**Issues/Sensitivities:**

- The project is locally contentious and the variation may attract local and national media coverage.

**Media and Handling: N/A**

**Prepared by:**

s22 [redacted] n

Assistant Director

Approvals Monitoring North

s22 [redacted]

1 October 2014

**Consultation:**

**Attachments:**

- A Variation notice
- B Notification letter to approval holder
- C Approval decision
- D Variation request
- E Agreement from Shree Minerals regarding payment of second 10% instalment
- F Agreement to proposed variation



## VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Nelson Bay River Magnetite and Hematite Mine, near Nelson Bay River, north-west Tasmania (EPBC 2011/5846)

This decision to vary a condition of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

### Approved action

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<b>Person to whom the approval is granted</b>	Shree Minerals Limited ACN 130 618 683
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<b>Approved action</b>	To develop and operate a magnetite and hematite mine near Nelson Bay River in north western Tasmania, located approximately seven kilometres northeast of Temma (see referral EPBC 2011/5846)
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### Variation

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<b>Variation of conditions of approval</b>	The variation is: <ul style="list-style-type: none"><li>• Delete condition 15 attached to the approval dated 29 July 2013 and substitute the varied condition 15 specified below:</li></ul>
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<b>Date of effect</b>	This variation has effect on the date the instrument is signed
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### Person authorised to make decision

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<b>Name and position</b>	Shane Gaddes Assistant Secretary Compliance & Enforcement Branch
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### Signature

Handwritten signature of S. Gaddes in blue ink.

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<b>Date of decision</b>	3 October 2014
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### Varied conditions attached to the approval

15. To compensate for unavoidable impacts on Tasmanian devils and their habitat, the person taking the action must contribute no less than \$350,000 (GST exclusive) in accordance with any approved Tasmanian devil recovery plan and explicitly for the



purpose of "***maintenance of the Tasmanian devil Insurance Population***" managed under the Save the Tasmanian Devil Program as follows:

- a) 10% of this sum must be contributed no later than 30 October 2014
- b) 10% of this sum must be contributed within 2 months of the completion of 12 months of **mining operations**
- c) The balance must be contributed within seven (7) years of **commencement** of the action.

**Note:** It is acknowledged that the details of how the funds will be spent will be decided, within the parameters specified by these conditions, by the Save the Tasmanian Devil Program. There is no objection to the proponent discussing the specific direction of these funds with the Program.

#### Definition

**Mining Operations** – extraction of ore or minerals from the ground from existing open pit and/or new mining pit/s.





**Australian Government**  
**Department of the Environment**

Our reference: 2014/03698

Contact Officer: s22  
Telephone: (02) s22 Facsimile: (02) 6274 1878  
Email: post.approvals@environment.gov.au

**s47F**

Shree Minerals Limited  
Unit 2 The Pines Business Centre  
88 Forrest Street  
COTTESLOE WA 6011

Dear **s47F**

**Nelson Bay River mine – EPBC 2011/5846 – variation to condition 15**

I write in relation to your requests of 23 July 2014 to s22 of this department and 12 August 2014 to the Minister for the Environment, the Hon Greg Hunt MP seeking variation to condition 15 of the approval. The Minister has asked me to respond to you on his behalf.

Further to my teleconference with you on 8 September 2014, officers of the Post Approvals Section have advised me that you have agreed to the proposed variation. As delegate of the Minister for the Environment, I have decided to approve the variation to condition 15 in accordance with provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).


Condition 15 must now be undertaken in accordance with the varied condition specified in the variation notification, which has been attached to this letter. As agreed during the teleconference and later confirmed by you in your email of 25 September 2014, varied approval condition 15(b) includes the 6 months of mining operations already completed. This means the second instalment of \$35,000 must be paid to the Save the Tasmanian Devil Program within 8 months of re-commencement of mining operations.

The variation of conditions of approval does not relieve the person to whom it has been granted from an obligation to comply with any other law of the Commonwealth, state or territory that is applicable to do the action and to have any right, title or interest that is required to access land or waters and to do the action.

Please ensure that you maintain accurate records of all activities associated with, or relevant to the conditions of approval, so that they can be made available to the department on request. Such documents may be subject to audit and used to verify compliance. Summaries of results of audits may be published by the department. Information about the monitoring and audit program can be found on the department's website at [www.environment.gov.au/epbc/compliance/auditing.html](http://www.environment.gov.au/epbc/compliance/auditing.html)

If you would like to discuss this matter further please contact s22 [redacted] n on 6274  
s22 [redacted]

Yours sincerely



Shane Gaddes  
Assistant Secretary  
Compliance & Enforcement Branch

3 October 2014

*Note:* Under s 491 of the *Environment Protection and Biodiversity Conservation Act 1999* it is an offence to knowingly provide false and/or misleading information to a departmental officer.



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

**Approval**

**Nelson Bay River Magnetite and Hematite Mine, near Nelson Bay River, north-west Tasmania (EPBC 2011/5846)**

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

**Proposed action**

**person to whom the approval is granted** Shree Minerals Limited

**proponent's ACN** 130 618 683

**proposed action** To develop and operate a magnetite and hematite mine near Nelson Bay River in north western Tasmania, located approximately seven kilometres northeast of Temma (see referral EPBC 2011/5846).

**Approval decision**

controlling provision	decision
Listed threatened species and communities (sections 18 & 18A)	approve
Listed migratory species (sections 20 & 20A)	approve

**conditions of approval**

This approval is subject to the conditions specified below.

**expiry date of approval**

This approval has effect until 31 December 2027.

**Decision-maker**

**name and position** The Hon Mark Butler MP  
Minister for the Environment, Heritage and Water

**signature**

**date of decision**

29 July 2013



## Conditions attached to the approval

### Conditions relating generally to the protection of *EPBC species*

1. The person taking the action must develop an environmental induction training and awareness program that instructs **staff, contractors and visitors** on the importance of protecting *EPBC species* at, and while travelling to and from, **the mine site**. The program must include face-to-face sessions, prominently displayed posters and glovebox guides, and must address at least the following matters:
  - a) clear images and simple descriptions (including distinguishing features) for the identification of *EPBC species*;
  - b) maps of high risk *EPBC species* roadkill locations, identified and updated annually in consideration of monitoring data collected subject to these conditions and any information published by the Save the Tasmanian Devil Program;
  - c) practical instruction on how to avoid or reduce incidences of *EPBC species* roadkill;
  - d) information and supporting documentation on roles and responsibilities (including recording and reporting obligations) under these conditions; and
  - e) reference to the penalties imposed for any workers found causing intentional harm to *EPBC species*, including legal and **onsite** environmental responsibilities.

The induction program must commence at or prior to the **commencement** of the action and be maintained until **completion** of the action (including mine closure and rehabilitation) to ensure that all **staff, contractors and visitors** who work, visit or travel to **the mine site** are inducted prior to any **onsite** activity. Details of inductions must be logged and maintained within an induction register to be kept **onsite**.

2. The person taking the action must ensure that monthly meetings are held prior to the commencement of each shift to maintain worker knowledge about the importance of avoiding and minimising impacts (particularly roadkill) on *EPBC species* and of recording and reporting observations of *EPBC species*.
3. The person taking the action must engage a **suitably qualified or experienced expert** to prepare a plan for the management and protection of *EPBC species* at **the mine site** and during travel to or from **the mine site** by **authorised vehicles**. The plan must address:
  - a) containment of vegetation clearance and operational activities within the nominated mine footprint;
  - b) management of food waste;
  - c) management of hazardous substances including fuels, tailings and poisons;
  - d) management of open pits and excavations;
  - e) protocols for dealing with injured fauna, including;
    - i) animal welfare considerations;
    - ii) initial response provisions;
    - iii) expert care provisions;

- f) protocols for recording any sightings of **EPBC species** (including carcasses), including information on;
  - i) species;
  - ii) condition;
  - iii) date;
  - iv) time;
  - v) location **coordinates**; and
  - vi) any noteworthy circumstances including circumstances of injury or death where relevant and known.

The plan must be approved by **the minister** prior to **commencement** of the action, and must be implemented.

- 4. The person taking the action must ensure that targeted pre-clearance surveys for **EPBC species** are undertaken by a **suitably qualified or experienced expert** prior to any **vegetation clearance**, except where clearance will clearly occur outside all relevant breeding seasons or potential habitat. Specific features to be targeted, along with a mandatory management response in parentheses, must include:
  - a) masked owl nests (a minimum 50 metre exclusion zone where access or works are not allowed, other than for monitoring purposes, until the identified nest is vacated);
  - b) spot-tailed quoll dens (a minimum 50 metre exclusion zone where access or works are not allowed, other than for monitoring purposes, until the identified nest is vacated);
  - c) Tasmanian devil dens (a minimum 50 metre exclusion zone where access or works are not allowed, other than for monitoring purposes, until the identified nest is vacated); and
  - d) wedge-tailed eagle nests (cessation of all access or works at **the mine site**, other than for monitoring purposes, until the identified nest is vacated).

Pre-clearance surveys must be documented, including details of results, methodology and personnel (and their qualifications). The person taking the action should also be prepared to justify where surveys have not been undertaken prior to **vegetation clearance**.

#### **Conditions relating to the protection of EPBC species from traffic impacts**

- 5. The person taking the action must provide for each shift a bus service to transport **staff, contractors and visitors** between **the mine site** and (at least) the town of Smithton. The service must be:
  - a) free of charge;
  - b) advertised through the environmental awareness and induction program described in Condition 1; and
  - c) capable of carrying all **staff, contractors and visitors**.
- 6. The person taking the action must implement measures to ensure that **staff, contractors and visitors** use the bus to travel to and from the site of the action except in accordance with specified written exceptions agreed to in advance by **the department**.

7. The person taking the action must ensure that all roads within **the mine site** are designed, built and maintained in a manner that minimises the potential for **EPBC species** roadkill, through deterrence and increased visibility, including in particular:
  - a) clearly signposted speed limits of no more than forty (40) kilometres per hour;
  - b) the use of a light coloured aggregate;
  - c) installation of table drains to minimise the pooling of water and vegetation growth; and
  - d) active management of vegetation within five (5) metres of the edge of the road.
8. The person taking the action must ensure that travel to and from **the mine site** by **authorised vehicles** other than light vehicles and buses driven by or for staff, only occurs during **daylight hours**, except in case of **emergency**.
9. The person taking the action must implement all reasonable measures to ensure that **authorised vehicles** do not exceed fifty (50) kilometres per hour from **the mine site** to the intersection of Wuthering Heights Road and Rebecca Roads.
10. The person taking the action must ensure that all roads from within **the mine site** to the intersection of Wuthering Heights and Rebecca Roads are visually inspected daily, and all carcasses (whether EPBC species or not) removed to at least 40 metres from the edge of the road.
11. The person taking the action must ensure that all **EPBC species** roadkill detected within **the mine site**, or killed by **authorised vehicles** travelling to or from **the mine site**, is recorded, including information on;
  - a) species;
  - b) date;
  - c) time;
  - d) location **coordinates**; and
  - e) any noteworthy circumstances including circumstances of death where known.

#### **Conditions relating to reporting**

12. Prior to **commencement** of the action, the person taking the action must establish an **EPBC species** register on its website that includes all records of sightings of **EPBC species** (including carcasses), as collected under Conditions 3, 4, 11, 13 and 16. The register must be updated at least every three (3) months until **completion** of the action (including mine closure and rehabilitation).



13. The person taking the action must engage a ***suitably qualified or experienced expert*** to prepare a Tasmanian devil monitoring strategy. The strategy must:
- be consistent and compatible with any relevant strategies of the Commonwealth or Tasmanian Governments or Save the Tasmanian Devil Program;
  - provide for the placement and maintenance of at least ten (10) infrared monitoring cameras at locations relevant to the action;
  - provide for monitoring the condition of any formally managed habitat areas, such as the fauna habitat protection zone described in the project's environmental impact statement;
  - include measures for the detection and prompt reporting of Devil Facial Tumour Disease;
  - include protocols for regular data retrieval and recording; and
  - be supported by adequate funding and other resources.

The strategy must be approved by ***the minister*** prior to ***commencement*** of the action, and must be implemented.

14. Within fourteen (14) days of a request, the person taking the action must make available any raw data relating to Tasmanian devils and the Devil Facial Tumour Disease, on request from any Commonwealth or Tasmanian Government agency or the Save the Tasmanian Devil Program.

#### **Conditions relating to compensation for unavoidable impacts**

15. To compensate for unavoidable impacts on Tasmanian devils and their habitat, the person taking the action must contribute no less than \$350 000 (GST exclusive) in accordance with any approved Tasmanian devil recovery plan and explicitly for the purpose of "***maintenance of the Tasmanian devil Insurance Population***" managed under the Save the Tasmanian Devil Program.

At least 20% of this sum must be contributed within twelve (12) months of ***commencement*** of the action, and the balance within seven (7) years of ***commencement*** of the action.

**Note:** It is acknowledged that the details of how the funds will be spent will be decided, within the parameters specified by these conditions, by the Save the Tasmanian Devil Program. There is no objection to the person taking the action discussing the specific direction of these funds with the program.

16. The person taking the action must fund and implement their *Proposed contribution to orchid baseline research*, as provided with the finalised environmental impact statement prepared in relation to the action.

#### **Conditions relating to mine closure and rehabilitation**

17. The mine closure plan(s) identified in Schedule 3 of ***Mining Lease 3M/2011*** and section DC4 of ***Permit Part B No. 8568*** (including any revisions to the plan or to Schedule 3 itself) must be provided to ***the minister*** for information within one (1) week of approval by the relevant state government authority.
18. The decommissioning and rehabilitation plan identified in section DC5 of ***Permit Part B No. 8568*** (including any revisions) must be provided to ***the minister*** for information within six (6) months of approval by the relevant state government authority.

19. If **the minister** is not satisfied that the plans referred to in Conditions 17 and 18 will adequately provide for the permanent protection of **EPBC species**, he may require supplements to be prepared for his approval and implemented.

Any supplements must be implemented once they have been approved by **the minister**.

20. **The minister** may at any time review the security deposit lodged by the person taking the action pursuant to Schedule 3 of **Mining Lease 3M/2011**. If **the minister** is not satisfied that the security deposit lodged will adequately provide for the implementation of the plans referred to in Conditions 17 and 18, as well as any supplements as described in Condition 19, he may require that the person taking the action establishes an additional security deposit in trust, under conditions approved by himself.

**Note:** It is anticipated that the security deposit will be reviewed every two (2) years from the commencement of the action, and that any increase required will be commensurate with estimated costs of mine closure, decommissioning and rehabilitation.

### Contingency conditions

21. In the event of the following excess **EPBC species** roadkill deaths over any twelve (12) month period recorded in accordance with Condition 11, occurring within **the mine site**, or caused by **authorised vehicles** travelling to or from **the mine site**, the following associated contingency compensation responses must be undertaken:

- a) for each wedge-tailed eagle death beyond (1) in any twelve (12) month period, the person taking the action must contribute to regional or statewide wedge-tailed eagle monitoring strategies as agreed to by **the department**;  
**Note:** The contribution can be expected to be in the order of \$20 000.
- b) for each spot-tailed quoll death beyond two (2) in any twelve (12) month period, the person taking the action must fund a three (3) month program of feral dog and / or cat trapping and / or shooting; and
- c) for each Tasmanian devil death beyond two (2) in any twelve (12) month period, the person taking the action must contribute an additional \$48 000 (GST exclusive) explicitly for the purpose of "**maintenance of the Tasmanian devil Insurance Population**" managed under the Save the Tasmanian Devil Program.

Any of the above responses must be undertaken in such a way as to avoid negative impacts on **EPBC species**, and (except in the case of direct financial contributions) in accordance with the advice of a **suitably qualified or experienced expert** and relevant Commonwealth and Tasmanian Government policies where relevant.

### Administrative conditions

22. Within fourteen (14) days after the **commencement** of the action, the person taking the action must advise **the department** in writing of the actual date of **commencement**.
23. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to these conditions, including measures taken to implement the **management documents** required by this approval, and make them available upon request to **the department**. Such records may be subject to audit by **the department** or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with these conditions. Summaries of audits will be posted on **the department's** website. The results of audits may also be publicised through the general media.

24. The person taking the action must notify **the department** of any non-compliance with these conditions within two (2) days of its occurrence, along with a proposed remediation response where appropriate. Once agreed with **the department**, any response must be implemented.
25. By 31 November of each year from **commencement** of the action until **completion** of the action, the person taking the action must publish on their website, and provide **the department** with, a compliance report addressing compliance with these conditions since the previous compliance report, including but not limited to the following:
  - a) a summary of induction training and awareness activity undertaken or proposed;
  - b) an extract for the reporting period of the **EPBC species** register established under Condition 12;
  - c) details of progress against actions (including documentary evidence of payments) required under Conditions 13, 15, 16 and, if required, 20;
  - d) details of any **emergency** travel undertaken outside **daylight hours** as allowed under Condition 8;
  - e) information on compliance (and non-compliance) with **management documents**; and
  - f) details of any other incidences of non-compliance with these conditions along with any associated remedial action undertaken, underway or proposed.
26. Upon the direction of **the minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to **the minister**. The independent auditor must be approved by **the minister** prior to the commencement of the audit. Audit criteria must be agreed to by **the minister** and the audit report must address the criteria to the satisfaction of **the minister**.
27. If the person taking the action wishes to carry out any activity otherwise than in accordance with **management documents** as specified in the conditions, the person taking the action must submit to **the department** for **the minister's** written approval a revised version of the **management document**. The varied activity shall not commence until **the minister** has approved the varied **management document** in writing. **The minister** will not approve a varied **management document** unless the revised **management document** would result in an equivalent or improved environmental outcome over time. If **the minister** approves the revised **management document**, that **management document** must be implemented in place of the **management document** originally approved.
28. If **the minister** believes that it is necessary or convenient for the better protection of **EPBC species** to do so, **the minister** may request that the person taking the action make specified revisions to any **management document** specified in these conditions and submit the revised **management document** for **the minister's** written approval. The person taking the action must comply with any such request. The revised approved **management document** must be implemented. Unless **the minister** has approved the revised **management document**, then the person taking the action must continue to implement the **management document** originally approved, as specified in the conditions.
29. If, at any time after five (5) years from the date of this approval, the person taking the action has not **substantially commenced** the action, then the person taking the action must not **commence** the action without the written agreement of **the minister**.
30. Unless otherwise agreed to in writing by **the minister**, the person taking the action must publish all **management documents** referred to in these of approval conditions on their website, within one (1) month of being approved.



## Definitions

**Authorised vehicles** means any vehicles authorised by the person taking the action to enter **the mine site**, whenever they are operating at, or travelling to or from, **the mine site**.

**Commencement** of the action, except in the sense of **substantial commencement**, means the construction of any infrastructure, excluding fences and signage, associated with the proposed action.

**Completion** of the action means the earliest of the following potential events:

- a) this approval expires or is revoked;
- b) **Mining Lease 3M/2011** expires or is permanently withdrawn, surrendered or revoked; or
- c) the mine is closed (including all rehabilitation activities) in accordance with an approved mine closure plan.

**Coordinates** means latitude and longitude (or any other measure consistent with any protocol established by the Save the Tasmanian Devil Program), measured by global positioning system (GPS) at **the mine site** and wherever else possible.

**Daylight hours** extend from 30 minutes after morning civil twilight until 30 minutes prior to evening civil twilight.

**The EPBC Act** is the *Environment Protection and Biodiversity Conservation Act 1999*.

**EPBC species** includes any flora or fauna species listed under the EPBC Act as threatened or migratory and that is known or considered likely to occur at **the mine site**, but must include the following species:

- windswept spider orchid (*Caladenia dienema*)
- large golden moths, snake orchid (*Diuris lanceolata*)
- western leek orchid (*Prasophyllum favonium*)
- pretty leek orchid (*Prasophyllum pulchellum*)
- giant freshwater crayfish (*Astacopsis gouldi*)
- Australian grayling (*Prototroctes maraena*)
- wedge-tailed eagle (*Aquila audax* subsp. *fleayi*)
- Tasmanian azure kingfisher (*Ceyx azureus* subsp. *diemenensis* syn. *Alcedo azurea* subsp. *diemenensis*)
- white-bellied sea-eagle (*Haliaeetus leucogaster*)
- satin flycatcher (*Myiagra cyanoleuca*)
- Tasmanian masked owl (*Tyto novaehollandiae* subsp. *castanops*)
- spot-tailed quoll (*Dasyurus maculatus* subsp. *maculatus*)
- Tasmanian devil (*Sarcophilus harrisi*)

**Emergency** travel includes travel for the purposes of fire suppression, injury or illness response or maintenance and repair of infrastructure critical to the operation of the mine, as well as travel by official emergency services vehicles.

**Maintenance of the Tasmanian devil Insurance Population** includes any activities associated with the care of Tasmanian devils within the Insurance Population established and managed by the Save the Tasmanian Devil Program, including capture and release, transport, feeding, enclosure and security, monitoring, veterinary care and breeding support, but does not include program oversight and administration, public awareness or research activities.

**Management documents** means all plans, strategies, reports etc, developed in fulfilment of these conditions for the management of the action.

**Note:** Management documents listed separately in these conditions need not be presented as individual standalone documents, provided that the person taking the action clearly identifies which condition(s) the document(s) provided is intended to satisfy.

**The mine site** (and "onsite") refers to the entire area (or areas) from which public access is excluded by signage and / or fencing, for the purposes of constructing and operating the approved mine.

**Mining Lease 3M/2011** is the lease granted by the Tasmanian Government under the *Mineral Resources Development Act 1995* for the undertaking of the action, as originally granted on 13 September 2012.

**Permit Part B No. 8568** is the set of permit conditions imposed by the Tasmanian Government under the *Environmental Management and Pollution Control Act 1994* on the undertaking of the action, as originally issued on 26 July 2012.

**Staff, contractors and visitors** includes all persons authorised by the person taking the action to enter **the mine site**.

**Substantially commence** means any excavation of an ore pit.

A **suitably qualified or experienced expert** is a person with tertiary qualifications or a minimum of five (5) years experience relevant to the task in question.

**The department** is the Australian Government department administering the EPBC Act.

**The minister** is the Australian Government minister administering the EPBC Act and includes delegates of **the minister** as established by a relevant legal instrument.

**Vegetation clearance** includes the removal of native vegetation by any means including felling, uprooting, ringbarking or slashing. Native vegetation includes any plant species native to the area in question.



Australian Government  
Department of the Environment

**Variation to conditions attached to approval**

**Nelson Bay River Magnetite and Hematite Mine, near Nelson Bay River, north-west Tasmania (EPBC 2011/5846)**

This decision is made under Section 143 of the *Environment Protection and Biodiversity Conservation Act 1999*.

**Approved action**

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**person to whom the approval is granted** Shree Minerals Limited

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**ACN** 130 618 683

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**approved action** To develop and operate a magnetite and hematite mine near Nelson Bay River in north western Tasmania, located approximately seven kilometres northeast of Temma (see referral EPBC 2011/5846).

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**Variation**

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**details of the variation** The approved variation is to change the first paragraph of Condition 25 from:

By 31 November of each year from **commencement** of the action until **completion** of the action, the person taking the action must publish on their website, and provide **the department** with, a compliance report addressing compliance with these conditions since the previous compliance report, including but not limited to the following:

to:

By 30 November of each year from **commencement** of the action until **completion** of the action, the person taking the action must publish on their website, and provide **the department** with, a compliance report addressing compliance with these conditions for the twelve (12) months to 31 October of that year, including but not limited to the following:

Complete revised conditions of approval are provided at [Annexure 1](#).

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**date of effect** the variation has effect from the date this notice is signed

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**Decision-maker**

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**name and position** James Tregurtha  
Assistant Secretary  
South-Eastern Australia Assessment Branch

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**signature**



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**date of decision** 28 November 2013

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## Annexure 1 – Conditions attached to the approval

### Conditions relating generally to the protection of *EPBC species*

1. The person taking the action must develop an environmental induction training and awareness program that instructs **staff, contractors and visitors** on the importance of protecting *EPBC species* at, and while travelling to and from, **the mine site**. The program must include face-to-face sessions, prominently displayed posters and glovebox guides, and must address at least the following matters:
  - a) clear images and simple descriptions (including distinguishing features) for the identification of *EPBC species*;
  - b) maps of high risk *EPBC species* roadkill locations, identified and updated annually in consideration of monitoring data collected subject to these conditions and any information published by the Save the Tasmanian Devil Program;
  - c) practical instruction on how to avoid or reduce incidences of *EPBC species* roadkill;
  - d) information and supporting documentation on roles and responsibilities (including recording and reporting obligations) under these conditions; and
  - e) reference to the penalties imposed for any workers found causing intentional harm to *EPBC species*, including legal and **onsite** environmental responsibilities.

The induction program must commence at or prior to the **commencement** of the action and be maintained until **completion** of the action (including mine closure and rehabilitation) to ensure that all **staff, contractors and visitors** who work, visit or travel to **the mine site** are inducted prior to any **onsite** activity. Details of inductions must be logged and maintained within an induction register to be kept **onsite**.

2. The person taking the action must ensure that monthly meetings are held prior to the commencement of each shift to maintain worker knowledge about the importance of avoiding and minimising impacts (particularly roadkill) on *EPBC species* and of recording and reporting observations of *EPBC species*.
3. The person taking the action must engage a **suitably qualified or experienced expert** to prepare a plan for the management and protection of *EPBC species* at **the mine site** and during travel to or from **the mine site** by **authorised vehicles**. The plan must address:
  - a) containment of vegetation clearance and operational activities within the nominated mine footprint;
  - b) management of food waste;
  - c) management of hazardous substances including fuels, tailings and poisons;
  - d) management of open pits and excavations;
  - e) protocols for dealing with injured fauna, including:
    - i) animal welfare considerations;
    - ii) initial response provisions;
    - iii) expert care provisions;

- f) protocols for recording any sightings of **EPBC species** (including carcasses), including information on:
  - i) species;
  - ii) condition;
  - iii) date;
  - iv) time;
  - v) location **coordinates**; and
  - vi) any noteworthy circumstances including circumstances of injury or death where relevant and known.

The plan must be approved by **the minister** prior to **commencement** of the action, and must be implemented.

- 4. The person taking the action must ensure that targeted pre-clearance surveys for **EPBC species** are undertaken by a **suitably qualified or experienced expert** prior to any **vegetation clearance**, except where clearance will clearly occur outside all relevant breeding seasons or potential habitat. Specific features to be targeted, along with a mandatory management response in parentheses, must include:
  - a) masked owl nests (a minimum 50 metre exclusion zone where access or works are not allowed, other than for monitoring purposes, until the identified nest is vacated);
  - b) spot-tailed quoll dens (a minimum 50 metre exclusion zone where access or works are not allowed, other than for monitoring purposes, until the identified nest is vacated);
  - c) Tasmanian devil dens (a minimum 50 metre exclusion zone where access or works are not allowed, other than for monitoring purposes, until the identified nest is vacated); and
  - d) wedge-tailed eagle nests (cessation of all access or works at **the mine site**, other than for monitoring purposes, until the identified nest is vacated).

Pre-clearance surveys must be documented, including details of results, methodology and personnel (and their qualifications). The person taking the action should also be prepared to justify where surveys have not been undertaken prior to **vegetation clearance**.

#### **Conditions relating to the protection of EPBC species from traffic impacts**

- 5. The person taking the action must provide for each shift a bus service to transport **staff, contractors and visitors** between **the mine site** and (at least) the town of Smithton. The service must be:
  - a) free of charge;
  - b) advertised through the environmental awareness and induction program described in Condition 1; and
  - c) capable of carrying all **staff, contractors and visitors**.
- 6. The person taking the action must implement measures to ensure that **staff, contractors and visitors** use the bus to travel to and from the site of the action except in accordance with specified written exceptions agreed to in advance by **the department**.

7. The person taking the action must ensure that all roads within **the mine site** are designed, built and maintained in a manner that minimises the potential for **EPBC species** roadkill, through deterrence and increased visibility, including in particular:
  - a) clearly signposted speed limits of no more than forty (40) kilometres per hour;
  - b) the use of a light coloured aggregate;
  - c) installation of table drains to minimise the pooling of water and vegetation growth; and
  - d) active management of vegetation within five (5) metres of the edge of the road.
8. The person taking the action must ensure that travel to and from **the mine site** by **authorised vehicles** other than light vehicles and buses driven by or for staff, only occurs during **daylight hours**, except in case of **emergency**.
9. The person taking the action must implement all reasonable measures to ensure that **authorised vehicles** do not exceed fifty (50) kilometres per hour from **the mine site** to the intersection of Wuthering Heights Road and Rebecca Roads.
10. The person taking the action must ensure that all roads from within **the mine site** to the intersection of Wuthering Heights and Rebecca Roads are visually inspected daily, and all carcasses (whether EPBC species or not) removed to at least 40 metres from the edge of the road.
11. The person taking the action must ensure that all **EPBC species** roadkill detected within **the mine site**, or killed by **authorised vehicles** travelling to or from **the mine site**, is recorded, including information on;
  - a) species;
  - b) date;
  - c) time;
  - d) location **coordinates**; and
  - e) any noteworthy circumstances including circumstances of death where known.

#### Conditions relating to reporting

12. Prior to **commencement** of the action, the person taking the action must establish an **EPBC species** register on its website that includes all records of sightings of **EPBC species** (including carcasses), as collected under Conditions 3, 4, 11, 13 and 16. The register must be updated at least every three (3) months until **completion** of the action (including mine closure and rehabilitation).



13. The person taking the action must engage a ***suitably qualified or experienced expert*** to prepare a Tasmanian devil monitoring strategy. The strategy must:
- a) be consistent and compatible with any relevant strategies of the Commonwealth or Tasmanian Governments or Save the Tasmanian Devil Program;
  - b) provide for the placement and maintenance of at least ten (10) infrared monitoring cameras at locations relevant to the action;
  - c) provide for monitoring the condition of any formally managed habitat areas, such as the fauna habitat protection zone described in the project's environmental impact statement;
  - d) include measures for the detection and prompt reporting of Devil Facial Tumour Disease;
  - e) include protocols for regular data retrieval and recording; and
  - f) be supported by adequate funding and other resources.

The strategy must be approved by ***the minister*** prior to ***commencement*** of the action, and must be implemented.

14. Within fourteen (14) days of a request, the person taking the action must make available any raw data relating to Tasmanian devils and the Devil Facial Tumour Disease, on request from any Commonwealth or Tasmanian Government agency or the Save the Tasmanian Devil Program.

#### **Conditions relating to compensation for unavoidable impacts**

15. To compensate for unavoidable impacts on Tasmanian devils and their habitat, the person taking the action must contribute no less than \$350 000 (GST exclusive) in accordance with any approved Tasmanian devil recovery plan and explicitly for the purpose of "***maintenance of the Tasmanian devil Insurance Population***" managed under the Save the Tasmanian Devil Program.

At least 20% of this sum must be contributed within twelve (12) months of ***commencement*** of the action, and the balance within seven (7) years of ***commencement*** of the action.

**Note:** It is acknowledged that the details of how the funds will be spent will be decided, within the parameters specified by these conditions, by the Save the Tasmanian Devil Program. There is no objection to the person taking the action discussing the specific direction of these funds with the program.

16. The person taking the action must fund and implement their *Proposed contribution to orchid baseline research*, as provided with the finalised environmental impact statement prepared in relation to the action.

#### **Conditions relating to mine closure and rehabilitation**

17. The mine closure plan(s) identified in Schedule 3 of ***Mining Lease 3M/2011*** and section DC4 of ***Permit Part B No. 8568*** (including any revisions to the plan or to Schedule 3 itself) must be provided to ***the minister*** for information within one (1) week of approval by the relevant state government authority.
18. The decommissioning and rehabilitation plan identified in section DC5 of ***Permit Part B No. 8568*** (including any revisions) must be provided to ***the minister*** for information within six (6) months of approval by the relevant state government authority.

19. If **the minister** is not satisfied that the plans referred to in Conditions 17 and 18 will adequately provide for the permanent protection of **EPBC species**, he may require supplements to be prepared for his approval and implemented.

Any supplements must be implemented once they have been approved by **the minister**.

20. **The minister** may at any time review the security deposit lodged by the person taking the action pursuant to Schedule 3 of **Mining Lease 3M/2011**. If **the minister** is not satisfied that the security deposit lodged will adequately provide for the implementation of the plans referred to in Conditions 17 and 18, as well as any supplements as described in Condition 19, he may require that the person taking the action establishes an additional security deposit in trust, under conditions approved by himself.

**Note:** It is anticipated that the security deposit will be reviewed every two (2) years from the commencement of the action, and that any increase required will be commensurate with estimated costs of mine closure, decommissioning and rehabilitation.

### Contingency conditions

21. In the event of the following excess **EPBC species** roadkill deaths over any twelve (12) month period recorded in accordance with Condition 11, occurring within **the mine site**, or caused by **authorised vehicles** travelling to or from **the mine site**, the following associated contingency compensation responses must be undertaken:

- a) for each wedge-tailed eagle death beyond (1) in any twelve (12) month period, the person taking the action must contribute to regional or statewide wedge-tailed eagle monitoring strategies as agreed to by **the department**;  
**Note:** The contribution can be expected to be in the order of \$20 000.
- b) for each spot-tailed quoll death beyond two (2) in any twelve (12) month period, the person taking the action must fund a three (3) month program of feral dog and / or cat trapping and / or shooting; and
- c) for each Tasmanian devil death beyond two (2) in any twelve (12) month period, the person taking the action must contribute an additional \$48 000 (GST exclusive) explicitly for the purpose of "**maintenance of the Tasmanian devil Insurance Population**" managed under the Save the Tasmanian Devil Program.

Any of the above responses must be undertaken in such a way as to avoid negative impacts on **EPBC species**, and (except in the case of direct financial contributions) in accordance with the advice of a **suitably qualified or experienced expert** and relevant Commonwealth and Tasmanian Government policies where relevant.

### Administrative conditions

22. Within fourteen (14) days after the **commencement** of the action, the person taking the action must advise **the department** in writing of the actual date of **commencement**.
23. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to these conditions, including measures taken to implement the **management documents** required by this approval, and make them available upon request to **the department**. Such records may be subject to audit by **the department** or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with these conditions. Summaries of audits will be posted on **the department's** website. The results of audits may also be publicised through the general media.

24. The person taking the action must notify **the department** of any non-compliance with these conditions within two (2) days of its occurrence, along with a proposed remediation response where appropriate. Once agreed with **the department**, any response must be implemented.
25. By 30 November of each year from **commencement** of the action until **completion** of the action, the person taking the action must publish on their website, and provide **the department** with, a compliance report addressing compliance with these conditions for the twelve (12) months to 31 October of that year, including but not limited to the following:
  - a) a summary of induction training and awareness activity undertaken or proposed;
  - b) an extract for the reporting period of the **EPBC species** register established under Condition 12;
  - c) details of progress against actions (including documentary evidence of payments) required under Conditions 13, 15, 16 and, if required, 20;
  - d) details of any **emergency** travel undertaken outside **daylight hours** as allowed under Condition 8;
  - e) information on compliance (and non-compliance) with **management documents**; and
  - f) details of any other incidences of non-compliance with these conditions along with any associated remedial action undertaken, underway or proposed.
26. Upon the direction of **the minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to **the minister**. The independent auditor must be approved by **the minister** prior to the commencement of the audit. Audit criteria must be agreed to by **the minister** and the audit report must address the criteria to the satisfaction of **the minister**.
27. If the person taking the action wishes to carry out any activity otherwise than in accordance with **management documents** as specified in the conditions, the person taking the action must submit to **the department** for **the minister's** written approval a revised version of the **management document**. The varied activity shall not commence until **the minister** has approved the varied **management document** in writing. **The minister** will not approve a varied **management document** unless the revised **management document** would result in an equivalent or improved environmental outcome over time. If **the minister** approves the revised **management document**, that **management document** must be implemented in place of the **management document** originally approved.
28. If **the minister** believes that it is necessary or convenient for the better protection of **EPBC species** to do so, **the minister** may request that the person taking the action make specified revisions to any **management document** specified in these conditions and submit the revised **management document** for **the minister's** written approval. The person taking the action must comply with any such request. The revised approved **management document** must be implemented. Unless **the minister** has approved the revised **management document**, then the person taking the action must continue to implement the **management document** originally approved, as specified in the conditions.
29. If, at any time after five (5) years from the date of this approval, the person taking the action has not **substantially commenced** the action, then the person taking the action must not **commence** the action without the written agreement of **the minister**.
30. Unless otherwise agreed to in writing by **the minister**, the person taking the action must publish all **management documents** referred to in these of approval conditions on their website, within one (1) month of being approved.

## Definitions

**Authorised vehicles** means any vehicles authorised by the person taking the action to enter **the mine site**, whenever they are operating at, or travelling to or from, **the mine site**.

**Commencement** of the action; except in the sense of **substantial commencement**, means the construction of any infrastructure, excluding fences and signage, associated with the proposed action.

**Completion** of the action means the earliest of the following potential events:

- a) this approval expires or is revoked;
- b) **Mining Lease 3M/2011** expires or is permanently withdrawn, surrendered or revoked; or
- c) the mine is closed (including all rehabilitation activities) in accordance with an approved mine closure plan.

**Coordinates** means latitude and longitude (or any other measure consistent with any protocol established by the Save the Tasmanian Devil Program), measured by global positioning system (GPS) at **the mine site** and wherever else possible.

**Daylight hours** extend from 30 minutes after morning civil twilight until 30 minutes prior to evening civil twilight.

**The EPBC Act** is the *Environment Protection and Biodiversity Conservation Act 1999*.

**EPBC species** includes any flora or fauna species listed under the EPBC Act as threatened or migratory and that is known or considered likely to occur at **the mine site**, but must include the following species:

- windswept spider orchid (*Caladenia dienema*)
- large golden moths, snake orchid (*Diuris lanceolata*)
- western leek orchid (*Prasophyllum favonium*)
- pretty leek orchid (*Prasophyllum pulchellum*)
- giant freshwater crayfish (*Astacopsis gouldi*)
- Australian grayling (*Prototroctes maraena*)
- wedge-tailed eagle (*Aquila audax* subsp. *fleayi*)
- Tasmanian azure kingfisher (*Ceyx azureus* subsp. *diemenensis* syn. *Alcedo azurea* subsp. *diemenensis*)
- white-bellied sea-eagle (*Haliaeetus leucogaster*)
- satin flycatcher (*Myiagra cyanoleuca*)
- Tasmanian masked owl (*Tyto novaehollandiae* subsp. *castanops*)
- spot-tailed quoll (*Dasyurus maculatus* subsp. *maculatus*)
- Tasmanian devil (*Sarcophilus harrisi*)

**Emergency travel** includes travel for the purposes of fire suppression, injury or illness response or maintenance and repair of infrastructure critical to the operation of the mine, as well as travel by official emergency services vehicles.



**Maintenance of the Tasmanian devil Insurance Population** includes any activities associated with the care of Tasmanian devils within the Insurance Population established and managed by the Save the Tasmanian Devil Program, including capture and release, transport, feeding, enclosure and security, monitoring, veterinary care and breeding support, but does not include program oversight and administration, public awareness or research activities.

**Management documents** means all plans, strategies, reports etc, developed in fulfilment of these conditions for the management of the action.

**Note:** Management documents listed separately in these conditions need not be presented as individual standalone documents, provided that the person taking the action clearly identifies which condition(s) the document(s) provided is intended to satisfy.

**The mine site** (and "onsite") refers to the entire area (or areas) from which public access is excluded by signage and / or fencing, for the purposes of constructing and operating the approved mine.

**Mining Lease 3M/2011** is the lease granted by the Tasmanian Government under the *Mineral Resources Development Act 1995* for the undertaking of the action, as originally granted on 13 September 2012.

**Permit Part B No. 8568** is the set of permit conditions imposed by the Tasmanian Government under the *Environmental Management and Pollution Control Act 1994* on the undertaking of the action, as originally issued on 26 July 2012.

**Staff, contractors and visitors** includes all persons authorised by the person taking the action to enter **the mine site**.

**Substantially commence** means any excavation of an ore pit.

A **suitably qualified or experienced expert** is a person with tertiary qualifications or a minimum of five (5) years experience relevant to the task in question.

**The department** is the Australian Government department administering the EPBC Act.

**The minister** is the Australian Government minister administering the EPBC Act and includes delegates of **the minister** as established by a relevant legal instrument.

**Vegetation clearance** includes the removal of native vegetation by any means including felling, uprooting, ringbarking or slashing. Native vegetation includes any plant species native to the area in question.

# SHREE SHREE MINERALS LIMITED

12<sup>th</sup> August, 2014

The Hon Greg Hunt MP  
Minister for the Environment  
[Greg.Hunt.MP@aph.gov.au](mailto:Greg.Hunt.MP@aph.gov.au)



Re: Nelson Bay River Iron Project (EPBC 2011/5846)

Dear Minister,

You would be aware that Shree Minerals is the first company to conceptualise and discover Direct Shipping Iron Ore (DSO) in Tasmania – something which was not considered possible just a few years back by everyone concerned. This has been a trend-setter and already other iron ore investments have followed suit like Venture Minerals.

NBR has the proud distinction of being the first greenfield mine in North West Tasmania in many years. Having taken a leadership role in mine project development in the area, we found ourselves caught in a quagmire of misinformation, negativity and legal process by minority activist groups. As a consequence, NBR became a test case for developing mining in the region and as a consequence has:

- the unenviable distinction of being subject to separate Commonwealth and State environmental assessment processes which normally the Commonwealth would have relied on the State environmental assessment process under bilateral arrangements; and
- undergone a very rigorous and long drawn out assessment process by both regimes,
- experienced significant delays and additional costs due to appeals and re-approval process, which
- has adversely impacted the bottom line of the project as these inordinate delays moved the project start-up into the bottom of the commodity price cycle.

You would be aware that the operations at the project have had to be suspended due to current iron ore prices.

All this has had a significant adverse impact on our funding situation.

Consequently, to tide over the situation, we requested the department on 23<sup>rd</sup> July, 2014 to consider a request for an amendment to condition 15 of the EPBC approval (EPBC 2011/5846) by deleting the following words in paragraph 2 "*At least 20% of this sum must be donated within twelve (12) months of commencement of the action, and the balance*" and replacing with "*This sum must be donated*".

Hence the requested revised condition 15 may read along following lines:

**SHREE MINERALS LTD, ACN 130618683**  
**Unit 2, The Pines Business Centre,**  
**88 Forrest Street, Cottesloe, WA6011**  
**Phone: + 61 (08) 92861509, FAX: +61 (08) 93855194**  
**[www.shreeminerals.com](http://www.shreeminerals.com)**

# SHREE SHREE MINERALS LIMITED

"To compensate for unavoidable impacts on Tasmanian devils and their habitat, the person taking the action must contribute no less than \$350 000 (GST exclusive) in accordance with any approved Tasmanian devil recovery plan and explicitly for the purpose of "***maintenance of the Tasmanian Devil Insurance Population***" managed under the Save the Tasmanian Devil Program.

This sum must be donated within seven (7) years of ***commencement*** of the action.

**Note:** It is acknowledged that the details of how the funds will be spent will be decided, within the parameters specified by these conditions, by the Save the Tasmanian Devil Program. There is no objection to the proponent discussing the specific direction of these funds with the program. "

North West Tasmania has a diverse range of wealth generating industries, including agricultural production and processing, forestry and forest processing, mining, specialized manufacturing and nature and culture based tourism. Despite this, the prosperity of the region is lower than the national average. The recent closure of several important manufacturing facilities has further reduced its resilience.

Economic analyses have concluded that North West Tasmania:

- Has latent economic productive capacity which is currently undeveloped,
- Is characterized by a level of productivity well below the national average,
- Has the potential to further diversify and deepen Tasmania's economic capability and performance,
- Could build on its existing contribution to foster Tasmania's competitive advantage.

Our development will assist the region to progress towards a more resilient future as a key component of regional Australia, with improved social equity and quality of life within its community.

We have received an email dated 11<sup>th</sup> August from the Department of Environment seeking justifications to consider our request for amendment of condition 15 as above. In this regard, we submit for your kind consideration the following:

- There has been significant extra time & costs to the project due to regional issues (many of which are not project specific) relating to environmental activism / approvals / infrastructure.
- These inordinate delays moved the project start-up into the bottom of the commodity price cycle.
- The project has temporarily been forced to suspend operations due to current iron ore prices & has operated for less than a year so far & has moved less than half the quantities of iron ore to port envisaged in first year.
- The contribution of 20% stipulated in condition 15 within first 12 months under current circumstances causes significant economic hardship especially when we have not moved the quantities envisaged in the first year of operations.

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# SHREE SHREE MINERALS LIMITED

- The impact on Tasmanian devils for which this condition has been put is speculative & ground surveys to date & monitoring data to date has reflected virtually no impact.

Hence, we are seeking an amendment by deferring the contribution required in the first year to be made along with the balance of the contribution within 7 years of commencement of operations. In our current economic circumstances, the project sincerely needs support. I look forward to your favourable response to our request for amendment of condition 15.

Sincerely,

s47F

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s22

**From:** s47F [redacted]@gmail.com]  
**Sent:** Thursday, 25 September 2014 2:20 PM  
**To:** s22  
**Subject:** Re: EPBC 2011/5846 Shree Minerals - Nelson Bay River mine [SEC=UNCLASSIFIED]

**Categories:** Copied to SharePoint

Dear s22,

Thanks.

Yes, confirm same understanding.

Regards

s47F [redacted] a  
Shree Minerals Ltd  
Unit 2  
The Pines Business Centre  
88 Forrest Street  
Cottesloe  
WA 6011  
Phones: s47F [redacted]  
Mobile: s47F [redacted]  
Fax: (08) 93855194  
Skype: s47F [redacted]  
[www.shreeminerals.com](http://www.shreeminerals.com)

On Thu, Sep 25, 2014 at 11:48 AM, s22 [redacted]@environment.gov.au> wrote:

Dear s47F [redacted]

Thank you for your response.

I would like to seek your understanding in relation to the proposed variation 15 (b) during your teleconference with Mr Gaddes and s22 [redacted]

le – can you please confirm or otherwise of your understanding that the 2 months after completion of 12 months of mining operations include the 6 months of mining operations which has already been completed – which means the second 10% requirement will need to be paid within 8 months of re-commencement of mining operations.

Thank you for your assistance.

Regards



s22 |

---

**From:** s47F [redacted]@gmail.com]  
**Sent:** Friday, 19 September 2014 2:45 PM

**To:** s22 [redacted]  
**Subject:** Re: EPBC 2011/5846 Shree Minerals - Nelson Bay River mine [SEC=UNCLASSIFIED]

Dear s22,

Thank you .

Please see a minor suggestion ( attached in track changes ) which is to just add the footnote as per the original approval . Rest of the current wordings is fine by us .

Kind Regards

s47F [redacted]

Shree Minerals Ltd

Unit 2

The Pines Business Centre

88 Forrest Street

Cottesloe

WA 6011

Phones : s47F [redacted]

Mobile : s47F [redacted]

Fax : (08) 93855194

Skype : s47F [redacted]

[www.shreeminerals.com](http://www.shreeminerals.com)

On Fri, Sep 19, 2014 at 6:51 AM, s22 [redacted]@environment.gov.au> wrote:

Good morning s47F [redacted]

Please find attached a revised version of the proposed variation to condition 15 of the approval following discussions with s110c [redacted] and Shane.

We have made changes only to the initial two payments (2x10% of the total) as discussed at the meeting.

The payment of the remainder has been left as it is in the original approval. There is no need to make any changes to this requirement.

Please send your written agreement to the proposed attached variation to progress the matter.

Thank you

s22 [redacted]

---

**From:** s47F [redacted]@gmail.com]  
**Sent:** Monday, 15 September 2014 3:52 PM  
**To:** s22 [redacted]  
**Subject:** Re: EPBC 2011/5846 Shree Minerals - Nelson Bay River mine [SEC=UNCLASSIFIED]

Dear s22 [redacted]

Thank you .

Please see our suggested changes in track changes.

Regards

s47F [redacted]

Shree Minerals Ltd

Unit 2

The Pines Business Centre

88 Forrest Street

Cottesloe

WA 6011

Phones : s47F

Mobile : s47F

Fax : (08) 93855194

Skype : s47F

[www.shreeminerals.com](http://www.shreeminerals.com)

On Mon, Sep 15, 2014 at 6:28 AM, s22 @environment.gov.au> wrote:

Dear s47F

Following on from your teleconference with Shane Gaddes and s22 on Monday 8 September 2014, please find attached a proposed variation in relation to condition 15 of the approval.

Please read it carefully and provide in writing your agreement to the proposed variation or any comments you may have as soon as possible.

Regards

s22

s22

Assitant Director, Post Approvals Section

Compliance and Enforcement Branch

Department of Environment

Phone 02 6274s22





s22

**From:** s47F [redacted]@gmail.com]  
**Sent:** Friday, 19 September 2014 2:45 PM  
**To:** s22 [redacted]  
**Subject:** Re: EPBC 2011/5846 Shree Minerals - Nelson Bay River mine [SEC=UNCLASSIFIED]  
**Attachments:** draft variation notice V2 (3).doc

Dear s22,

Thank you.

Please see a minor suggestion ( attached in track changes ) which is to just add the footnote as per the original approval . Rest of the current wordings is fine by us .

Kind Regards

s47F

Shree Minerals Ltd  
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Please see our suggested changes in track changes.

Regards

s47F [redacted]

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88 Forrest Street

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Mobile : s47F [redacted]

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Please read it carefully and provide in writing your agreement to the proposed variation or any comments you may have as soon as possible.

Regards

s22 [redacted]

s22 [redacted] n

Assitant Director, Post Approvals Section

Compliance and Enforcement Branch

Department of Environment

Phone s22 [redacted]



## VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Nelson Bay River Magnetite and Hematite Mine, near Nelson Bay River, north-west Tasmania (EPBC 2011/5846)

This decision to vary a condition of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

### Approved action

Person to whom the approval is granted Shree Minerals Limited  
ACN 130 618 683

### Approved action

To develop and operate a magnetite and hematite mine near Nelson Bay River in north western Tasmania, located approximately seven kilometres northeast of Temma (see EPBC referral EPBC 2011/5846)

### Variation

#### Variation of conditions of approval

The variation is:

- Delete condition 15 attached to the approval dated 29 July 2013 and substitute the varied condition 15 specified below:

#### Date of effect

This variation has effect on the date the instrument is signed

### Person authorised to make decision

Name and position Shane Gaddes  
Assistant Secretary  
Compliance & Enforcement Branch

#### Signature

Date of decision September 2014

### Varied conditions attached to the approval

15. To compensate for unavoidable impacts on Tasmanian devils and their habitat, the person taking the action must contribute no less than \$350,000 (GST exclusive) in accordance with any approved Tasmanian devil recovery plan and explicitly for the purpose of "***maintenance of the Tasmanian devil Insurance Population***" managed under the Save the Tasmanian Devil Program as follows:

- 10% of this sum must be contributed no later than 30 October 2014
- 10% of this sum must be contributed within 2 months of the completion of 12 months of **mining operations**

- c) The balance must be contributed within seven (7) years of **commencement** of the action.

Note: It is acknowledged that the details of how the funds will be spent will be decided, within the parameters specified by these conditions, by the Save the Tasmanian Devil Program. There is no objection to the proponent discussing the specific direction of these funds with the program.

Definition

**Mining Operations** – extraction of ore or minerals from the ground from existing open pit and/or new mining pit/s.





**ANNUAL REPORT TO FEDERAL GOVERNMENT  
PERMIT EPBC 2011/5846**

**1<sup>st</sup> November 2014 – 31<sup>st</sup> October 2015**

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## Introduction

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s22 - material irrelevant to scope



# s22

This annual report covers the period of 12 months ending 31st October 2015.

## Compliance With Conditions

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# s22

## Save the Tasmanian Devil Program (STDP) contribution

*(Condition 15)*

Under Condition 15 (EPBC 2011/5846), Shree Minerals must contribute \$350 000 to the Save the Tasmanian Devil Program (STDP), of which 10% is to be paid within 30<sup>th</sup> October 2014. Shree



Minerals had made contact with the STDP in October 2014 & following receipt of invoice & payment instructions , the same has been paid .

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## Incidences of non-compliance

Condition 25(f) requires the inclusion of details of any incidences of non-compliance with the EPBC 2011/5846 permit conditions, along with any associated remedial action undertaken, underway or proposed.

There have been no incidences of non-compliance during this period.



## Appendix A

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### *EPBC Species Register*

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## Introduction

This Annual Report is submitted in fulfilment of Condition 25 of Shree Minerals Limited's permit EPBC 2011/5846.

Clearing and preliminary construction works at the Nelson Bay River site began on 29<sup>th</sup> April 2013. However work was halted in early May due to legal action between an environmental group and the Commonwealth Government regarding the approval of the mine. During the period of the legal action (May to July) no work was permitted on-site.

On 29<sup>th</sup> July 2013, permit EPBC 2011/5846 was issued, and site clearing works recommenced on 12<sup>th</sup> August 2013. Notification to the department (DSEWPaC) was done on 16<sup>th</sup> August 2013 for commencement on 12<sup>th</sup> August 2013 to comply with Condition 22 (EPBC 2011/5846).

Ore production commenced in November 2013. Iron Ore sales commenced in January 2014. The company notes with regret the impact of the inordinate delayed approvals moving the project start-up by approximately two years into the bottom of the commodity price cycle, the project has had to be suspended within 6 months of start up & put under care & maintenance. Consequently, since June 2014, no mining operations are being carried out and the project is operating under a care and Maintenance Plan approved by the Tasmanian EPA.

Consequent to bottoming out of Iron Ore prices this year, the company took steps to crush & ship out some of the Iron Ore from the inventory at site, while the operations continue on care & Maintenance. This was communicated to the Department vide email 28<sup>th</sup> April 2016 to [post.approvals@environment.gov.au](mailto:post.approvals@environment.gov.au).

The mining & production figures are as per Table 1.

Table 1

		Year ending 30/06/2014	Year ending 30/06/2015	Year ending 30/06/2016	Period 1/7/2016 to 31/10/2016
Waste Stripping	BCM	636,347	0	0	0
Ore Mining	Tonnes	224,571	0	0	0
Ore Crushing & screening	Tonnes	153,332	0	20,059	23,211
Sales	Tonnes	130,899	0	0	50,696

Shree intend to recommence operations when the iron ore price is economic. The NBR project is being developed in a phased philosophy with the initial plan to mine the goethitic-hematite resource to export Iron Ore over the first couple of years at low capital expenditure to be followed by the magnetite resource to produce Dense Media Magnetite (DMM) used for Coal Washery. Studies to-

date have reflected a stable market & pricing for DMM as an industrial mineral in Eastern Seaboard of Australia with domestic production not being adequate to meet demand resorting to imports , thereby conforming the long-term value potential of the NBR project.

As the NBR project has been planned for a phased development , a normal approval time frame would have had the project well placed to execute the DSO phase of the project at the right point in the cycle which would underwrite the capital for the magnetite phase to produce dense media magnetite (DMM) used for the coal washery industry .

This annual report covers the period of 12 months ending 31st October 2016.

## Compliance With Conditions

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### Summary of induction training and awareness activity undertaken or proposed

*(Condition 25(a))*

Construction phase inductions were held at Riverbend, Smithton on 8<sup>th</sup> April 2013. Twenty-nine people attended including contractors and Shree Minerals staff. Several individual inductions were also undertaken.

Mining phase inductions were held on Thursday 17<sup>th</sup> October and Friday 18<sup>th</sup> October 2013 at the Circular Head Community & Recreation Centre with over 80 people in attendance over four sessions. These sessions consisted of both a mine safety induction and environmental induction. The environmental induction includes a section on identification and awareness of 13 EPBC listed species, as well as general education of the various permits and site processes.

Routine induction sessions are held on a regular basis for new staff, contractors and visitors, with additional sessions scheduled where necessary.

A Visitor Induction was held at Tall Timbers on Thursday 31<sup>st</sup> October 2013 for the mine opening ceremony, with 33 inductees. Visitor inductions are valid for a period of one month. Visitors to site must be accompanied at all times by a fully inducted employee or contractor, and are not permitted to perform any works (other than office based work) nor operate any vehicles or machinery.

The mine has been under Care & Maintenance since June 2014 .

### EPBC Species Register

*(Condition 25(b), Condition 12)*

A copy of the EPBC Species Register is located in Appendix A. GPS coordinates of EPBC species sighted on the mine lease may not be included for public release for site security reasons (including unauthorised access) and/or where recommended by flora and fauna consultants (e.g. for locations of Giant Freshwater Crayfish).

The EPBC Register is also available on the Shree company website, [www.shreeminerals.com](http://www.shreeminerals.com).

## Details of Progress Against Actions

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Condition 25(c) of permit EPBC 2011/5846 requires the annual compliance report to include “*details of progress against actions (including documentary evidence of payments) required under Conditions 13, 15, 16 and, if required, 20.*”



## Preparation of a Tasmanian Devil Monitoring Strategy

(Condition 13)

### Tasmanian Devil Monitoring Strategy

A Tasmanian Devil Monitoring Strategy (TDMS) was prepared for Shree Minerals Ltd in January 2013 by consultants Pitt & Sherry following consultation with a recognised Tasmanian devil and wildlife expert, and the Save the Tasmanian Devil Program (STDP). The Tasmanian Devil Monitoring Strategy (Version 1) was approved by the Minister on 21<sup>st</sup> March 2013. Following legal action and issue of permit EPBC 2011/5846 in July 2013, the TDMS was revised and version 3 was subsequently approved on 9<sup>th</sup> August 2013. A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846) .

### Monitoring Program

A number of infrared monitoring cameras have been placed in the mining lease area in order to monitor for Devil Facial Tumour Disease (DFTD). Further cameras have been placed to monitor denning/lay-up opportunities within the Fauna Habitat Protection Zone (FHPZ) once clearing activities are substantially complete. Note that clearing will be undertaken progressively, with only those areas immediately required for production being cleared (as consistent with Best Practice Environmental Management).

Under the TDMS, cameras are scheduled to be checked weekly and data downloaded fortnightly. However this schedule may be disrupted by inclement weather conditions and site access track conditions. All cameras have been set up such that they have a battery life of over two months, and either 4GB or 8GB of storage, to ensure that no data is lost in the event of a site becoming temporarily inaccessible.

The 154ha FHPZ has been established as per the TDMS.

The TDMS includes measures for the detection and prompt reporting of DFTD. A Tasmanian devil expert has been engaged to review camera images and provide monthly advice in relation to any DFTD visible on infrared camera images. This information is also provided to the Save the Tasmanian Devil Program.

### Findings

There have been no documented (or suspected) signs of DFTD on the site during this period.

### Changes to the monitoring program

Under Section 2.5 of the TDMS, it is stated that;

*“All information will be added to the EPBC species register (established under condition 12 of the EPBC approval).*

*Shree Minerals will also ensure that all data from this monitoring strategy is entered onto the Natural Values Atlas”*

While sightings recorded by the cameras are being added to the EPBC Species Register, the locations of these sightings are not as this presents a safety and security risk to the company, particularly in relation to unauthorised access of the mine lease. Shree Minerals had a number of cameras stolen from the mine lease area, and this theft was subsequently reported to the Police.

## Save the Tasmanian Devil Program (STDP) contribution

(Condition 15)

Under Condition 15 (EPBC 2011/5846), Shree Minerals must contribute \$350 000 to the Save the Tasmanian Devil Program (STDP), of which 10% is to be paid within 30<sup>th</sup> October 2014. Shree Minerals had made contact with the STDP in October 2014 & following receipt of invoice & payment instructions , the same has been paid .

## Contribution to orchid baseline research

(Condition 16)

Condition 16 (EPBC 2011/5846) states that:

*“The person taking the action must fund and implement their 'Proposed contribution to orchid baseline research', as provided with the finalised environmental impact statement prepared in relation to the action.”*

An orchid specialist has been engaged in 2014 to carry out this work . This work was commenced & payments made as milestones are completed as per agreed schedule . In 2016 , the work has been suspended during the period of care & maintenance of the mine & will be resumed when mining recommences.

## Mining Lease security deposit

(Condition 20)

Security deposits have been made as part of the Schedule 3 provisions of Mining Lease 3M/2011

## Compliance

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### Emergency Travel

Condition 8 (EPBC 2011/5846) allows for emergency travel to site in authorised vehicles outside of daylight hours. There has been no emergency travel undertaken during the period.

### Worker Knowledge

Condition 2 (EPBC 2011/5846) requires a monthly meeting to maintain worker knowledge about the importance of avoiding & minimising impacts on EPBC species and of recording and reporting observations of EPBC species. Monthly toolbox templates created & rolled out. The mine has been under Care & Maintenance since June 2014 .

### Pre Clearance Surveys

Condition 4 (EPBC 2011/5846) requires targeted pre-clearance surveys for EPBC species by suitably qualified or experienced expert. The same was done for both flora & fauna .

### Bus service

Condition 5 (EPBC 2011/5846) requires a provision for each shift a bus service to transport staff , contractors and visitors between the mine site and the town of Smithton. The same was provided .

As per Condition 6 (EPBC 2011/5846) measures were implemented to ensure that personnel staff , contuse the bus service except for the specified written exceptions agreed to by the department. A number of vehicles are exempted from this condition, with a register of those vehicles maintained

on site. All vehicles greater than 4.5 GVT are considered automatically exempt in accordance with written advice from the Department (letter dated 21st November 2013) .

The mine has been under Care & Maintenance since June 2014 .

### Roads within mine site to minimise potential for EPBC species roadkill

All roads within the mine site have been designed , built and maintained to comply with Condition 7 (EPBC 2011/5846) .

### Speed Limit

Clearly signposted speed limits were installed on the road from the mine site to the intersection of Wuthering Heights Road and Rebecca Roads to comply with Condition 9 (EPBC 2011/5846) . Highlighted in inductions, including question in induction assessments.

### Inspection of roads

Procedures were implemented for daily visual inspection of all roads from within the mine site to the intersection of Wuthering Heights Road and Rebecca Roads to comply with Condition 10 (EPBC 2011/5846) and all carcasses removed to at least 40 metres from the edge of the road.

The mine has been under Care & Maintenance since June 2014 .

### Road kill recording

Procedures were implemented for recording EPBC species roadkill to comply with Condition 11 (EPBC 2011/5846) .

### Management Documents

Management documents refers to all plans, strategies, and reports developed in fulfilment of EPBC 2011/5846 conditions. These are:

- EPBC Species Management Plan (Condition 3)
- Tasmanian Devil Monitoring Strategy (Condition 13)
- Mine Closure Plan (Condition 17)
- Decommissioning and Rehabilitation Plan (Condition 18)

Compliance with the TDMS is detailed on page 3 and the other management documents are detailed below.

### EPBC Species Management Plan

EPBC Species Management Plan (Version 1) was approved by the Minister<sup>1</sup> on 21<sup>st</sup> March 2013. It was subsequently revised on 31<sup>st</sup> July and 6<sup>th</sup> August 2013, in light of the new permit EPBC 2011/5846. The current plan is EPBC Management Plan (Version 3), which was approved on 9<sup>th</sup> August 2013. A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846) .

Prescribed management measures included in the plan relate to;

- Vegetation clearance
- Food waste
- Hazardous substances

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<sup>1</sup> 'the Minister' is the Australian Government minister administering the EPBC Act

- Open Pits and Excavation
- Protocols for dealing with injured native fauna
- Protocols for recording any sightings of EPBC species

#### *Vegetation clearance*

Clearance has been limited to those areas required for the DSO Pit and its associated roadways, infrastructure, waste rock dumps and stockpiles. Construction drawings were provided to contractors, and clearing activities were conducted in accordance with *Environment Protection Guideline 3 – Clearing* (EPG 3, Shree Minerals Ltd). This included pre-clearance flora and fauna surveys carried out by relevant experts prior to each stage of clearing to ensure there would be no disturbance of EPBC species.

Areas to be cleared were delineated with flagging tape; for steeper areas 'Danger' tape was utilised. No vegetation clearance or disturbance occurred in the Fauna Habitat Protection Zone (FHPZ).

#### *Food Waste*

Management of food waste onsite is in accordance with *Environment Protection Guideline 5 – Food Waste* (EPG 5, Shree Minerals Ltd). Garbage bins have been provided in the crib room and office buildings. Currently all mine waste is removed from the site by Shree Minerals and their contractors on a regular basis. There is a zero tolerance procedure for littering, and this along with details of disciplinary proceedings and general waste management protocols are included in the site induction.

#### *Hazardous Substances*

A diesel holding tank has been provided by Caltas for refuelling trucks. This is a stand-alone self-bunded tank with a capacity of 30 000 litres. Two diesel generators are located onsite to power the office areas and the Caltas fuel tank. These are both located on the cleared office/workshop area pad. The Caltas fuel tank & diesel generators have since been demobilised offsite during the care & maintenance period .

No explosive materials are currently kept on the site. On days when a blast crew is working, an explosives truck arrives at and leaves the site on the same day.

As there is no processing plant facility required in the early stages of mining, there are no other hazardous substances currently kept onsite in bulk form.

#### *Open Pits and Excavation*

All excavations during the construction phase were carried out in accordance with the guidelines contained in the Construction Environmental Management Plan (CEMP, 2013). Diversion drains were established and two shallow ( $\leq 2\text{m}$ ) borrow pits were excavated. Excavation of the ore pit has also now commenced. All pits are accessible by vehicle, thus allowing fauna to escape in the unlikely event they enter the excavation.

All excavation at the site is carried out in accordance with *Environment Protection Guideline 16 – Excavation* (EPG 16, Shree Minerals Ltd)

Mine lease signage has been placed around the lease in accessible locations, including at the mine entrance. Detailed mine plans are produced and updated daily, and the company has procured the regular services of a surveying company for the purpose of delineating pit and stockpile extents. Current pit and waste rock dump designs are located between East and West Creeks, which provide physical barriers preventing the operation from encroaching on the mining lease boundary.

Mine Plans & Management plans are updated periodically to update mine plan estimates & modelling progressively & appropriate approvals taken thereof. Further drilling and modelling in 2013, subsequent to the original DPEMP (Development Proposal & Environment Management Plan) & EIS (Environment Impact Statement) submitted for public display in 2011 has provided a better understanding of the DSO resource, which is now known to be larger than originally thought. This will support a larger and deeper DSO pit, which in turn has increased the overall ore & waste

volumes to be excavated. Further, the modelling in 2013 also took a precautionary measure to minimise risk of potential acid forming waste rock ( PAF) segregation from other non acid forming waste rock (NAF) by including areas which are only partially mineralised with pyrite but represent all the potential PAF material.

These two factors (increased mining quantities and precautionary modelling of increased proportion of PAF waste) combined result in following:

Estimates	Mine Life ( years)	Total Ore Mining (tonnes)	Total Waste Rock Mining (M3)	Total PAF Waste Rock Mining (M3)
2011	10	3,836,079	11,673,545	1,675,679
2013	10.7	4,111,101	12,796,725	1,891,950
Change (%)	7%	7%	10%	13%

For handling and temporarily storing Potentially Acid Forming Materials (PAF) the engineering design was developed for a specialised clay lined and bunded site close to the DSO pit . Upon completion of mining of the DSO phase, the PAF material is to be relocated back into the Southern DSO. Hence the Temporary Potentially Acid Forming Materials Separation and Verification Plan (TPAFM) was drafted and approved by the Tasmanian Environmental Protection Agency (EPA) in October 2013. This new plan and approved variation meets the requirements of the approved in the Environment Protection Guideline numbers 16(7) and 16(8) of the EPBC Species management plan Version 3. The total area for vegetation clearing would also not increase beyond the final life of mine construction zones and consequently meets the requirements of the approved in the Environment Protection Guideline numbers 3(1) of the EPBC Species management plan Version 3. Additionally, the new design ensures that all outflows are collected and treated (if required) before release into the general environment as per requirements of the approved in the Environment Protection Guideline numbers 16(6) of the EPBC Species management plan Version 3.

In a letter dated 30 March 2015, the Tasmanian EPA Director advised that as a consequence of a judgment in the Supreme Court of Tasmania, he advised that since the current PAF Storage Dump is situated outside the footprint of the SDSA pit and required actions to bring PAF waste rock management at the mine site into compliance with the requirements of PCE 8568 , and management of the PAF waste rock while it is located outside the Pit. Our understanding is that the Court case ( to which the Company was not a party ) & decision thereof was on procedural legality relating to decision making of permit amendment rather than any environmental impact or issue.

Shree in consultation with Tasmanian Government authorities has investigated various options including preparing a management plan for relocating the current PAF dump to within southern end of Southern DSO (SDSO) pit , making a new development application from the Circular Head Council for a Permit to construct a PAF Waste Rock Dump (WRD) within the SDSA pit boundaries and including the previously permitted WRD. In March 2016, the EPA advised that as the proposal is considered an integral aspect of the mine , Shree should apply for a new permit for the mine. Shree has after discussions with Tasmanian Government authorities , during the year ( October 2016)

submitted an application to Circular Head Council such that the new permit when granted, will replace the existing permit. The application is attached as Appendix B to this Report . The major reasons for a new permit is:

- I. because the SDSO pit is only 25% complete, there is insufficient space for the PAF WRD to be stored below surface and ultimate flood level of the pit; and
- II. Moving the PAF WRD in the pit below ultimate flood level of the pit , prior to completion of mining of the pit , may result in contravention of the Mineral Resources Development Act .
- III. PAF storage above ground level in a safe environmental manner is universally practiced throughout the world by almost all open cut mines and with adequate procedures like truck dumping, compaction, alkali addition etc will meet Best Practice Environmental Management (BEMP); and

While , there are no adverse effects on the surrounding environment by disposal of PAF rock in an above surface storage dump , under the current legislative framework in Tasmania there is no simple procedure / mechanism which applies to an application to amend an extant planning permit. In consequence , there is little choice but to make a new development application for precisely the same approved development and use, but which specifies a different methodology for disposal of the PAF rock.

The project will be located as described in the EIS ( Pitt and Sherry, 2011) and within the mining lease.

The likely only difference to the original proposal – the proposed surface PAF dumps, are to be located within the original planned footprint and disturbed areas. This area for stage 1 has been cleared of vegetation (after appropriate surveys under the requirements of the Permit and Commonwealth Government approvals). Bush Fires in early 2016 has passed through the mining lease & all the vegetation in the lease area has been essentially burnt away.

The proposed surface PAF dumps also provide flexibility in quantum of PAF waste rock being excavated as estimates are updated with more knowledge due to mining as well as exploration success etc leading to increase in the life of the mine.

This project, will not require approval under the Environment Protection and Biodiversity Conservation Act 1999, as it is consistent with the existing EPBC approval . There is no potential to significantly impact upon matters of national environmental significance or upon Commonwealth land, as it is within the boundaries of the Mining Lease and previously approved area.

#### *Protocols for Dealing with Injured Native Fauna*

Trained in animal handling procedures at a workshop at Trowunna Wildlife Park were done.

There have been no injured native fauna on the mine site.

#### *Protocols for Recording any Sightings of EPBC Species*

Shree Minerals has developed an Environmental Induction, which is given in conjunction with the Site Safety Induction to all contractors, staff and visitors to the site. This includes images and information relating to 13 EPBC listed species, provision of glove-box guides and EPBC Species Sightings Forms as per the EPBC Species Management Plan.

#### Mine Closure Plan

A Mine Closure Plan with approximate rehabilitation costs was developed in November 2011 by Pitt & Sherry as part of the *Development Proposal and Environmental Management Plan* (DPEMP). A

copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846) .

A review of this Closure Plan ( in draft ) with updated site information, current disturbed footprint areas, and revised costs has been lodged with EPA .

#### Decommissioning and Rehabilitation Plan

A Decommissioning and Rehabilitation Plan is required to be prepared "*within 30 days of any decision that is likely to give rise to the permanent cessation of the activity*" (Permit Part B 8977/1). Therefore a DRP is not required at this stage.

#### Incidences of non-compliance

Condition 25(f) requires the inclusion of details of any incidences of non-compliance with the EPBC 2011/5846 permit conditions, along with any associated remedial action undertaken, underway or proposed.

There have been no incidences of non-compliance during this period.



## Appendix A

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### *EPBC Species Register*

## Appendix B

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### *Application for New Tasmanian Planning Permit*



**ANNUAL COMPLIANCE REPORT TO FEDERAL GOVERNMENT  
PERMIT EPBC 2011/5846**

**SHREE MINERALS LTD , ACN130618683  
NELSON BAY RIVER MAGNETITE AND HEMATITE MINE  
(near Nelson Bay River , north-west Tasmania)**

**1<sup>st</sup> November 2016 – 31<sup>st</sup> October 2017**

**AUTHOR : SANJAY LOYALKA**

**23 November 2017**

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## Introduction

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This Annual Report is submitted in fulfilment of Condition 25 of Shree Minerals Limited's (ACN:130618683) permit EPBC 2011/5846.

Clearing and preliminary construction works at the Nelson Bay River site began on 29<sup>th</sup> April 2013. However work was halted in early May due to legal action between an environmental group and the Commonwealth Government regarding the approval of the mine. During the period of the legal action (May to July) no work was permitted on-site.

On 29<sup>th</sup> July 2013, permit EPBC 2011/5846 was issued, and site clearing works recommenced on 12<sup>th</sup> August 2013. Notification to the department (DSEWPaC) was done on 16<sup>th</sup> August 2013 for commencement on 12<sup>th</sup> August 2013 to comply with Condition 22 (EPBC 2011/5846).

Ore production commenced in November 2013. Iron Ore sales commenced in January 2014. The company notes with regret the impact of the inordinate delayed approvals moving the project start-up by approximately two years into the bottom of the commodity price cycle, the project has had to be suspended within 6 months of start up & put under care & maintenance. Consequently, since June 2014, no mining operations are being carried out and the project is operating under a care and Maintenance Plan approved by the Tasmanian EPA.

Consequent to bottoming out of Iron Ore prices this year, the company took steps to crush & ship out some of the Iron Ore from the inventory at site, while the operations continue on care & Maintenance. This was communicated to the Department vide email 28<sup>th</sup> April 2016 to [post.approvals@environment.gov.au](mailto:post.approvals@environment.gov.au).

The mining & production figures are as per Table 1.

Table 1

		Year ending 30/06/2014	Year ending 30/06/2015	Year ending 30/06/2016	Year ending 30/06/2017	Period 1/7/2017 to 31/10/2017
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Shree intend to recommence operations when the iron ore price is economic. The NBR project is being developed in a phased philosophy with the initial plan to mine the goethitic-hematite resource to export Iron Ore over the first couple of years at low capital expenditure to be followed by the magnetite resource to produce Dense Media Magnetite (DMM) used for Coal Washery. Studies to-date have reflected a stable market & pricing for DMM as an industrial mineral in Eastern Seaboard

of Australia with domestic production not being adequate to meet demand resorting to imports , thereby conforming the long-term value potential of the NBR project.

As the NBR project has been planned for a phased development , a normal approval time frame would have had the project well placed to execute the DSO phase of the project at the right point in the cycle which would underwrite the capital for the magnetite phase to produce dense media magnetite (DMM) used for the coal washery industry .

This annual report covers the period of 12 months ending 31st October 2017.

## EPBC approval conditions compliance table

Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
25. a)	A summary of induction training and awareness activity undertaken or proposed	Compliant	<p>Construction phase inductions were held at Riverbend, Smithton on 8<sup>th</sup> April 2013. Twenty-nine people attended including contractors and Shree Minerals staff. Several individual inductions were also undertaken.</p> <p>Mining phase inductions were held on Thursday 17<sup>th</sup> October and Friday 18<sup>th</sup> October 2013 at the Circular Head Community &amp; Recreation Centre with over 80 people in attendance over four sessions. These sessions consisted of both a mine safety induction and environmental induction. The environmental induction includes a section on identification and awareness of 13 EPBC listed species, as well as general education of the various permits and site processes.</p> <p>Routine induction sessions are held on a regular basis for new staff, contractors and visitors, with additional sessions scheduled where necessary.</p> <p>A Visitor Induction was held at Tall Timbers on Thursday 31<sup>st</sup> October 2013 for the mine opening ceremony, with 33 inductees. Visitor inductions</p>

			<p>are valid for a period of one month. Visitors to site must be accompanied at all times by a fully inducted employee or contractor, and are not permitted to perform any works (other than office based work) nor operate any vehicles or machinery.</p> <p>The mine has been under Care &amp; Maintenance since June 2014.</p>
25. b)	An extract for the reporting period of the EPBC species register established under Condition 12	Compliant	<p>A copy of the EPBC Species Register is located in Appendix A. GPS coordinates of EPBC species sighted on the mine lease may not be included for public release for site security reasons (including unauthorised access) and/or where recommended by flora and fauna consultants (e.g. for locations of Giant Freshwater Crayfish).</p> <p>The EPBC Register is also available on the Shree company website, <a href="http://www.shreeminerals.com">www.shreeminerals.com</a>.</p> <p>The company received a letter in September 2017 from the Department of Environment &amp; Energy as a part of its conduct of inquiries into an alleged breach of condition 12. The company advised that the Company has complied with all conditions of the EPBC approval &amp; the website has been regularly updated in compliance of the EPBC Approval condition 12. The Department thereafter issued a caution letter (Appendix B) suggesting the exact date be published on the Website on which each EPBC species sightings register is published ( as had been done previously between 28 October 2013 and 22 October 2015).</p>
25. c)	<i>details of progress against actions (including documentary evidence of payments) required under Conditions 13, 15, 16 and, if</i>		

	<i>required, 20.</i>		
	Condition 13	Compliant	<p><a href="#">Tasmanian Devil Monitoring Strategy</a></p> <p>A Tasmanian Devil Monitoring Strategy (TDMS) was prepared for Shree Minerals Ltd in January 2013 by consultants Pitt &amp; Sherry following consultation with a recognised Tasmanian devil and wildlife expert, and the Save the Tasmanian Devil Program (STDP). The Tasmanian Devil Monitoring Strategy (Version 1) was approved by the Minister on 21<sup>st</sup> March 2013. Following legal action and issue of permit EPBC 2011/5846 in July 2013, the TDMS was revised and version 3 was subsequently approved on 9<sup>th</sup> August 2013. A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846).</p> <p><a href="#">Monitoring Program</a></p> <p>A number of infrared monitoring cameras have been placed in the mining lease area in order to monitor for Devil Facial Tumour Disease (DFTD). Further cameras have been placed to monitor denning/lay-up opportunities within the Fauna Habitat Protection Zone (FHPZ) once clearing activities are substantially complete. Note that clearing will be undertaken progressively, with only those areas immediately required for production being cleared (as consistent with Best Practice Environmental Management).</p> <p>Under the TDMS, cameras are scheduled to be checked weekly and data downloaded fortnightly. However this schedule may be disrupted by inclement weather conditions and site access track conditions. All cameras have been set up such that they have a battery life of over two months, and either 4GB or 8GB of storage, to ensure that no data is lost in the event of a site</p>



			<p>becoming temporarily inaccessible.</p> <p>The 154ha FHPZ has been established as per the TDMS.</p> <p>The TDMS includes measures for the detection and prompt reporting of DFTD. A Tasmanian devil expert has been engaged to review camera images and provide monthly advice in relation to any DFTD visible on infrared camera images. This information is also provided to the Save the Tasmanian Devil Program.</p> <p><b>Findings</b></p> <p>The report of the expert for the month of June 2017 reflected that one of the photos from the site camera monitoring appears to be an open DFTD like lesion on LHS at back of jaw but may be trauma. Animal very skinny. This was promptly notified to Save the Tasmanian Devil Program (STDP) via email on 11th September (copy marked to post.approvals@environment.gov.au and to epbcmonitoring@environment.gov.au ). On 10th October, STDP via email advised this could be DFTD. Subsequent month's reports have not found any further documented (or suspected) signs of DFTD on the site.</p> <p><b>Changes to the monitoring program</b></p> <p>Under Section 2.5 of the TDMS, it is stated that;</p> <p><i>“All information will be added to the EPBC species register (established under condition 12 of the EPBC approval).</i></p> <p><i>Shree Minerals will also ensure that all data from this monitoring strategy is entered onto the Natural Values Atlas”</i></p> <p>While sightings recorded by the cameras are being added to the EPBC</p>
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			Species Register, the locations of these sightings are not as this presents a safety and security risk to the company, particularly in relation to unauthorised access of the mine lease. Shree Minerals had a number of cameras stolen from the mine lease area, and this theft was subsequently reported to the Police.
	Condition 15	Compliant	Under Condition 15 (EPBC 2011/5846), Shree Minerals must contribute \$350 000 to the Save the Tasmanian Devil Program (STDP), of which 10% is to be paid within 30 <sup>th</sup> October 2014. Shree Minerals had made contact with the STDP in October 2014 & following receipt of invoice & payment instructions, the same has been paid.
	Condition 16	Compliant	Condition 16 (EPBC 2011/5846) states that:  <i>“The person taking the action must fund and implement their 'Proposed contribution to orchid baseline research', as provided with the finalised environmental impact statement prepared in relation to the action.”</i>  An orchid specialist has been engaged in 2014 to carry out this work. This work was commenced & payments made as milestones are completed as per agreed schedule. In 2016, the work has been suspended during the period of care & maintenance of the mine & will be resumed when mining re-commences.
	Condition 20	Compliant	Security deposits have been made as part of the Schedule 3 provisions of Mining Lease 3M/2011
25. d)	Details of any emergency travel undertaken outside daylight hours as allowed under condition 8	Compliant	Condition 8 (EPBC 2011/5846) allows for emergency travel to site in authorised vehicles outside of daylight hours. There has been no emergency travel undertaken during the period.

25. e)	Information on compliance (and non-compliance) with management documents	Compliant	<p>Management documents refer to all plans, strategies, and reports developed in fulfilment of EPBC 2011/5846 conditions. These are:</p> <ul style="list-style-type: none"> <li>• EPBC Species Management Plan (Condition 3)</li> <li>• Tasmanian Devil Monitoring Strategy (Condition 13)</li> <li>• Mine Closure Plan (Condition 17)</li> <li>• Decommissioning and Rehabilitation Plan (Condition 18)</li> </ul>
	EPBC Species Management Plan (Condition 3)	Compliant	<p><a href="#">EPBC Species Management Plan</a></p> <p>EPBC Species Management Plan (Version 1) was approved by the Minister<sup>1</sup> on 21<sup>st</sup> March 2013. It was subsequently revised on 31<sup>st</sup> July and 6<sup>th</sup> August 2013, in light of the new permit EPBC 2011/5846. The current plan is EPBC Management Plan (Version 3), which was approved on 9<sup>th</sup> August 2013. A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846).</p> <p>Prescribed management measures included in the plan relate to;</p> <ul style="list-style-type: none"> <li>• Vegetation clearance</li> <li>• Food waste</li> <li>• Hazardous substances</li> <li>• Open Pits and Excavation</li> <li>• Protocols for dealing with injured native fauna</li> <li>• Protocols for recording any sightings of EPBC species</li> </ul> <p><a href="#">Vegetation clearance</a></p> <p>Clearance has been limited to those areas required for the DSO Pit and its</p>

<sup>1</sup> 'the Minister' is the Australian Government minister administering the EPBC Act

			<p>associated roadways, infrastructure, waste rock dumps and stockpiles. Construction drawings were provided to contractors, and clearing activities were conducted in accordance with <i>Environment Protection Guideline 3 – Clearing</i> (EPG 3, Shree Minerals Ltd). This included pre-clearance flora and fauna surveys carried out by relevant experts prior to each stage of clearing to ensure there would be no disturbance of EPBC species.</p> <p>Areas to be cleared were delineated with flagging tape; for steeper areas 'Danger' tapes was utilised. No vegetation clearance or disturbance occurred in the Fauna Habitat Protection Zone (FHPZ).</p> <p><i>Food Waste</i></p> <p>Management of food waste onsite is in accordance with <i>Environment Protection Guideline 5 – Food Waste</i> (EPG 5, Shree Minerals Ltd). Garbage bins have been provided in the crib room and office buildings. Currently all mine waste is removed from the site by Shree Minerals and their contractors on a regular basis. There is a zero tolerance procedure for littering and this along with details of disciplinary proceedings and general waste management protocols are included in the site induction.</p> <p><i>Hazardous Substances</i></p> <p>A diesel holding tank has been provided by Caltas for refuelling trucks. This is a stand-alone self-bunded tank with a capacity of 30 000 litres. Two diesel generators are located onsite to power the office areas and the Caltas fuel tank. These are both located on the cleared office/workshop area pad. The Caltas fuel tank &amp; diesel generators have since been demobilised offsite during the care &amp; maintenance period.</p> <p>No explosive materials are currently kept on the site. On days when a blast crew is working, an explosives truck</p>
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			<p>arrives at and leaves the site on the same day.</p> <p>As there is no processing plant facility required in the early stages of mining, there are no other hazardous substances currently kept onsite in bulk form.</p> <p><i>Open Pits and Excavation</i></p> <p>All excavations during the construction phase were carried out in accordance with the guidelines contained in the Construction Environmental Management Plan (CEMP, 2013). Diversion drains were established and two shallow (<math>\leq 2\text{m}</math>) borrow pits were excavated. Excavation of the ore pit has also now commenced. All pits are accessible by vehicle, thus allowing fauna to escape in the unlikely event they enter the excavation.</p> <p>All excavation at the site is carried out in accordance with <i>Environment Protection Guideline 16 – Excavation</i> (EPG 16, Shree Minerals Ltd)</p> <p>Mine lease signage has been placed around the lease in accessible locations, including at the mine entrance. Detailed mine plans are produced and updated daily, and the company has procured the regular services of a surveying company for the purpose of delineating pit and stockpile extents. Current pit and waste rock dump designs are located between East and West Creeks, which provide physical barriers preventing the operation from encroaching on the mining lease boundary.</p> <p>Mine Plans &amp; Management plans are updated periodically to update mine plan estimates &amp; modelling progressively &amp; appropriate approvals taken thereof. Further drilling and modelling in 2013, subsequent to the original DPEMP (Development Proposal &amp; Environment Management Plan) &amp; EIS (Environment Impact Statement)</p>
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			<p>submitted for public display in 2011 has provided a better understanding of the DSO resource, which is now known to be larger than originally thought. This will support a larger and deeper DSO pit, which in turn has increased the overall ore &amp; waste volumes to be excavated. Further , the modelling in 2013 also took a precautionary measure to minimise risk of potential acid forming waste rock ( PAF) segregation from other non acid forming waste rock (NAF) by including areas which are only partially mineralised with pyrite but represent all the potential PAF material.</p> <p>These two factors (increased mining quantities and precautionary modelling of increased proportion of PAF waste).</p> <p>For handling and temporarily storing Potentially Acid Forming Materials (PAF) the engineering design was developed for a specialised clay lined and bunded site close to the DSO pit. Upon completion of mining of the DSO phase, the PAF material is to be relocated back into the Southern DSO. Hence the Temporary Potentially Acid Forming Materials Separation and Verification Plan (TPAFM) was drafted and approved by the Tasmanian Environmental Protection Agency (EPA) in October 2013.This new plan and approved variation meets the requirements of the approved in the Environment Protection Guideline numbers 16(7) and 16(8) of the EPBC Species management plan Version 3. The total area for vegetation clearing would also not increase beyond the final life of mine construction zones and consequently meets the requirements of the approved in the Environment Protection Guideline numbers 3(1) of the EPBC Species management plan Version 3. Additionally, the new design ensures</p>
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			<p>that all outflows are collected and treated (if required) before release into the general environment as per requirements of the approved in the Environment Protection Guideline numbers 16(6) of the EPBC Species management plan Version 3.</p> <p>In a letter dated 30 March 2015, the Tasmanian EPA Director advised that as a consequence of a judgment in the Supreme Court of Tasmania, he advised that since the current PAF Storage Dump is situated outside the footprint of the SDSO pit and required actions to bring PAF waste rock management at the mine site into compliance with the requirements of PCE 8568, and management of the PAF waste rock while it is located outside the Pit. Our understanding is that the Court case (to which the Company was not a party) &amp; decision thereof was on procedural legality relating to decision making of permit amendment rather than any environmental impact or issue.</p> <p>Shree in consultation with Tasmanian Government authorities has investigated various options including preparing a management plan for relocating the current PAF dump to within southern end of Southern DSO (SDSO) pit, making a new development application from the Circular Head Council for a Permit to construct a PAF Waste Rock Dump (WRD) within the SDSO pit boundaries and including the previously permitted WRD. In March 2016, the EPA advised that as the proposal is considered an integral aspect of the mine, Shree should apply for a new permit for the mine. Shree has after discussions with Tasmanian Government authorities, in October 2016 submitted an application to Circular Head Council such that the new permit when granted, will replace the existing permit. As a consequence, EPA Tasmania has in</p>
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			<p>February 2017 issued guidelines for DPEMP which is attached as Appendix C to this Report. The Company has commenced working towards various studies in preparation of the DPEMP. The major reasons for a new permit are:</p> <ol style="list-style-type: none"> <li>I. because the SDSO pit is only 25% complete, there is insufficient space for the PAF WRD to be stored below surface and ultimate flood level of the pit; and</li> <li>II. Moving the PAF WRD in the pit below ultimate flood level of the pit, prior to completion of mining of the pit, may result in contravention of the Mineral Resources Development Act.</li> <li>III. PAF storage above ground level in a safe environmental manner is universally practiced throughout the world by almost all open cut mines and with adequate procedures like truck dumping, compaction, alkali addition etc. will meet Best Practice Environmental Management (BEMP); and</li> </ol> <p>While, there are no adverse effects on the surrounding environment by disposal of PAF rock in an above surface storage dump, under the current legislative framework in Tasmania there is no simple procedure / mechanism which applies</p>
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			<p>to an application to amend an extant planning permit. In consequence, there is little choice but to make a new development application for precisely the same approved development and use, but which specifies a different methodology for disposal of the PAF rock.</p> <p>The project will be located as described in the EIS (Pitt and Sherry, 2011) and within the mining lease.</p> <p>The likely only differences to the original proposal – the proposed surface PAF dumps, are to be located within the original planned footprint and disturbed areas. This area for stage 1 has been cleared of vegetation (after appropriate surveys under the requirements of the Permit and Commonwealth Government approvals). Bush Fires in early 2016 has passed through the mining lease &amp; all the vegetation in the lease area has been essentially burnt away.</p> <p>The proposed surface PAF dumps also provide flexibility in quantum of PAF waste rock being excavated as estimates are updated with more knowledge due to mining as well as exploration success etc leading to increase in the life of the mine.</p> <p>This project will not require approval under the Environment Protection and Biodiversity Conservation Act 1999, as it is consistent with the existing EPBC approval. There is no potential to significantly impact upon matters of national environmental significance or upon Commonwealth land, as it is within the boundaries of the Mining Lease and previously approved area.</p> <p><i>Protocols for Dealing with Injured Native Fauna</i></p> <p>Trained in animal handling procedures at a workshop at Trowunna Wildlife Park was done.</p> <p>There have been no injured native</p>
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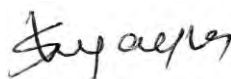
			<p>fauna on the mine site.</p> <p><i>Protocols for Recording any Sightings of EPBC Species</i></p> <p>Shree Minerals has developed an Environmental Induction, which is given in conjunction with the Site Safety Induction to all contractors, staff and visitors to the site. This includes images and information relating to 13 EPBC listed species, provision of glove-box guides and EPBC Species Sightings Forms as per the EPBC Species Management Plan.</p>
	Tasmanian Devil Monitoring Strategy (Condition 13)	Compliant	Please refer to this table w.r.t. condition 25.c) ; condition 13.
	Mine Closure Plan (Condition 17)	Compliant	<p>A Mine Closure Plan with approximate rehabilitation costs was developed in November 2011 by Pitt &amp; Sherry as part of the <i>Development Proposal and Environmental Management Plan</i> (DPEMP). A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846).</p> <p>A review of this Closure Plan (in draft) with updated site information, current disturbed footprint areas, and revised costs has been lodged with EPA.</p>
	Decommissioning and Rehabilitation Plan (Condition 18)	Compliant	A Decommissioning and Rehabilitation Plan is required to be prepared " <i>within 30 days of any decision that is likely to give rise to the permanent cessation of the activity</i> " (Permit Part B 8977/1). Therefore a DRP is not required at this stage.
25. f)	details of any other incidences of non-compliance with the EPBC 2011/5846 permit conditions, along with any associated remedial action	Compliant	The company received a letter in September 2017 from the Department of Environment & Energy as a part of its conduct of inquiries into an alleged breach of condition 12. The company advised that the Company has complied with all conditions of the EPBC approval & the

	undertaken, underway or proposed		<p>website has been regularly updated in compliance of the EPBC Approval condition 12. The Department thereafter issued a caution letter (Appendix B) suggesting the exact date be published on the Website on which each EPBC species sightings register is published ( as had been done previously between 28 October 2013 and 22 October 2015). Suitable steps have accordingly been taken.</p> <p>There have been no other incidences of non-compliance during this period.</p>
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### Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed



Full name

Sanjay Kumar Loyalka

Position

Director

Organisation

Shree Minerals Ltd ; ACN:130618683

## Appendix A

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Appendix A 1 EPBC Species sightings Register April 2017

Appendix A 2 EPBC Species sightings Register Jan 2017

Appendix A 3 EPBC Species sightings Register Jul 2017

Appendix A 4 EPBC Species sightings Register Oct 2017

## Appendix B

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Caution letter of September 2017 from the Department of Environment & Energy

## Appendix C

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Appendix C 1 EPA Letter- issue of guidelines - H646184 - Nelson Bay River, Magnetite Mine

Appendix C 2 EPA\_H646184\_Nelson Bay River Magnetite Mine DPEMP project specific guidelines



**ANNUAL COMPLIANCE REPORT TO FEDERAL GOVERNMENT  
PERMIT EPBC 2011/5846**

**SHREE MINERALS LTD, ACN130618683  
NELSON BAY RIVER MAGNETITE AND HEMATITE MINE  
(Near Nelson Bay River, North-West Tasmania)**

**1<sup>st</sup> November 2017 – 31<sup>st</sup> October 2018**

**AUTHOR: SANJAY LOYALKA**

**15 November 2018**

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## Introduction

This Annual Report is submitted in fulfilment of Condition 25 of Shree Minerals Limited's (ACN: 130618683) permit EPBC 2011/5846.

Clearing and preliminary construction works at the Nelson Bay River site began on 29<sup>th</sup> April 2013. However work was halted in early May due to legal action between an environmental group and the Commonwealth Government regarding the approval of the mine. During the period of the legal action (May to July) no work was permitted on-site.

On 29<sup>th</sup> July 2013, permit EPBC 2011/5846 was issued, and site clearing works recommenced on 12<sup>th</sup> August 2013. Notification to the department (DSEWPaC) was done on 16<sup>th</sup> August 2013 for commencement on 12<sup>th</sup> August 2013 to comply with Condition 22 (EPBC 2011/5846).

Ore production commenced in November 2013. Iron Ore sales commenced in January 2014. The company notes with regret the impact of the inordinate delayed approvals moving the project start-up by approximately two years into the bottom of the commodity price cycle, the project has had to be suspended within 6 months of start-up & put under care & maintenance. Consequently, since June 2014, no mining operations are being carried out and the project is operating under a care and Maintenance Plan approved by the Tasmanian EPA.

Consequent to bottoming out of Iron Ore prices this year, the company took steps to crush & ship out some of the Iron Ore from the inventory at site, while the operations continue on care & Maintenance. This was communicated to the Department vide email 28<sup>th</sup> April 2016 to [post.approvals@environment.gov.au](mailto:post.approvals@environment.gov.au).

The mining & production figures are as per Table 1.

Table 1

		Year ending 30/06/2014	Year ending 30/06/ 2015	Year ending 30/06/ 2016	Year ending 30/06/ 2017	Period 1/7/2017 to 31/10/2017	Period 1/11/2017 to 31/10/2018
Waste Stripping	BCM	636,347	0	0	0	0	0
Ore Mining	Tonnes	224,571	0	0	0	0	0
Ore Crushing & screening	Tonnes	153,332	0	20,059	23,211	0	0
Sales	Tonnes	130,899	0	0	50,696	0	0

Shree intend to recommence operations when the iron ore price is economic. The NBR project is being developed in a phased philosophy with the initial plan to mine the goethitic-hematite resource

to export Iron Ore over the first couple of years at low capital expenditure to be followed by the magnetite resource to produce Dense Media Magnetite (DMM) used for Coal Washery. Studies to-date have reflected a stable market & pricing for DMM as an industrial mineral in Eastern Seaboard of Australia with domestic production not being adequate to meet demand resorting to imports , thereby conforming the long-term value potential of the NBR project.

As the NBR project has been planned for a phased development , a normal approval time frame would have had the project well placed to execute the DSO phase of the project at the right point in the cycle which would underwrite the capital for the magnetite phase to produce dense media magnetite (DMM) used for the coal washery industry .

This annual report covers the period of 12 months ending 31st October 2018.

## EPBC approval conditions compliance table

Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
25. a)	A summary of induction training and awareness activity undertaken or proposed	Compliant	<p>Construction phase inductions were held at Riverbend, Smithton on 8<sup>th</sup> April 2013. Twenty-nine people attended including contractors and Shree Minerals staff. Several individual inductions were also undertaken.</p> <p>Mining phase inductions were held on Thursday 17<sup>th</sup> October and Friday 18<sup>th</sup> October 2013 at the Circular Head Community &amp; Recreation Centre with over 80 people in attendance over four sessions. These sessions consisted of both a mine safety induction and environmental induction. The environmental induction includes a section on identification and awareness of 13 EPBC listed species, as well as general education of the various permits and site processes.</p> <p>Routine induction sessions are held on a regular basis for new staff, contractors and visitors, with additional sessions scheduled where necessary.</p> <p>A Visitor Induction was held at Tall</p>

			<p>Timbers on Thursday 31<sup>st</sup> October 2013 for the mine opening ceremony, with 33 inductees. Visitor inductions are valid for a period of one month. Visitors to site must be accompanied at all times by a fully inducted employee or contractor, and are not permitted to perform any works (other than office based work) nor operate any vehicles or machinery.</p> <p>The mine has been under Care &amp; Maintenance since June 2014.</p>
25. b)	An extract for the reporting period of the EPBC species register established under Condition 12	Compliant	<p>A copy of the EPBC Species Register is located in Appendix A. GPS coordinates of EPBC species sighted on the mine lease may not be included for public release for site security reasons (including unauthorised access) and/or where recommended by flora and fauna consultants (e.g. for locations of Giant Freshwater Crayfish).</p> <p>The EPBC Register is also available on the Shree company website, <a href="http://www.shreeminerals.com">www.shreeminerals.com</a>.</p>
25. c)	<i>details of progress against actions (including documentary evidence of payments) required under Conditions 13, 15, 16 and, if required, 20.</i>		
	Condition 13	Compliant	<p><b>Tasmanian Devil Monitoring Strategy</b></p> <p>A Tasmanian Devil Monitoring Strategy (TDMS) was prepared for Shree Minerals Ltd in January 2013 by consultants Pitt &amp; Sherry following consultation with a recognised Tasmanian devil and wildlife expert, and the Save the Tasmanian Devil Program (STDP). The Tasmanian Devil Monitoring Strategy (Version 1) was approved by the Minister on 21<sup>st</sup></p>

			<p>March 2013. Following legal action and issue of permit EPBC 2011/5846 in July 2013, the TDMS was revised and version 3 was subsequently approved on 9<sup>th</sup> August 2013. A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846).</p> <p><b>Monitoring Program</b></p> <p>A number of infrared monitoring cameras have been placed in the mining lease area in order to monitor for Devil Facial Tumour Disease (DFTD). Further cameras have been placed to monitor denning/lay-up opportunities within the Fauna Habitat Protection Zone (FHPZ) once clearing activities are substantially complete. Note that clearing will be undertaken progressively, with only those areas immediately required for production being cleared (as consistent with Best Practice Environmental Management).</p> <p>Under the TDMS, cameras are scheduled to be checked weekly and data downloaded fortnightly. However this schedule may be disrupted by inclement weather conditions and site access track conditions. All cameras have been set up such that they have a battery life of over two months, and either 4GB or 8GB of storage, to ensure that no data is lost in the event of a site becoming temporarily inaccessible.</p> <p>The 154ha FHPZ has been established as per the TDMS.</p> <p>The TDMS includes measures for the detection and prompt reporting of DFTD. A Tasmanian devil expert has been engaged to review camera images and provide monthly advice in relation to any DFTD visible on infrared camera images. This information is also provided to the Save the Tasmanian Devil Program.</p>
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			<p><b>Findings</b></p> <p>The report of the expert during the year has not found any documented (or suspected) signs of DFTD on the site.</p> <p><b>Changes to the monitoring program</b></p> <p>Under Section 2.5 of the TDMS, it is stated that;</p> <p><i>“All information will be added to the EPBC species register (established under condition 12 of the EPBC approval).</i></p> <p><i>Shree Minerals will also ensure that all data from this monitoring strategy is entered onto the Natural Values Atlas”</i></p> <p>While sightings recorded by the cameras are being added to the EPBC Species Register, the locations of these sightings are not as this presents a safety and security risk to the company, particularly in relation to unauthorised access of the mine lease. Shree Minerals had a number of cameras stolen from the mine lease area, and this theft was subsequently reported to the Police.</p>
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			<p><i>as provided with the finalised environmental impact statement prepared in relation to the action.”</i></p> <p>An orchid specialist has been engaged in 2014 to carry out this work. This work was commenced &amp; payments made as milestones are completed as per agreed schedule. In 2016, the work has been suspended during the period of care &amp; maintenance of the mine &amp; will be resumed when mining re-commences.</p>
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25. d)	Details of any emergency travel undertaken outside daylight hours as allowed under condition 8	Compliant	Condition 8 (EPBC 2011/5846) allows for emergency travel to site in authorised vehicles outside of daylight hours. There has been no emergency travel undertaken during the period.
25. e)	Information on compliance (and non-compliance) with management documents	Compliant	<p>Management documents refer to all plans, strategies, and reports developed in fulfilment of EPBC 2011/5846 conditions. These are:</p> <ul style="list-style-type: none"> <li>• EPBC Species Management Plan (Condition 3)</li> <li>• Tasmanian Devil Monitoring Strategy (Condition 13)</li> <li>• Mine Closure Plan (Condition 17)</li> <li>• Decommissioning and Rehabilitation Plan (Condition 18)</li> </ul>
	EPBC Species Management Plan (Condition 3)	Compliant	<p><a href="#">EPBC Species Management Plan</a></p> <p>EPBC Species Management Plan (Version 1) was approved by the Minister<sup>1</sup> on 21<sup>st</sup> March 2013. It was subsequently revised on 31<sup>st</sup> July and 6<sup>th</sup> August 2013, in light of the new</p>

<sup>1</sup> 'the Minister' is the Australian Government minister administering the EPBC Act

			<p>permit EPBC 2011/5846. The current plan is EPBC Management Plan (Version 3), which was approved on 9<sup>th</sup> August 2013. A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846).</p> <p>Prescribed management measures included in the plan relate to;</p> <ul style="list-style-type: none"> <li>• Vegetation clearance</li> <li>• Food waste</li> <li>• Hazardous substances</li> <li>• Open Pits and Excavation</li> <li>• Protocols for dealing with injured native fauna</li> <li>• Protocols for recording any sightings of EPBC species</li> </ul> <p><i>Vegetation clearance</i></p> <p>Clearance has been limited to those areas required for the DSO Pit and its associated roadways, infrastructure, waste rock dumps and stockpiles. Construction drawings were provided to contractors, and clearing activities were conducted in accordance with <i>Environment Protection Guideline 3 – Clearing</i> (EPG 3, Shree Minerals Ltd). This included pre-clearance flora and fauna surveys carried out by relevant experts prior to each stage of clearing to ensure there would be no disturbance of EPBC species.</p> <p>Areas to be cleared were delineated with flagging tape; for steeper areas 'Danger' tapes was utilised. No vegetation clearance or disturbance occurred in the Fauna Habitat Protection Zone (FHPZ).</p> <p><i>Food Waste</i></p> <p>Management of food waste onsite is in accordance with <i>Environment Protection Guideline 5 – Food Waste</i> (EPG 5, Shree Minerals Ltd). Garbage bins have been provided in the crib room and office buildings. Currently all mine waste is removed from the</p>
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			<p>site by Shree Minerals and their contractors on a regular basis. There is a zero tolerance procedure for littering and this along with details of disciplinary proceedings and general waste management protocols are included in the site induction.</p> <p><i>Hazardous Substances</i></p> <p>A diesel holding tank has been provided by Caltas for refuelling trucks. This is a stand-alone self-bunded tank with a capacity of 30 000 litres. Two diesel generators are located onsite to power the office areas and the Caltas fuel tank. These are both located on the cleared office/workshop area pad. The Caltas fuel tank &amp; diesel generators have since been demobilised offsite during the care &amp; maintenance period.</p> <p>No explosive materials are currently kept on the site. On days when a blast crew is working, an explosives truck arrives at and leaves the site on the same day.</p> <p>As there is no processing plant facility required in the early stages of mining, there are no other hazardous substances currently kept onsite in bulk form.</p> <p><i>Open Pits and Excavation</i></p> <p>All excavations during the construction phase were carried out in accordance with the guidelines contained in the Construction Environmental Management Plan (CEMP, 2013). Diversion drains were established and two shallow (<math>\leq 2\text{m}</math>) borrow pits were excavated. Excavation of the ore pit has also now commenced. All pits are accessible by vehicle, thus allowing fauna to escape in the unlikely event they enter the excavation.</p> <p>All excavation at the site is carried out in accordance with <i>Environment Protection Guideline 16 – Excavation</i> (EPG 16, Shree Minerals Ltd)</p> <p>Mine lease signage has been placed</p>
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			<p>around the lease in accessible locations, including at the mine entrance. Detailed mine plans are produced and updated daily, and the company has procured the regular services of a surveying company for the purpose of delineating pit and stockpile extents. Current pit and waste rock dump designs are located between East and West Creeks, which provide physical barriers preventing the operation from encroaching on the mining lease boundary.</p> <p>Mine Plans &amp; Management plans are updated periodically to update mine plan estimates &amp; modelling progressively &amp; appropriate approvals taken thereof. Further drilling and modelling in 2013, subsequent to the original DPEMP (Development Proposal &amp; Environment Management Plan) &amp; EIS (Environment Impact Statement) submitted for public display in 2011 has provided a better understanding of the DSO resource, which is now known to be larger than originally thought. This will support a larger and deeper DSO pit, which in turn has increased the overall ore &amp; waste volumes to be excavated. Further , the modelling in 2013 also took a precautionary measure to minimise risk of potential acid forming waste rock ( PAF) segregation from other non-acid forming waste rock (NAF) by including areas which are only partially mineralised with pyrite but represent all the potential PAF material.</p> <p>These two factors (increased mining quantities and precautionary modelling of increased proportion of PAF waste).</p> <p>For handling and temporarily storing Potentially Acid Forming Materials (PAF) the engineering design was developed for a specialised clay lined</p>
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			<p>and banded site close to the DSO pit. Upon completion of mining of the DSO phase, the PAF material is to be relocated back into the Southern DSO. Hence the Temporary Potentially Acid Forming Materials Separation and Verification Plan (TPAFM) was drafted and approved by the Tasmanian Environmental Protection Agency (EPA) in October 2013. This new plan and approved variation meets the requirements of the approved in the Environment Protection Guideline numbers 16(7) and 16(8) of the EPBC Species management plan Version 3. The total area for vegetation clearing would also not increase beyond the final life of mine construction zones and consequently meets the requirements of the approved in the Environment Protection Guideline numbers 3(1) of the EPBC Species management plan Version 3. Additionally, the new design ensures that all outflows are collected and treated (if required) before release into the general environment as per requirements of the approved in the Environment Protection Guideline numbers 16(6) of the EPBC Species management plan Version 3.</p> <p>In a letter dated 30 March 2015, the Tasmanian EPA Director advised that as a consequence of a judgment in the Supreme Court of Tasmania, he advised that since the current PAF Storage Dump is situated outside the footprint of the SDSO pit and required actions to bring PAF waste rock management at the mine site into compliance with the requirements of PCE 8568, and management of the PAF waste rock while it is located outside the Pit. Our understanding is that the Court case (to which the Company was not a party) &amp; decision thereof was on procedural legality relating to decision making of permit amendment rather than any environmental impact or issue.</p>
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			<p>Shree in consultation with Tasmanian Government authorities has investigated various options including preparing a management plan for relocating the current PAF dump to within southern end of Southern DSO (SDSO) pit, making a new development application from the Circular Head Council for a Permit to construct a PAF Waste Rock Dump (WRD) within the SDSO pit boundaries and including the previously permitted WRD. In March 2016, the EPA advised that as the proposal is considered an integral aspect of the mine, Shree should apply for a new permit for the mine. Shree has after discussions with Tasmanian Government authorities, in October 2016 submitted an application to Circular Head Council such that the new permit when granted, will replace the existing permit. As a consequence, EPA Tasmania has in February 2017 issued guidelines for DPEMP. Recently, the company has submitted an application for a new Tasmanian Environmental permit for DSO operations (as per attached copy) due to ongoing inordinate delays in the re-approvals process, onerous requirements and regional sensitivities, it is considered financially prudent to focus on simpler DSO operations at this stage. In this context, we have received correspondence from EPA (attached in Appendix B to this report) to review the EPBC approval for the project. Shree has since written to EPBC via email dated 25/10/2018 seeking the Department's advice on the issue.</p> <p>The major reasons for a new permit are:</p> <ol style="list-style-type: none"> <li>I. because the SDSO pit is only 25% complete, there is insufficient space for the PAF WRD to be stored below surface and</li> </ol>
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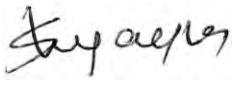
			<p>ultimate flood level of the pit; and</p> <p>II. Moving the PAF WRD in the pit below ultimate flood level of the pit, prior to completion of mining of the pit, may result in contravention of the Mineral Resources Development Act.</p> <p>III. PAF storage above ground level in a safe environmental manner is universally practiced throughout the world by almost all open cut mines and with adequate procedures like truck dumping, compaction, alkali addition etc. will meet Best Practice Environmental Management (BEMP); and</p> <p>While, there are no adverse effects on the surrounding environment by disposal of PAF rock in an above surface storage dump, under the current legislative framework in Tasmania there is no simple procedure / mechanism which applies to an application to amend an extant planning permit. In consequence, there is little choice but to make a new development application for precisely the same approved development and use, but which specifies a different methodology for disposal of the PAF rock.</p> <p>The project will be located as described in the EIS (Pitt and Sherry, 2011) and within the mining lease.</p> <p>The likely only differences to the</p>
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			<p>original proposal – the proposed surface PAF dumps, are to be located within the original planned footprint and disturbed areas. This area for stage 1 has been cleared of vegetation (after appropriate surveys under the requirements of the Permit and Commonwealth Government approvals). Bush Fires in early 2016 has passed through the mining lease &amp; all the vegetation in the lease area has been essentially burnt away.</p> <p>The proposed surface PAF dumps also provide flexibility in quantum of PAF waste rock being excavated as estimates are updated with more knowledge due to mining as well as exploration success etc. leading to increase in the life of the mine.</p> <p>This project will not require approval under the Environment Protection and Biodiversity Conservation Act 1999, as it is consistent with the existing EPBC approval. There is no potential to significantly impact upon matters of national environmental significance or upon Commonwealth land, as it is within the boundaries of the Mining Lease and previously approved area.</p> <p><i>Protocols for Dealing with Injured Native Fauna</i></p> <p>Trained in animal handling procedures at a workshop at Trowunna Wildlife Park was done.</p> <p>There have been no injured native fauna on the mine site.</p> <p><i>Protocols for Recording any Sightings of EPBC Species</i></p> <p>Shree Minerals has developed an Environmental Induction, which is given in conjunction with the Site Safety Induction to all contractors, staff and visitors to the site. This includes images and information relating to 13 EPBC listed species, provision of glove-box guides and EPBC Species Sightings Forms as per the EPBC Species Management Plan.</p>
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	Tasmanian Devil Monitoring Strategy (Condition 13)	Compliant	Please refer to this table w.r.t. condition 25.c); condition 13.
	Mine Closure Plan (Condition 17)	Compliant	<p>A Mine Closure Plan with approximate rehabilitation costs was developed in November 2011 by Pitt &amp; Sherry as part of the <i>Development Proposal and Environmental Management Plan</i> (DPEMP). A copy of the plan is published on the company's website to comply with Condition 30 (EPBC 2011/5846).</p> <p>A review of this Closure Plan (in draft) with updated site information, current disturbed footprint areas, and revised costs has been lodged with EPA.</p>
	Decommissioning and Rehabilitation Plan (Condition 18)	Compliant	A Decommissioning and Rehabilitation Plan is required to be prepared " <i>within 30 days of any decision that is likely to give rise to the permanent cessation of the activity</i> " (Permit Part B 8977/1). Therefore a DRP is not required at this stage.
25. f)	details of any other incidences of non-compliance with the EPBC 2011/5846 permit conditions, along with any associated remedial action undertaken, underway or proposed	Compliant	There have been no other incidences of non-compliance during this period.

#### Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed	
Full name	Sanjay Kumar Loyalka
Position	Director
Organisation	Shree Minerals Ltd; ACN: 130618683

## Appendix A

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Appendix A 1 EPBC Species sightings Register April 2018

Appendix A 2 EPBC Species sightings Register Jan 2018

Appendix A 3 EPBC Species sightings Register Jul 2018

Appendix A 4 EPBC Species sightings Register Oct 2018



## Appendix B

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Appendix B 1 NBM Planning Application 2018 DSO only

Appendix B 2 Dev\_Applic\_Form1 Rev (1)

Appendix B 3 Determination on Class of Assessment

Appendix B 4 Response to EPA re class of determination & EPBC query