



**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

WATER SUPPLY FOR KEMERTON INDUSTRIAL PARK, KEMERTON (757)

COORDINATOR OF WATER SERVICES

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments made in the Public Environmental Review and in response to issues raised following public submissions; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

The commitments were included in Environmental Protection Authority Bulletin 758 as Appendix 4. (A copy of the commitments is attached).

2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal.

- 2-2 Where, in the course of the detailed implementation referred to in condition 2-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority in any way that the Minister for the Environment determines, on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

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3 River Ecology

- 3-1 The proponent shall manage the flow of water in the Collie River so that there is no environmentally significant change downstream of the off-take site.
- 3-2 Prior to commencement of construction, to achieve the objective of condition 3-1, the proponent shall prepare an Environmental Management Programme to the requirements of the Department of Environmental Protection on advice of the Department of Conservation and Land Management, the Fisheries Department and the Water and Rivers Commission, as appropriate.

This programme shall address, but not be limited to:

- 1 Data collection to determine the environmental water requirements of the Collie River;
 - 2 The surveying of Collie River riparian vegetation prior to construction of the off-take weir;
 - 3 Water level monitoring; and
 - 4 Aquatic fauna (See condition 4).
- 3-3 The proponent shall implement the Environmental Management Programme required by condition 3-2.

4 Aquatic Fauna

- 4-1 The proponent shall design the pipehead weir, in consultation with the Fisheries Department and the Water and Rivers Commission, to ensure that migration of aquatic fauna is maintained.
- 4-2 Following construction, the proponent shall undertake monitoring of aquatic fauna to the requirements of the Department of Environmental Protection on advice of the Fisheries Department and the Water and Rivers Commission. (See condition 3-2(4)).
- 4-3 In the event that the monitoring required by condition 4-2 indicates that aquatic fauna movement is restricted, the proponent shall make provision for improved migration of fauna to achieve the objective of condition 4-1.

5 Lake Protection

- 5-1 The proponent shall design the pipeline to avoid unacceptable environmental impacts on the lake gazetted for protection by the Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.
- 5-2 The proponent shall construct the pipeline according to the design arising from condition 5-1.

6 Dieback Management

- 6-1 The proponent shall conduct a dieback survey along the intended alignment of the pipeline within the Kemerton Conservation Park, to the requirements of the Department of Environmental Protection on advice of the Department of Conservation and Land Management and Main Roads Western Australia.
- 6-2 The proponent shall construct and maintain the pipeline in a manner consistent with the findings and management requirements arising from the dieback survey required by condition 6-1.

7 Proponent

These conditions legally apply to the nominated proponent.

- 7-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

8 Time Limit on Approval

The environmental approval for the proposal is limited.

- 8-1 If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced.

Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period to the Minister for the Environment.

Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Department of Environmental Protection that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years.

9 Compliance Auditing

To help determine environmental performance and compliance with the conditions, periodic reports on the implementation of the proposal are required.

- 9-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponent.

Procedure

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance of conditions.

- 2 . Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.
- 3 . The water pipeline will be located within the Australind By-pass Road Reserve, as far as practicable and to the requirements of Main Roads Western Australia.
- 4 . The proponent and Main Roads Western Australia will enter into a formal agreement concerning arrangements for disturbance or relocation of the pipeline.

Hon Peter Foss QC MLC
MINISTER FOR THE ENVIRONMENT

- 6 SEP 1996

Proponent's Environmental Management Commitments

WATER SUPPLY FOR KEMERTON INDUSTRIAL PARK, KEMERTON (757)

COORDINATOR OF WATER SERVICES

NB The term "proponent" should be substituted for "Water Authority" in the commitments which follow.

MANAGEMENT COMMITMENTS

The Water Authority undertakes responsibility for the implementation of the commitments listed below. This holds whether the work is done directly by Water Authority personnel or by others contracted for specific phases or elements of the project. All commitments will be expedited promptly at the appropriate stage during the design or construction of the project, and will be carried out to the satisfaction of the Project Manager through the Construction Co-ordinator.

1. Remnant Native Vegetation

- 1-1 Impacts on remnant native vegetation will be limited to those which are unavoidable for the construction and operation of the proposed pipeline and pipehead weir by controlled clearing and subsequent rehabilitation.
- 1-2 Revegetation of the Collie River banks will be undertaken using suitable indigenous species.
- 1-3 The stand of mature trees within the Rose Road reserve will be preserved.
- 1-4 Prior to commencement of detailed design and construction the Department of Conservation and Land Management will be consulted in regard to the management of the population of Acacia semitrullata. Areas which are disturbed will be rehabilitated at the completion of construction activity.

2. Collie River

- 2-1 Sediments from work associated with the project entering the Collie River will be minimised by containing runoff from the works.
- 2-2 During operation of the pipeline and pipehead dam, the flow of water in the Collie River will be managed so it is similar downstream of the offtake site to that prior to implementing the proposal.

2-3 The pipehead weir will be specifically designed to be submerged during all but the lowest of flows so as not to form a significant barrier to the migration of aquatic fauna.

3. **Brunswick River**

3-1 Sediments from work associated with the project will be minimised from entering the Brunswick River by containing runoff from the works.

3-2 The conservation and recreation values, and visual amenity properties of the Brunswick River and its banks will be preserved by ensuring all construction activity is managed to cause the least disturbance and that any impacts upon the riparian ecosystem are minimal.

4. **Land Use**

4-1 Throughout the project, land disturbed by work associated with the project will be contoured to restore the pre-construction drainage regime and access.

4-2 During construction of the pipeline and pipehead weir, any disruption to traffic will be managed in liaison with the local government authority or Main Roads Department of Western Australia as applicable.

4-3 Prior to construction of the pipeline and pipehead weir, agreements will be concluded with owners of land on which facilities are to be constructed.

5. **Dust and Erosion**

5-1 Throughout the project, land disturbed by work associated with the project will be contoured to restore the pre-construction drainage regime and access.

5-2 During construction of the pipeline and pipehead weir, fugitive dust will be prevented by watering.

5-3 During construction the following mitigation measures will be adopted:

- off road movement of vehicles during construction and operation would be kept to a practical minimum;
- where practicable, the removal of natural vegetation would be avoided; and
- construction traffic movements would be kept to a practical minimum in wet weather.

6. Noise

6-1 Throughout the project, noise will be abated to accord with statutory requirements.

6-2 Noise impact during construction will be controlled by implementing the following measures:

- use of appropriate noise limiting equipment on earthmoving and other construction equipment;
- minimising equipment activity outside normal working hours;
- provision of noise screens around stationary construction equipment where applicable; and
- offsite fabrication and use of pre-fabricated construction materials where applicable.

6-3 Measures to minimise the potential for any noise impact from the pump station would include:

- cladding the pump station building with sound absorbing material; and
- selection of pumps and motors with low noise levels.

7. Rehabilitation

7-1 Where trees or other vegetation need to be cleared, the following measures will be adopted to rehabilitate disturbed areas.

- Areas disturbed during construction would be contoured and revegetated with an appropriate species.

- Top soil and material would be respread following construction. Any excess spoil would be disposed of at an approved site.
- Trenches and backfill would be compacted and profiles shaped to minimise water erosion.
- Construction wastes would be collected and disposed of at an approved site.