



WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

Ass # 873

Bull # 756

State # 373

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

PROPOSAL: ORD RIVER HYDRO-ELECTRIC PROJECT
(390/873)

CURRENT PROPONENT: ORD HYDRO CONSORTIUM

CONDITIONS SET ON: 29 APRIL 1992

The implementation of this proposal is now subject to the following conditions which replace all previous 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, including the additional power line routes to Kununurra and Argyle Diamond Mine, but excluding Option Route Q (Power Station to Argyle Diamond Mine Inland Route), described in the proponent's documents of June 1994 and October 1994, the proponent shall fulfil the commitments made in the proponent's document of June 1994 and in response to issues raised following public submissions and the commitments published in Environmental Protection Authority Bulletin 615 as subsequently modified and published in Bulletin 759; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement. These commitments are consolidated in Environmental Protection Authority Bulletin 759 as Appendix 3. (A copy of the modified commitments of October 1994 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. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material 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 Weed Control

- 3-1 Prior to construction of the transmission line, the proponent shall ensure that appropriate plans are developed and implemented to ensure that operations do not introduce potentially harmful species, including contamination by water-borne declared plant seeds, to meet the requirements of the Department of Environmental Protection on advice of the Agriculture Protection Board.
- 3-2 In addition to the requirements of condition 3-1, where operations may affect the proposed National Park, the proponent shall ensure that plans are developed and implemented to ensure that operations do not introduce potentially harmful species, including contamination by water-borne declared plant seeds, to meet the requirements of the Department of Environmental Protection on advice of the Department of Conservation and Land Management.

4 Borrow Pits and Quarries

- 4-1 Prior to the commencement of earthworks at each proposed borrow pit or quarry site, the proponent shall obtain approval from the Water Authority of Western Australia, the Western Australian Department of Minerals and Energy and the Shire of Wyndham - East Kimberley for their locations.
- 4-2 In addition to the requirements of condition 4-1, where operations may affect the proposed National Park, the proponent shall obtain the approval of the Department of Conservation and Land Management for the location of borrow pits or quarry sites.

5 Future Use of Transmission Line

- 5-1 Not less than six months before the closure of the mine, the proponent shall refer to the Environmental Protection Authority a programme to remove the transmission line and rehabilitate the transmission line easement, or alternative proposals for its further use.

6 Proponent

These conditions legally apply to the nominated proponent.

- 6-1 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.

7 Time Limit on Approval

The environmental approval for the proposal is limited.

- 7-1 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 the statement of 29 April 1992 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 by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority.)

8 Compliance Auditing

In order to ensure that environmental conditions and commitments are met, an audit system is required.

8-1 The proponent, in consultation with the Department of Environmental Protection, shall prepare an Audit Programme, which includes requirements for the preparation of periodic Compliance Reports.

8-2 The proponent shall subsequently implement the Audit Programme required by condition 8-1.

The proponent may include the compliance reporting as part of the environmental reporting obligations pursuant to the Ord River Hydro Energy Project Agreement.

9 Decommissioning

The satisfactory decommissioning of the project, removal of the plant and installations and rehabilitation of the site and its environs is the responsibility of the proponent.

9-1 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan.

9-2 The proponent shall implement the plan required by condition 9-1.

Procedure

1 The Department of Environmental Protection is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

2 If the Department of Environmental Protection, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

22 NOV 1994

Proponent's Environmental Management Commitments

(October 1994)

ORD RIVER HYDRO-ELECTRIC PROJECT (390 / 873)

ORD HYDRO CONSORTIUM

The Ord Hydro Consortium is committed to a programme of environmental management and protection. Specific commitments to environmental management and protection are as follows:

1. The environmental management programme and associated works will be carried out to the satisfaction of the DEP on advice from WAWA and SECWA and in accordance with practices relevant at the time.
2. The consortium is committed to a programme of rehabilitation of areas disturbed during project construction. Rehabilitation works will be designed on a site-specific basis and will generally include, where appropriate, soil erosion control works, surface re-shaping, drainage control, surface stabilisation, and habitat restoration.
3. The switching station will be located in an abandoned borrow pit, and any additional disturbance will be subject to a site-specific rehabilitation programme.
4. A continual programme of liaison and consultation will be carried out with the Doon Doon, Glen Hill and other relevant local communities during the construction phase of the project. In addition to this liaison programme, the proponent has established a consultation process with the Kununurra region Aboriginal communities via the Aboriginal Legal Service. The consortium will control the movement of the workforce on pastoral leases and the use of off-road vehicles by project personnel for recreational purposes will not be permitted during construction of the power line. Contractors will be advised of their obligations under the *Western Australian Aboriginal Heritage Act 1972-1980*.
5. Blasting, when necessary, will be restricted to daylight hours.

6. The construction site will be cleaned up by the contractor prior to leaving the site. All construction and industrial waste will be removed to a waste disposal site that will be selected, designed, and operated in accordance with standard waste disposal practices.
7. The consortium will require all contractors to comply with statutory regulations for the control of noise in the workplace.
8. During the construction period, there will be periods of heavy traffic use on various sections of roads in and around the dam and spillway area. Traffic management and control will be undertaken at all times during these periods by the project managers.
9. All vehicles used in construction of the transmission line will be equipped with fire extinguishers and knap-sack sprays in case of accidental fire.
10. Explosives will only be used for foundation preparation where ground conditions do not permit drilling or augering.
11. All foundation holes will be kept covered prior to pole erection to prevent injury to stock or native fauna.
12. Sites for laydown areas will be selected so that disturbance to the environment is minimised.
13. Each construction camp for the transmission line will be sited to ensure that there will be no impacts on ground or surface water resources.
14. Construction camp sites along the route north to Kununurra will be located in areas of prior disturbance where possible, or in areas subject to contemporary land degradation such as sheet erosion. Each camp site will be subject to closely controlled environmental management guidelines.
15. The Department of Conservation and Land Management will be consulted in the final route selection through the proposed Lake Argyle Carr Boyd Range National Park. In addition, the consortium is committed to sound construction management principles for the powerline, which, together with design, will minimise visual impacts. The consortium will discuss with station managers, the aspect of transmission line visibility in relation to aerial mustering.
16. At an appropriate time, the consortium will liaise with SECWA and WAWA on relative alternative uses for the power and associated infrastructure. In addition, the consortium will advise the DEP of ongoing uses for the power line.
17. An induction programme will be conducted during construction and operation to promote environmental awareness amongst employees and contractors.
18. An Environmental Management Programme containing these commitments and the works detailed in Section 8 of Bulletin 756, will be designed and carried out by the proponent in consultation with, and to the satisfaction of, the DEP.
19. The operators of the power line will be made aware of the requirements of the Land and Soil Conservation Act 1983 with regard to access tracks.