

# SHEET 10 – APPROVAL PROCESS

## How will the Project be assessed

The primary government assessment mechanism will be via an Environment Effects Statement (EES).

The purpose of an EES is to describe the Project and its potential environmental and social effects to enable decision-makers to make an informed assessment about whether the Project is considered acceptable and if so, what conditions should be attached to any approvals.

The EES is not an approval document. Rather, the EES will enable the Victorian Minister for Planning (the Minister) to determine whether the impacts of proposed works are acceptable and commensurate with the wider benefits of the Project. The Minister will provide a final assessment of the Project to relevant decision-makers to be used as reference point for their approval decisions relating to the Project. Secondary permits including the mining licence cannot be granted/denied without first having regard for the Minister's decision.

The EES assessment process is co-ordinated by the Impact Assessment Unit (IAU) of the Department of Environment, Land, Water and Planning (DELWP).

Iluka has engaged EMM Consulting Pty Limited (EMM) to assist in the preparation of the EES.

Further information on the EES process can be found at [planning.vic.gov.au/environment-assessment/what-is-the-ees-process-in-victoria](https://planning.vic.gov.au/environment-assessment/what-is-the-ees-process-in-victoria)

## What is the Commonwealth's involvement in the Project?

The Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides the legal framework to protect a range of matters of national environmental significance. When a project has the potential to impact on any of those matters, it is subject to assessment by the Commonwealth Department of Agriculture, Water and the Environment under the EPBC Act.

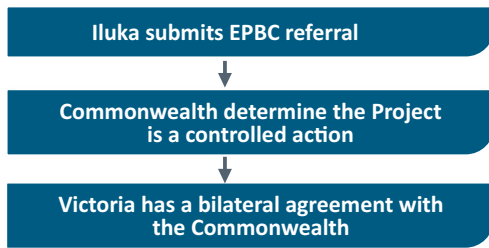
The Wimmera Project triggers assessment under the EPBC Act due to potential impacts on 'listed threatened species and communities', 'listed migratory species', and 'nuclear actions' (relating to mine waste storage).

In practice, the EPBC Act assessment is integrated into the Victorian EES assessment process under a bilateral agreement between the State and Commonwealth Governments. In accordance with this agreement, following completion of the EES assessment process, the Minister for Planning's assessment of the Project is forwarded to the Commonwealth Minister for the Environment for a decision on whether to approve the Project under the EPBC Act and, if so, the approval conditions that will be applied under the EPBC Act.

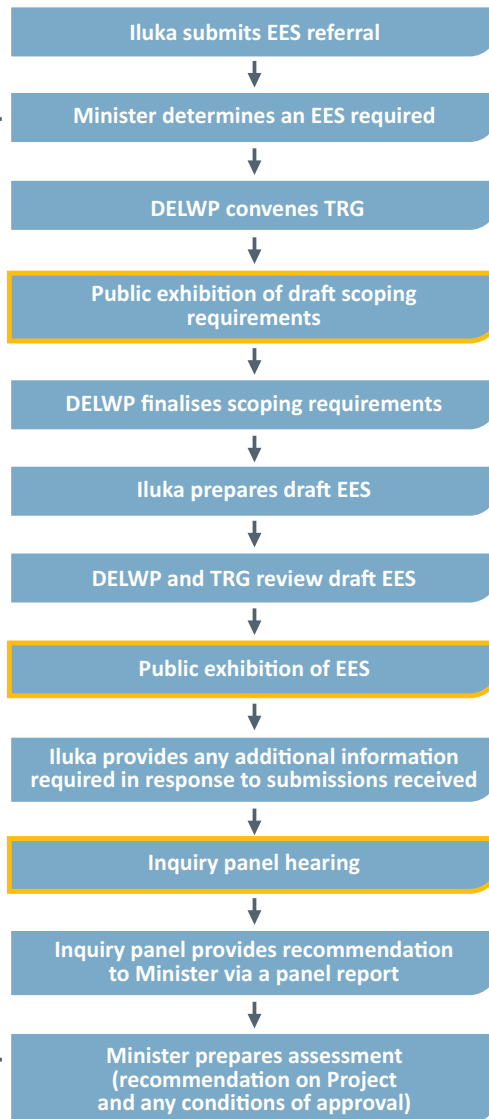
Further details on the EPBC Act process can be found at [www.environment.gov.au/epbc](https://www.environment.gov.au/epbc).



### Commonwealth process EPBC Act 1999



### Victorian process Environment Effects Act 1978



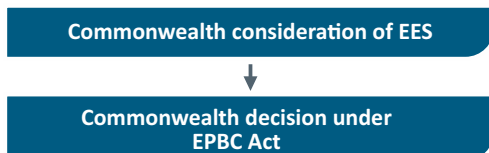
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### Iluka Process

Pre-feasibility stage

Detailed feasibility stage

Stakeholder engagement led by Iluka via Wimmera stakeholder consultation plan



LEGEND	
EPBC	Environment Protection and Biodiversity Conservation
DELWP	Department of Environment, Land, Water and Planning
EES	Environment Effects Statement
TRG	Technical Reference Group
	Formal community participation
	Ongoing stakeholder engagement

Regulatory agencies to have regard for Minister's assessment when assessing secondary approval applications such as:	
Secondary permit	Act
Mining licence	<i>Mineral Resources (Sustainable Development) Act 1990</i>
Approved work plan	
Planning permit	<i>Planning and Environment Act 1987</i>
Native vegetation clearance	
Cultural heritage management plan	
EPA licence	<i>Environment Protection Act 1970</i>
Various licences as applicable	<i>Water Act 1989</i>
Radiation management plan	<i>Radiation Act 2005</i>
Radiation management licence	
Radiation waste management plan	
Approval to work within road reserves	<i>Road Management Act 2004 and Local Government Act 1989</i>
Road maintenance agreement	

## Iluka's project management process

The EES assessment process runs in parallel with, and interacts with, work undertaken as part of Iluka's internal project management process. The Project is currently within the pre-feasibility study (PFS) phase, where various options are considered and assessed, costs estimates determined to  $\pm 30\%$ , and recommended development identified for approval by the Iluka Board of directors to progress into the detailed feasibility study (DFS) phase. If approved to progress into DFS, the recommended option is assessed in further detail to further define risks and refine cost estimates to  $\pm 10\%$ . At the conclusion of the DFS phase, a recommendation will be made to the Iluka Board on whether to progress the Project to the execute (or construction) phase.

## What information will be included in the EES

The EES will describe the Project and its potential environmental effects during the construction, operation, rehabilitation, closure, decommissioning and post-closure stages. The EES will be prepared in accordance with the Project-specific scoping requirements issued by DELWP.

The EES will describe:

- the Project;
- the approvals required;
- alternatives considered and the justification for each preferred alternative;
- the existing environment;
- the potential effects of the Project on the environment;
- an estimation of likelihood and degree of uncertainty associated with predictions;
- measures for avoiding, minimising, managing and monitoring effects;
- predictions of residual effects of the Project

assuming implementation of proposed environmental management measures;

- any proposed offset measures;
- issues raised by stakeholders and Iluka's responses to these issues;
- the implications for the Project and feasible alternatives from the implementation of legislation and policy;
- evaluation against the objectives of ecologically sustainable development; and
- conclusions on the significance of impacts on local, regional, state and federal matters.

The EES will also include the following impact assessment studies (technical studies):

- groundwater;
- surface water;
- Aboriginal cultural heritage;
- ecology;
- air quality and greenhouse gas;
- noise and vibration;
- landscape and visual;
- radiation;
- soil, agriculture and rehabilitation;
- traffic and transport;
- historical heritage;
- socioeconomic; and
- hazard and risk (including landform stability, emergency management, waste management, dangerous goods, fire and human health).

## What is the scope of the studies

In accordance with the Project-specific EES scoping requirements issued by DELWP, each study will include an assessment of:

- the existing environment;
- the impacts associated with each stage of the Project;
- the impacts associated with the onsite and the offsite components including along the proposed transport routes, as applicable;





- the potential cumulative impacts of other existing and proposed mining projects in the region;
- the design and mitigation measures that address the potential for adverse effects; and
- potential and proposed design responses and/or other mitigation measures in accordance with best management practice, to avoid, reduce and/or manage significant effects for sensitive receptors.

Each study will be undertaken by technical experts in accordance with applicable legislation and guidelines.

## What is the role of the TRG

A technical reference group (TRG) has been established by DELWP IAU to provide technical and statutory advice to Iluka and DELWP regarding the preparation of the EES technical studies and the EES.

The TRG comprises approximately 23 members and includes representatives from:

- DELWP;
- Department of Jobs, Precincts and Regions (DJPR) – Earth Resources Regulation (ERR) branch;
- Department of Health and Human Services (DHHS);
- Environment Protection Authority Victoria (EPA);
- Wimmera Catchment Management Authority (CMA);
- Department of Premier and Cabinet (DPC);
- Regional Roads Victoria;
- Horsham Rural City Council (HRCC);
- GWMWater;
- Aboriginal Victoria (AV);
- Iluka; and
- EMM.

Approximately seven TRG meetings are scheduled throughout 2020 and 2021, however the final number and timing of required TRG meetings is dependent on the assessment process.

## Who will approve and regulate Iluka's proposed operations

The ERR branch of DJPR is the mining regulator in Victoria. DJPR works with the Environment Protection Authority Victoria (EPA), DELWP and other departments to ensure protection of the environment and public safety.



## What legislation will apply to protect the environment

Iluka will be required to comply with all applicable legislation to protect public safety and the environment.

Mine operations will primarily be regulated under the *Mineral Resources (Sustainable Development) Act 1990* (MRSD Act) but will also be subject to other legislative instruments, including:

- *Planning and Environment Act 1987*
- *Environment Protection Act 1970*
- *Heritage Act 1995*
- *Water Act 1989*
- *Aboriginal Heritage Act 2006*

- *Flora and Fauna Guarantee Act 1988*
- *Radiation Act 2005*
- *Extractive Industries Development Act 1995*
- *Road Management Act 2004*
- *Local Government Act 1989*
- *Wildlife Act 1975*
- *Dangerous Goods Act 1985*
- *Native Title Act 1993 (Commonwealth)*
- *Country Fire Authority Act 1958*
- *Crown Land (Reserves) Act 1978*
- *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth).*

Under the MRSD Act mining works can only commence once the following have occurred:

- the Minister for Resources has granted a mining licence (MIN);
- ERR has approved the work plan. Note, the work plan must:
  - identify potential risks to the environment, public safety, land, property and infrastructure;
  - identify how the risks will be mitigated/managed; and

- outline Iluka's approach to stakeholder consultation; and
- include a rehabilitation plan that states the proposed land uses for the post-closure phase, taking into consideration the community's feedback received during consultation (including the landowners' feedback if the land is privately-owned);
- Iluka has entered into a rehabilitation bond;
- Iluka has obtained all the necessary consents required by all applicable Acts;
- Iluka has complied with any conditions relating to environmental offsets, imposed by the Minister;
- Iluka has the required insurance; and
- Iluka has:
  - obtained the written consent of the owners and occupiers of the land affected; or
  - made and registered compensation agreements with those owners and occupiers; or
  - purchased the land affected.

The work plan is a key regulatory instrument for giving effect to recommendations from the Minister for Planning's Assessment. The recommendations can be addressed in the body of the work plan or as conditions for the approval of the work plan. Government regulators will require Iluka to demonstrate ongoing compliance with the mining licence conditions and the approved work plan.



Public comments are invited on the draft scoping requirements in relation to matters that should be investigated and documented in the environment effects statement (EES) process for the proposed Wimmera Project.

The draft scoping requirements are open for public comment until midnight on 31 March 2020.

Any comments received will be considered by DELWP during the finalisation of the scoping requirements and will be treated as public documents. Your comments also will be considered by the proponent in the preparation of the EES. Personal details and identifying features (eg names, addresses and contact details) will be removed before your submission is shared with Iluka Resources Limited. You must provide written consent for DELWP to provide your name and address to Iluka Resources Limited.

Comments should be emailed to: [environment.assessment@delwp.vic.gov.au](mailto:environment.assessment@delwp.vic.gov.au)

Written comments can also be posted to:

Impact Assessment Unit, Planning  
Department of Environment, Land, Water and Planning  
PO Box 500, EAST MELBOURNE, VIC 8002

To discuss the draft EES scoping requirements with Iluka or for more information please contact Iluka:

Phone: 1800 305 993

Visit: [www.iluka.com/engage/wimmera](http://www.iluka.com/engage/wimmera)

Email: [wimmeraproject@iluka.com](mailto:wimmeraproject@iluka.com)

Drop in: Wimmera community drop-in centre at Horsham Real Estate office

Tuesdays and Fridays 9.30 am–2.30 pm or by appointment