

Private and confidential

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23 December 2023

Our reference: RTIO-0989969
Your reference: 2008/4032

To whom it may concern

2022 Annual Compliance Report Cape Lambert Port B Development: 2008/4032

Attached is the 2022 Annual Compliance Report for the Cape Lambert Port B Development as required by *Environment Protection and Biodiversity Conservation Act 1999* approval 2008/4032, Condition 18. This report covers the period from 1 January to 31 December 2022.

Please contact Kirsten Marmion, Environment Lead, at Kirsten.Marmion@riotinto.com if you have any queries.

Yours sincerely



Michael Loveday
Acting General Manager – Cape Lambert Ports, Iron Ore

***Environment Protection and Biodiversity
Conservation Act 1999
Annual Compliance Report***

EPBC Approval: 2008/4032

Project: Cape Lambert Port B Development

Report period: 1 January – 31 December 2022

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1 Description of activities

EPBC approval number:	2008/4032
Project name:	Cape Lambert Port B Development
Approval holder:	Robe River Mining Co. Pty. Ltd.
Approval holder's Australian Business Number:	71 008 694 246
Approved action:	To undertake the development of a new port facility and associated infrastructure, adjoining the existing facility, in the Pilbara region of Western Australia.
Location of the project:	Pilbara Region, WA
Reporting period:	1 January 2022 to 31 December 2022
Report preparation date:	22 December 2023
Implementation phase(s) during reporting period:	Operational

2 Audit table

Details of compliance with each condition under EPBC approval 2008/4032 are presented in Table 1.

No maintenance dredging, drilling or blasting occurred during this reporting period.

Table 1: EPBC Approval Conditions Compliance Table – EPBC 2008/4032 – Cape Lambert Port B Development

Condition Number	Condition	Compliance status	Evidence/Comments
1	The person taking the action must comply with the requirements of any permit obtained under the Commonwealth <i>Environment Protection (Sea Dumping) Act 1981</i> , including any conditions attached.	Compliant	A Sea Dumping Permit (SD2008/822) was obtained for the construction works. This permit expired on 26 October 2013 and capital dredging associated with construction of CLB was completed in November 2012.
2	<p>To mitigate the impacts from the dredging activities on EPBC Act listed threatened and migratory species and the Commonwealth marine area, the person taking the action must prepared and submit to the Minister for approval a Dredging and Spoil Disposal Management Plan (DSDMP). The Plan must include the following:</p> <ul style="list-style-type: none"> a) Measures (for examples mitigation measures, performance indicators/trigger levels and corrective actions/management actions) that will ensure there are no unacceptable impacts on EPBC Act listed threatened species, migratory species and/or the Commonwealth marine area. These must include: <ul style="list-style-type: none"> i. operating procedures to minimise injury to, or mortality of, EPBC Act listed threatened or migratory species from dredging activities; ii. reporting mechanisms that ensure reporting to the Minister within one business day of injury to, or mortality of, any EPBC Act listed threatened or migratory species caused by dredging activities; iii. management triggers and contingency measures when dredging must be varied or suspended, including requirements to report to the Minister; iv. measures that minimise the risk of introduced marine pest species, including ballast-water management and vessel inspections for any non-domestic vessels; v. measures to prevent and respond to accidental fuel, oil or chemical spills; vi. measures that ensure that dredging activities do not impact corals during coral spawning periods, including suspension of dredging activities; vii. measures to monitor water quality, turbidity plume and coral health, including dredging exclusion periods and management triggers; viii. responsive actions that must be undertaken in the event contingency measures are employed, including requirement to report to the Minister; and ix. reactive and post dredge monitoring, including reporting timeframes. 	Compliant	The Dredging and Spoil Disposal Management Plan (our ref: RTIO-HSE-0102815) was submitted on 15 December 2011 (our ref: RTIO- HSE-0130868) as reported in previous compliance assessments.

Condition Number	Condition	Compliance status	Evidence/Comments
	<ul style="list-style-type: none"> b) Details of responsible parties for each activity described in the DSDMP, noting that the person to whom this approval is granted is responsible for the proposed action; and c) Measures that ensure periodic reviews of the DSDMP and that ensure continual improvement measures are applied accordingly. This condition does not remove the requirement under Condition 20. 		
3	Dredging activities must not commence until the DSDMP has been approved by the Minister in writing. The approved DSDMP must be implemented.	Compliant	The requirements of the Dredging and Spoil Disposal Management Plan (our ref: RTIO-HSE-0102815) approved on 23 December 2011 (our ref: RTIO-HSE-0132977), were completed in full for previous years dredging activities, as reported in previous compliance assessments.
4	<p>To mitigate the impacts on cetaceans from the dredging activities, construction activities and the ongoing operation of the Cape Lambert Port, the person taking the action must prepare and submit to the Minister for approval a Cetacean Management Plan (CMP). The Plan must include the following:</p> <ul style="list-style-type: none"> a) measures to prevent vessel strike during dredging activities, construction activities and ongoing operation of the Cape Lambert Port; b) measures to prevent any potential impact from underwater noise during construction; c) monitoring and exclusion zones during dredging and noise emitting construction activities, including pile driving; d) details of the responsible parties for each activity described in the CMP, noting that the person to whom this approval is granted is responsible for the proposed action and the reporting requirements of the responsible parties; and e) measures that ensure periodic reviews of the CMP and that ensure continual improvement measures applied accordingly. This condition does not remove the requirement under Condition 20. 	Compliant	The requirements of the Cetacean Management Plan (our ref: RTIO-HSE-0102816), submitted 15 December 2011 (our ref: RTIO-HSE-0130868) were completed in-full for previous years dredging activities, as reported in previous compliance assessments.
5	Dredging activities must not commence until the CMP has been approved by the Minister in writing. The approved CMP must be implemented.	Compliant	The requirements of the Cetacean Management Plan (our ref: RTIO-HSE-0102816) approved on 23 December 2011 (our ref: RTIO-HSE-0132977), have been completed in-full for previous years dredging activities, as reported in previous compliance assessments.

Condition Number	Condition	Compliance status	Evidence/Comments
6	<p>To mitigate the impacts from dredging activities on marine turtles, during construction and ongoing operation of the Cape Lambert Port facilities, the person taking the action must prepare and submit to the Minister for approval a Marine Turtle Management Plan (MTMP). The Plan must include the following:</p> <ul style="list-style-type: none"> a) measures for the protection of marine turtles during pile driving activities, including soft start up procedures, monitoring for the presence of marine turtles and exclusion zones; b) mitigation measures for light spill management and reduction, including, but not limited to, the lighting sources, lighting intensity, directionality and shrouding; c) turtle behaviour monitoring programs including adult nesting activity at Bells Beach and Cooling Water Beach, relative to other sites in the region, including hatchling dispersal (onshore and offshore); d) long term population monitoring programs at Bells Beach and Cooling Water Beach; e) a monitoring program to measure the magnitude of pile driving impacts effects on nest sites at Cooling Water Beach; f) a nest relocation programme for Cooling Water Beach in the event that monitoring indicates a significant decline in nest success relative to other beaches; g) monitoring programs for the stability and vegetation cover of the Bells Beach primary dune, including responsive actions in the event that monitoring data indicates that landform stability is being reduced as a result of erosion, vegetation cover reduction or other processes; h) measures for reporting incidents involving marine turtles to the Department throughout the life of port operations; i) details of responsible parties for each activity described in the MTMP, noting that the person to whom this approval is granted is responsible for the proposed action, and the reporting requirements of the responsible parties; and j) measure that ensure periodic reviews of the MTMP and that ensure continual improvement measures applied accordingly. This condition does not remove the requirement under Condition 20. 	Compliant	<p>A Marine Turtle Management Plan (MTMP) was prepared and submitted on 17 April 2013 (our ref: RTIO-HSE-0193896).</p> <p>The MTMP sets out project design, construction and operations management measures to reduce impacts on marine turtles, including the following to meet the requirements of this condition:</p> <ul style="list-style-type: none"> a) Section 4.5 Pile Driving Management; b) Section 5.2 Light Spill Management; c) Section 6.4 Turtle Behaviour Monitoring; d) Section 6.5 Long Term Population Monitoring; e) Section 6.2.4 Noise and Vibration Monitoring; f) Section 4.6 Nest Relocation; g) Section 6.2.1 Bells Beach Dune Stability; h) Section 6.6 Incident Reporting; i) Section 7.4 Summary of Reporting Actions and Responsibilities; and j) Section 7.2 Continuous Improvement Review.
7	Dredging activities must not commence until the MTMP has been approved by the Minister in writing. The approved MTMP must be implemented.	Compliant	<p>The pre-construction (2008/4032:M6 and 2008/4032:M7.1) requirements of the Marine Turtle Management Plan (MTMP) have been completed in-full, as reported in previous compliance assessments.</p> <p>Refer to Section 3 for evidence relating to ongoing requirements.</p>

Condition Number	Condition	Compliance status	Evidence/Comments
8	<p>To minimise impacts to listed threatened and migratory species, if underwater blasting is required, the person taking the action must prepare and submit to the Minister for approval a Blasting Management Plan (BMP), at least 2 months prior to commencement of blasting activities. The Plan must include the following:</p> <ul style="list-style-type: none"> a) a description of the blast methodology; b) the amount of blasting required and over what area; c) nomination of target blast pressures and potential environmental impacts of these pressures; d) monitoring for the presence of listed threatened and migratory species, including exclusion zones, prior to and during blasting; e) commitments that any blasting activities will not be undertaken at night or during turtle nesting or hatchling seasons; f) post blast inspection for injured fauna including management and reporting to the Department of injured fauna; and g) details of responsible parties for each action described in the BMP, including reporting requirements. 	Not Applicable	No underwater blasting occurred during this reporting period, nor are any such activities required going forward. Consequently, conditions 8 and 9 of EPBC 2008/4032 are considered to be complete.
9	Blasting activities must not commence until the BMP has been approved in writing by the Minister. The approved BMP must be implemented.	Not Applicable	No underwater blasting occurred during this reporting period, nor are any such activities required going forward. Consequently, conditions 8 and 9 of EPBC 2008/4032 are considered to be complete.
10	<p>The person taking the action must develop and implement an Ecosystem Research and Monitoring Program (ERMP) to acquire a detailed ecological understanding of the marine environment of the Cape Lambert region, that can be used to monitor, manage and/or improve the regional marine environment. The Plan must include monitoring programs for the following:</p> <ul style="list-style-type: none"> a) Coastal processes including beach degradation; b) Condition of listed and threatened migratory species populations, associated habitat and the Commonwealth Marine Areas; c) Behaviour of listed threatened and migratory species, including but not limited to, cetaceans and marine turtles. This should include monitoring of potential important habitats, including resting areas; d) Water quality; e) Benthic habitat, including but not limited to, coral, seagrass, mangrove; and f) Implementation and reporting timeframes for each of the actions described above. 	Compliant	The Cape Lambert Port B Development Ecosystem Research and Monitoring Program (our ref: RTIO-HSE-0111471) was implemented in previous reporting periods. Evidence of completion of all ERMP project scopes was provided to DotEE on 22 December 2017 (our ref: RTIO-HSE-0317908).

Condition Number	Condition	Compliance status	Evidence/Comments
11	The ERMP must be submitted to the Minister for approval no later than six months from the date of this approval.	Compliant	The Ecological Research and Monitoring Program was submitted on 15 April 2011 (our ref: RTIO-HSE-0111471, RTIO-HSE-0111470).
12	After 12 months from the date of this approval, dredging activities must not thereafter be undertaken unless the Minister has approved the ERMP in writing. The approved ERMP must be implemented.	Compliant	Revised versions of the ERMP were approved on 25 October 2011 (our ref: RTIO-HSE-0126879) and on 29 March 2017 (our ref: RTIO-HSE-0307394). Evidence of completion of all ERMP project scopes was provided to DotEE on 22 December 2017 (our ref: RTIO-HSE-0317908).
13	The results of the ERMP must be used to inform an adaptive management response to observed impacts and/or any potential impacts identified, and to inform the continuous improvement of the management measures within the MTMP, CMP and BMP (if required).	Not Applicable	No adaptive management responses were required during this reporting period.
14	The person taking the action must ensure that all relevant staff and contractors and any other persons working on the action receive comprehensive training in relation to the requirements of this decision and comply with all requirements of this decision relevant to their duties prior to commencing action on the project.	Compliant	Construction personnel completed the following training: <ul style="list-style-type: none"> • CLB EMP Training presentations (our ref: RTIO-HSE-0159769), • CLB Specialised Environmental Training Presentations (our ref: RTIO-HSE-0159770), • CLB Environmental Training Records (our ref: RTIO-HSE-0159772) • CLB Environmental Induction (our ref: RTIO-HSE-0159773) • Cape Lambert Port B Environmental Induction Dredging and Spoil Disposal Management (our ref: RTIO-HSE-0098862) • Marine Mammal Observer Training Presentation (our ref: RTIO-HSE-0107426).

Condition Number	Condition	Compliance status	Evidence/Comments
			All training requirements are referenced in the Iron Ore essentials and coastal operations site essential training packages.
15	Upon the direction of the Department, 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 Department. The independent auditor must be approved by the Department prior to the commencement of the audit. Audit criteria must be agreed by the Department and the audit report must address the criteria to the satisfaction of the Department.	Compliant	<p>An independent audit was completed upon the direction of the Department during 2013/2014.</p> <p>The auditor was approved by the Department on 13 January 2014 (our ref: RTIO-HSE-0204637).</p> <p>The audit criteria was agreed by the Department on 13 January 2014 (our ref: RTIO-HSE-0207911).</p> <p>The final audit report was submitted on 8 August 2014 (our ref: RTIO-HSE-0230985).</p> <p>Confirmation that the audit report satisfactorily addressed the criteria was received on 15 October 2014 (our ref: RTIO-HSE-0239795).</p> <p>The project was not audited during the reporting period.</p>
16	If, at any time after two years from the date of this approval, the Minister notifies the person taking the action that the Minister is not satisfied that there has been substantial commencement of the action, the action must not thereafter be commenced without written agreement of the Minister.	Not applicable	No notification was received.
17	Within 10 days of commencement of the action, the person taking the action must advise the Minister in writing of the actual date of commencement.	Compliant	Notification of commencement was submitted on 24 December 2010 (our ref: RTIO-HSE-0104803).
18	<p>Each year the person taking the action must provide a report to the Minister addressing compliance with each of the conditions of this approval. The date of the first compliance report must be within twelve months from the date of this approval with each subsequent report 12 months from the date of the previous report. The Compliance report must:</p> <ul style="list-style-type: none"> a) be endorsed by Pilbara Iron Pty Ltd or a person approved in writing by the Department, who is delegated to sign on behalf of Pilbara Iron Pty Ltd; b) include a statement as to whether the person taking the action has complied with the conditions; 	Compliant	<p>Refer to the 2021 compliance assessment (our ref: RTIO-HSE-0356228).</p> <p>The report is publicly available from www.riotinto.com, search 'Cape Lambert'.</p>

Condition Number	Condition	Compliance status	Evidence/Comments
	c) identify any non-compliances and describe corrective and preventative actions taken; and d) make the compliance report publicly available on the Internet within 30 days of it being submitted to the Minister.		
19	The Reports described at Condition 18 must be provided until the expiry of this approval.	Compliant	Refer to compliance assessments: 2010 (our ref: RTIO-HSE-0125435) 2011 (our ref: RTIO-HSE-0160590) 2012 (our ref: RTIO-HSE-0200765) 2013 (our ref: RTIO-HSE-0240147) 2014 (our ref: RTIO-HSE-0265603) 2015 (our ref: RTIO-HSE-0294615) 2016 (our ref: RTIO-HSE-0313831) 2017 (our ref: RTIO-HSE-0319762) 2018 (our ref: RTIO-HSE-0338181) 2019 (our ref: RTIO-HSE-0345474) 2020 (our ref: RTIO-HSE-0346348) 2021 (our ref: RTIO-HSE-0356228)
20	If the person taking the action wishes to carry out any activity otherwise than in accordance with the DSDMP, CMP, MTMP, BMP and ERMP, referred to in conditions 2, 4, 6, 8, and 10, respectively, the person taking the action must submit for the Minister's approval a revised version of the relevant plan or program (however described). The varied activity shall not commence until the Minister has approved the varied plan or program in writing. If the Minister approves such a revised plan or program, the plan or program must be implemented in a place of the plan or program originally approved.	Not Applicable	No actions were undertaken apart from those outlined in approved management plans. Management plans were not required to be updated during this reporting period.
21	Management plans, reports, systems and programs (however described) referred to in these conditions of approval must be made publicly available within 30 days of approval by the Minister.	Compliant	No actions were undertaken apart from those outlined in approved management plans. Management plans were not required to be updated during this reporting period.

Condition Number	Condition	Compliance status	Evidence/Comments
22	<p>All plans, reports or programs (however described) required under this approval must include the following elements:</p> <ul style="list-style-type: none"> a) a description of the EPBC Act listed species and habitat likely to be impacted by the components of the action which are the subject of that plan, report or program (however described); b) an assessment of the risk to these values, species or habitats, from the components of the action that are the subject of or relevant to that plan, report or program (however described); c) details of the management measures proposed in relation to these values, species or habitats, if it is a requirement of the condition requiring that plan, report or program (however described); d) details of monitoring proposed for that species if it is a requirement of the condition requiring that plan, report or program (however described); e) performance standards in relation to that species if it is a requirement of the condition requiring that plan, report or program (however described); f) management triggers in relation to that species if it is a requirement of the condition requiring that plan, report or program (however described). 	Compliant	<p>Refer to the Cape Lambert Port B Development Ecosystem Research and Monitoring Program (our refs: RTIO-HSE-0111471, RTIO-HSE-0307395), Dredging and Spoil Disposal Management Plan (our ref: RTIO-HSE-0102815), Cetacean Management Plan (our ref: RTIO-HSE-0102816) and the Marine Turtle Management Plan (our ref: RTIO-HSE-0193896).</p> <p>All of these plans have been approved by the Minister and/or delegate.</p>
23	The person taking the action must maintain accurate records of activities associated with or relevant to the above conditions of approval, and make them available on request by the Department. Such documents may be subject to audit by the Department and used to verify compliance with the conditions of approval.	Compliant	<p>All records are maintained on the Rio Tinto Information Management System, and other relevant systems.</p> <p>No requests for documents were made by the Department during this reporting period.</p>
24	If the Minister believes that it is necessary or desirable for the better protection of any relevant controlling provision to do so, the Minister may request that the person taking the action make specified revisions to any plans, reports or programs (however described) approved pursuant to these conditions. The person taking the action must comply with any such request. The revised plans, reports or programs (however described) must be implemented.	Not Applicable	No revisions to plans, reports or programs were requested during this reporting period.

3 Management Plan/Program Marine Turtle Management Plan Compliance Assessment

The Marine Turtle Management Plan was the only active management plan during the reporting period.

Table 2: Marine Turtle Management Plan Compliance Assessment

Audit Code	Action	Evidence	Status
The requirements of MTMP 3.1 to 3.4 have been completed in-full, as reported in previous compliance assessments.			Compliant
MTMP 3.5	Stabilise primary dune vegetation (and enhance where opportunities are present), using locally occurring dune species.	Temporary fencing was installed at several sites at Bells Beach in May 2019 to encourage sand replenishment as a proactive measure. No stabilisation works were conducted during this reporting period.	Not applicable
The requirements of MTMP 3.6 to 3.9 have been completed in-full, as reported in previous compliance assessments.			Compliant
MTMP 4.1	Apply the Approvals Request and Permitting System to ensure no unauthorised clearing is undertaken.	CLB construction activities were completed in 2015 and as a result, these obligations are to be closed out.	Compliant
MTMP 4.2	Apply the Port B Development CEMP clearing procedures.		
MTMP 4.3	Include a marine turtle education and management requirements component in site inductions.	Marine turtle information is included in the Cape Lambert induction package provided to all new starters. This information is currently linked on the Rio Tinto Iron Ore Capability and Development SharePoint page.	Compliant
MTMP 4.4	No personnel or vehicles to access Bells Beach or Cooling Water Beach without EPCM EO approval.	Both Bells and Cooling Water beaches are recorded as exclusion zones within the proponent's GIS and approvals databases and can only be accessed for work purposes with appropriate authorisation, as required. There were no instances of unauthorised personnel or vehicles accessing Bells Beach or Cooling Water Beach reported in 2022.	Compliant
MTMP 4.5	Report any incidents involving marine turtles to DSEWPaC and DEC.	No incidents involving marine turtles occurred during 2022.	Compliant
The requirements of MTMP 4.6 to 4.12 have been completed in-full, as reported in previous compliance assessments.			Compliant
MTMP Management Action 4.13	Develop and implement a possible nest relocation programme for Cooling Water Beach, in liaison with DEC and DSEWPaC, in the event that monitoring indicates a significant decline in nest success relative to other beaches. DEC and DSEWPaC approval will be required before this strategy is adopted.	CLB construction activities were completed in 2015 and as a result, these obligations are to be closed out. Compliance with these requirements was reported / closed out within the 2013 CAR (our ref: RTIO-HSE-0212109).	Compliant

MTMP Management Action 5.1	Identify and address any processes affecting the long-term stability of the primary dune at Bells Beach.	Monitoring was conducted at both sites during the reporting period in May and November 2022 (Our ref: RTIO-HSE-1033344). Results of the monitoring did not indicate any concerns with long-term stability of the primary dune.	Compliant
MTMP Management Action 5.2	Implement dune surface stabilisation and revegetation programme at the Bells Beach primary dune if monitoring indicates landform stability is being compromised.	<p>Vegetation monitoring in 2016 indicated that some degradation of the dune system may have occurred at Bells Beach (our ref: RTIO-HSE-0304405). Erosion appeared to have potentially occurred through a combination of natural disturbance (prevailing wind direction, coastal processes, fauna grazing, turtle nesting) and anthropogenic factors (both from site-related impacts and the general public).</p> <p>Given that dune morphology is naturally dynamic and this trend was observed over a short-term period, additional monitoring was recommended prior to the implementation of any active management.</p> <p>Follow-up surveys occurred in 2017 (our ref: RTIO-HSE-0319296), 2018 (our ref: RTIO-HSE-0330649) and 2019 (our ref: RTIO-HSE-0341845) and found that erosion and flora indicators were broadly stable. Temporary fencing was installed at several sites at Bells Beach in May 2019 to encourage sand replenishment as a proactive measure.</p> <p>The 2020, 2021 (our ref: RTIO-HSE-0358380) and 2022 (RTIO-1033344) surveys indicated that sand accumulation and seed deposition had begun to occur at these sites and no additional stabilisation or revegetation has been completed.</p> <p>The installation of additional temporary fencing in historically eroded areas and repair of fencing impacted by cyclone activity will be completed following the 2022/23 turtle monitoring season (our ref: RTIO-1033344).</p>	Compliant
MTMP Management Action 5.3	Identify any sections of beaches that are subject to elevated light levels from artificial sources.	<p>Light monitoring was conducted at Bells Beach, Cooling Water Beach and Delambre Island, as required. Aerial photographs were captured in June 2018 and assessed for change (our ref: RTIO-HSE-0324203).</p> <p>Annual light monitoring is undertaken on Bells Beach and Cooling Water Beach. Monitoring results are stored within the Cape Lambert Port Light Spill Monitoring Register (our ref: RTIO-HSE- 0175026).</p>	Compliant

MTMP Management Action 5.4	Develop and implement additional lighting design modifications to address source of elevated light levels.	New permanent lighting was installed on the Cape Lambert Port A Coarse Ore Stockpile due to worker safety concerns. To reduce potential impacts on Bells Beach, lights were fitted with amber filters and realigned in February 2017. Further realignment of the lighting towers and installation of replacement amber filters commenced in December 2018. In 2019, the angles of some of the lights surrounding coarse ore stockpile were adjusted to further minimize light spill on Bells Beach. Light levels are recorded as per the Cape Lambert Port B Light Spill Monitoring Register (our ref: RTIO-HSE-0175026).	Compliant
MTMP Management Action 5.5	Provide initial report on light spill analysis.	The light spill analysis report was provided to the Department of the Environment on 28 July 2015 (our ref: RTIO-HSE- 0264372), as required.	Compliant
MTMP Management Action 5.6	Continue dust management improvement programme.	Cape Lambert's approved Dust Management Plan includes a dust improvement section, refer to 2.1 (our ref: RTIO-HSE-0222849).	Compliant
MTMP Management Action 5.7	Include a marine turtle education and management requirements component in site inductions.	Marine turtle information is included in the Cape Lambert Site Essentials induction package and Quick Reference Guide. This information is currently linked on the Rio Tinto Iron Ore Capability and Development SharePoint page.	Compliant
MTMP Management Action 5.8	No personnel or vehicles to access Bells Beach or Cooling Water Beach without SEO approval.	Both Bells and Cooling Water beaches are recorded as exclusion zones within the proponent's GIS and approvals databases and can only be accessed for work purposes with appropriate authorisation, as required.	Compliant
MTMP Management Action 5.9	Implement disoriented turtle protocol and liaise with DEC and DSEWPaC as required.	No disoriented turtles were recorded in 2022.	Not applicable
MTMP Management Action 5.10	Report any incidents involving marine turtles.	There were no operations-related marine turtle incidents during the 2022 reporting period.	Not applicable
MTMP Management Action 5.11	Develop and implement effective waste management practices for the Cape Lambert landfill or its replacement.	The Cape Lambert landfill tenure has been relinquished. No other landfills have been installed within the vicinity of Bells or Cooling Water beaches. Operational waste is removed from site by a licensed waste management company.	Compliant
MTMP Management Action 5.12	Continue fox baiting programme in the Cape Lambert area.	The Proponent implemented feral animal control in advance of the 2021/22 nesting season to minimise the potential risks of feral animal predation. A total of six nights of targeted fox trapping in August 2021 (prior to the nesting season) was	Compliant

		completed with 2 male foxes and 4 feral cats (3 male and 1 female) caught.	
MTMP Management Action 5.13	Develop a relocation protocol for disoriented turtles in liaison with the DEC and the DSEWPac.	The protocol is documented within the Cape Lambert Marine Turtle Management Plan (our ref: RTIO-HSE-0193896). No relocations were required in the reporting period.	Compliant
MTMP Management Action 5.14	Continue to exclude (high speed) recreational vessels from around the Cape Lambert wharves and jetties.	Recreational vessels are excluded from approaching the wharf/jetty area, as required.	Compliant
MTMP Management Action 6.1	Design and implement a monitoring plan for the Bells Beach primary dune.	The Bells Beach primary dune monitoring program is detailed within the Cape Lambert Consolidated Marine Turtle Management Plan (our ref: RTIO-HSE-0193896) and Cape Lambert Port B Ecosystems Research Monitoring Program (our ref: RTIO-HSE- 0111471). Implementation of the vegetation monitoring was carried out in September 2015 (our ref: RTIO-HSE-0279109). Additional monitoring was conducted as follows: <ul style="list-style-type: none"> • 2016: May and August (our ref: RTIO-HSE-0304405) • 2017: June and October (our ref: RTIO-HSE-0319296) • 2018: May and October (our ref: RTIO-HSE-0330649) • 2019: July and November (our ref: RTIO-HSE-0341845) • 2020: May and November (our ref: RTIO-HSE-0350501) • 2021: May and November (our ref: RTIO-HSE-0358380) • 2022: May and November (our ref: RTIO-HSE-1033344) 	Compliant
MTMP Management Action 6.2	Undertake field monitoring of incident light levels at Bells Beach and Cooling Water Beach and regional sites.	Light monitoring was conducted at Bells Beach, Cooling Water Beach and Delambre Island, as required. Annual monitoring is undertaken on Bells Beach and Colling Water Beach with monitoring on Delambre Island undertaken by DBCA. Monitoring results are stored within the Cape Lambert Port B Light Spill Monitoring Register (our ref: RTIO-HSE- 0175026).	Compliant
MTMP Management Action 6.3	Capture light level data into a database and GIS.	Light monitoring conducted at Bells Beach and Cooling Water Beach recorded within the Cape Lambert Port B Light Spill Monitoring Register (our ref: RTIO-HSE-0175026). Refer to the light spill model calibration report (our ref: RTIO-HSE-0264372).	Compliant
MTMP Management Action 6.4	Investigate the use of sky glow image monitoring from fixed viewsheds at Bells	Sky glow monitoring using handheld meters and data loggers has been successfully trialed and reported to DPaW (our ref: RTIO-HSE-0113002). This work	Compliant

	Beach and Cooling Water Beach and regional sites.	has continued and is reported under Project 4 of the Cape Lambert Port B Ecosystems Research Monitoring Program (our refs: RTIO- HSE-0111471 and RTIO- HSE-0247376). Data collection is ongoing.	
MTMP Management Action 6.5	Undertake vibration monitoring at Cooling Water Beach during pile driving activities in the nesting season.	The project's pile driving scope was completed in July 2013. Compliance with these requirements was reported / closed out within the 2013 CAR (our ref: RTIO- HSE-0212109) and consequently, will not be reassessed within this report.	Compliant
The requirements of MTMP 6.6 to 6.8 have been completed in-full, as reported in previous compliance assessments.			Compliant
MTMP Management Action 6.9	Undertake nesting activity monitoring at Bells Beach and Cooling Water Beach, and collect contextual data at reference sites.	<p>Nesting activity monitoring was undertaken during the 2021/22 nesting season.</p> <p>During the 2021/22 season, a total of 252 flatback nests were recorded at Bells Beach over a 57 night monitoring period.</p> <p>Predictive modelling indicated that there were likely to be 393 nests at Bells Beach during 2021/22 season. This would represent the highest number of nests recorded at the site since monitoring began in 2010/11.</p> <p>Five nests were observed at Cooling Water beach over the turtle nesting period (compared to four nests over a four-week period in 2020/21).</p> <p>Comparatively, at the Delambre Island reference site, a total of 455 flatback nests were recorded over a 28 night period.</p>	Compliant
MTMP Management Action 6.10	Monitor hatchling dispersal patterns in onshore habitats.	<p>Hatchling dispersal assessments were conducted at Bells Beach during the 2021/22 marine turtle nesting season by monitoring hatchling fans (the spread of hatchling tracks from nest emergence to the high tide line). The centre of each fan was compared to the direction directly to the water from the nest. The angular difference (offset angle) between these directions gives an indication of whether dispersal was potentially influenced by external factors, such as light.</p> <p>At Bells Beach, a positive offset angle indicates deviation towards operations, and a negative offset angle indicates deviation away from site. While hatchling monitoring is targeted around nights with a new moon to minimise the effects of natural light, this is not always possible due to the low nesting density at Bells Beach; some results may therefore be influenced by natural light. In 2021/22, 18 hatchling fans were assessed with results similar to those</p>	Compliant

		<p>observed in previous seasons (Table 5). In most years there has been only a slight deviation between the centre of the fan and the bearing directly to water. While a significant difference has been observed in this deviation in some years, including 2021/22, the small offset angle (7 degrees) is within the range observed in previous years.</p> <p>Table 1 Hatchling dispersal assessments</p> <table><tr><th>Year</th><th>N</th><th>Fan spread (degrees)</th><th>Fan centre (C) - bearing</th><th>Angle to water (X) - bearing</th><th>Offset Angle (degrees)</th><th>Test results (C vs X)</th></tr><tr><td>2014/15</td><td>18</td><td>55.3 ± 5.35</td><td>326.6 ± 3.21</td><td>325.2 ± 1.27</td><td>1.4 ± 2.80</td><td>T₁₇ = -0.49 p = 0.628</td></tr><tr><td>2015/16</td><td>26</td><td>43.8 ± 2.90</td><td>333.7 ± 1.68</td><td>327.9 ± 1.01</td><td>5.8 ± 1.57</td><td>T₂₈ = 3.73 p < 0.001</td></tr><tr><td>2016/17</td><td>17</td><td>68.6 ± 5.84</td><td>322.6 ± 0.99</td><td>333.3 ± 2.65</td><td>10.7 ± 2.64</td><td>T₁₆ = -4.04 p = 0.001</td></tr><tr><td>2017/18</td><td>16</td><td>71.6 ± 5.37</td><td>316.9 ± 2.85</td><td>318.4 ± 2.27</td><td>-1.5 ± 2.49</td><td>T₁₅ = -0.60 p = 0.558</td></tr><tr><td>2018/19</td><td>10</td><td>65.7 ± 10.0</td><td>330.8 ± 4.38</td><td>326.6 ± 3.30</td><td>4.8 ± 3.31</td><td>T₉ = -1.36 P = 0.208</td></tr><tr><td>2019/20</td><td colspan="6">No analysis due to small sample size</td></tr><tr><td>2020/21</td><td>9</td><td>85.9 ± 9.71</td><td>330.3 ± 3.41</td><td>323.2 ± 2.89</td><td>7.1 ± 2.58</td><td>T₈ = -274 p = 0.026</td></tr><tr><td>2021/22</td><td>18</td><td>65.2 ± 5.32</td><td>330.3 ± 8.54</td><td>323.3 ± 6.89</td><td>7.0 ± 2.07</td><td>T₁₇ = 3.36 p = 0.004</td></tr></table>	Year	N	Fan spread (degrees)	Fan centre (C) - bearing	Angle to water (X) - bearing	Offset Angle (degrees)	Test results (C vs X)	2014/15	18	55.3 ± 5.35	326.6 ± 3.21	325.2 ± 1.27	1.4 ± 2.80	T ₁₇ = -0.49 p = 0.628	2015/16	26	43.8 ± 2.90	333.7 ± 1.68	327.9 ± 1.01	5.8 ± 1.57	T ₂₈ = 3.73 p < 0.001	2016/17	17	68.6 ± 5.84	322.6 ± 0.99	333.3 ± 2.65	10.7 ± 2.64	T ₁₆ = -4.04 p = 0.001	2017/18	16	71.6 ± 5.37	316.9 ± 2.85	318.4 ± 2.27	-1.5 ± 2.49	T ₁₅ = -0.60 p = 0.558	2018/19	10	65.7 ± 10.0	330.8 ± 4.38	326.6 ± 3.30	4.8 ± 3.31	T ₉ = -1.36 P = 0.208	2019/20	No analysis due to small sample size						2020/21	9	85.9 ± 9.71	330.3 ± 3.41	323.2 ± 2.89	7.1 ± 2.58	T ₈ = -274 p = 0.026	2021/22	18	65.2 ± 5.32	330.3 ± 8.54	323.3 ± 6.89	7.0 ± 2.07	T ₁₇ = 3.36 p = 0.004	
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MTMP Management Action 6.11a	Conduct tagging programme for turtles utilising Bells Beach, Cooling Water beach and Delambre Island to examine long term population changes.	<p>During the 2021/22 monitoring season (November 2021 – March 2022), turtle tagging was carried out nightly by DBCA at Delambre Island from 18 November to 15 December 2021. Rio Tinto conducted monitoring and tagging at Bells Beach nightly from 22 November to 19 December 2021. Flipper and electronic (PIT) tags were deployed at both sites to improve tag retention rates. Dataloggers were deployed at Bells Beach during this monitoring period to collect sand/nest temperatures and sky glow levels. Surveys of hatchling survival (Bells Beach, Delambre Island) and orientation (Bells Beach) were conducted between December 2021 and February 2022.</p> <p>West Pilbara Turtle Program (WPTP) volunteers conducted track counts on Bells Beach during the 2021/22 nesting season. Surveys were targeted to periods before (7-21 November), during (22 November -19 December) and after (2-16 January) the</p>	Compliant																																																															

		<p>peak of the nesting season based on the recommendations of Whiting (2018), as well as opportunistic monitoring during nest excavations. The predictive model developed by Whiting (2018) from annual track count data from 2006/7 to 2017/18 was used to estimate the total number of nests at Bells Beach for the entire 2021/22 season. WPTP volunteers also conducted monitoring at other local beaches; Cleaverville and Wickham Boat Beach (7-25 November, 28 November - 19 December and 2-16 January).</p> <p>At Delambre Island, a total of 2194 turtle tracks were observed over the monitoring period (28 nights), with 455 flatback nests recorded. In total, 1331 turtle encounters (tagged or recorded as previously tagged) were recorded during the tagging program at Delambre Island; 1296 flatbacks and 35 hawksbills. Of the flatbacks, 749 individual turtles were encountered: 239 (32%) were newly tagged and 510 (68%) were re-migrants from previous seasons. The remaining encounters were with revisiting turtles that had already been seen during the season.</p> <p>At Bells Beach, 234 flatback encounters were recorded (representing 92 individuals) over 28 nights, with 26 (28%) newly tagged individuals and 66 (72%) re-migrants from previous seasons. One hundred and forty two revisits by turtles already encountered during the season were also recorded. Recapture rates at both Bells Beach and Delambre Island increased from 2020/21 results.</p> <p>Over 57 nights, WPTP recorded a total of 503 tracks with 252 nests at Bells Beach (50% successful nests). Predictive modelling indicated that there were likely to be 392 nests and 700 tracks at Bells Beach during 2020/21 (error range 255-709 nests, 486-1164 tracks; nesting success 56.7%). This would represent the highest number of nests recorded at the site since monitoring began in 2010/11.</p>	
The requirements of MTMP 6.11b have been completed in-full, as reported in previous compliance assessments.			Compliant
MTMP Management Action 6.12 to 6.14	<p>Continue incident reporting programme and analyse turtle related incidents.</p> <p>Report mortalities of marine turtles found within the Port B Development work area through notification to DSEWPac within 48 hours of the sighting.</p>	There were no operations-related marine turtle incidents during this reporting period.	Not applicable

	Undertake an investigation if the injured or dead turtle is attributed to the Port B Development and refer to one of three trigger levels to guide any management response.		
MTMP Management Action 6.15	Report to the DSEWPaC if any turtles/hatchlings need to be relocated outlining matters such as the reason for the relocation, the site where the turtles/hatchling was relocated from and where it was relocated to, and timing) within 48 hours.	No marine turtle relocations were required during this reporting period.	Not applicable
MTMP Management Action 7.1 and 7.2	Prepare internal and external reports on marine turtle monitoring and management. Undertake annual continuous improvement review based on outcomes of 7.1 above, in consultation with DEC and DSEWPaC.	Reporting is outlined under items 7.5 and 7.6, below. Continuous improvement is demonstrated through consolidation of Turtle Management Plans for Cape Lambert Operations and Cape Lambert Port B. Refer to the Cape Lambert Consolidated Marine Turtle Management Plan (our ref: RTIO-HSE-0193896). Refer to the OEPA (OEPA ref: 1ST092013-0003; our ref: RTIO-HSE-0212007) and DSEWPaC (DSEWPaC ref: 2012/13272; our ref: RTIO-HSE-0212008) approvals of the revised Management Plan consolidating commitments for Cape Lambert and Port B.	Compliant
MTMP Management Action 7.3	Employ an Ecosystems Monitoring Advisor (EMA) as part of implementation of the Cape Lambert Port B Development.	An Ecosystems Specialist, is employed by Rio Tinto's Environment team as required.	Compliant
MTMP Management Action 7.4	Consult with DEC, DSEWPaC and other stakeholders in regards to turtle monitoring and management.	Consultation was completed as part of the approval of the CLB Port Development, capturing the scope of the turtle management plan and other environmental management measures. Refer to the Cape Lambert Consolidated Marine Turtle Management Plan (our ref: RTIO-HSE-0193896). Refer to the OEPA (OEPA ref: 1ST092013-0003; our ref: RTIO-HSE-0212007) and DSEWPaC (DSEWPaC ref: 2012/13272; our ref: RTIO-HSE-0212008) approvals of the Management Plan. Partnership Agreements have been established with DBCA to support turtle research and the West Pilbara Turtle Program from 2021- 2025 (RTIO-0957791), the Rosemary Island Turtle Monitoring Program from 2021-2025 (our ref: RTIO-0957788), and the Delambre	Compliant

		Island Turtle Monitoring Program from 2020-2024 (our ref: RTIO-HSE-0348970).	
MTMP Management Action 7.5	Provide annual report to the Minister for SEWPaC addressing compliance with the conditions of EPBC 2008/4032, including this MTMP (Condition 18)	<p>Refer to the annual compliance reports:</p> <p>2010 (our ref: RTIO-HSE-0125801)</p> <p>2011 (our ref: RTIO-HSE-01650590)</p> <p>2012 (our ref: RTIO-HSE-0200765)</p> <p>2013 (our ref: RTIO-HSE-0240147)</p> <p>2014 (our ref: RTIO-HSE-0265603)</p> <p>2015 (our ref: RTIO-HSE-0294615)</p> <p>2016 (our ref: RTIO-HSE-0313831)</p> <p>2017 (our ref: RTIO-HSE-0319762)</p> <p>2018 (our ref: RTIO-HSE-0338181)</p> <p>2019 (our ref: RTIO-HSE-0345474)</p> <p>2020 (our ref: RTIO-HSE-0346348)</p> <p>2021 (our ref: RTIO-HSE-0356228)</p> <p>The 2022 annual compliance report is required to be submitted to the DSEWPaC (now Department of Climate Change, Energy, the Environment and Water) during the 2023 calendar year.</p>	Compliant
MTMP Management Action 7.6	Provide Compliance Assessment Report to the OEPA addressing compliance with the conditions of Ministerial Statement 840 (Condition 4)	<p>Refer to the annual compliance reports:</p> <p>2010 (our ref: RTIO- HSE-0125801)</p> <p>2011 (our ref: RTIO-HSE-01650590)</p> <p>2012 (our ref: RTIO-HSE-0200765)</p> <p>2013 (our ref: RTIO-HSE-0240147)</p> <p>2014 (our ref: RTIO-HSE-0265603)</p> <p>2015 (our ref: RTIO-HSE-0294615)</p> <p>2016 (our ref: RTIO-HSE-0313831)</p> <p>2017 (our ref: RTIO-HSE-0319762)</p> <p>2018 (our ref: RTIO-HSE 0327483)</p> <p>2019 (our ref: RTIO-HSE-0342248)</p> <p>2020 (our ref: RTIO-HSE-0347393)</p> <p>2021 (our ref: RTIO-HSE-0356417)</p> <p>2022 (our ref: RTIO-HSE-0990109)</p> <p>The annual compliance report is required to be submitted to OEPA on or before 30 April each year, addressing the previous calendar year.</p>	Compliant

4 New environmental risks

There are no new environmental risks that have become apparent during the reporting period.

5 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: Michael Loveday

Position: Acting General Manager, Ports Cape Lambert

Organisation: Rio Tinto Iron Ore

Date: 22.12.2023