



Ass # 183

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State # 425

MINISTER FOR THE ENVIRONMENT WESTERN

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

SHARK BAY SALT, POND EXPANSION, USELESS INLET (183)

SHARK BAY SALT JOINT VENTURE

This proposal may be implemented subject to the following conditions:

1. In implementing the proposal, the proponent shall fulfil those commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Public Environmental Review and in the proponent's response to submissions and those which are attached to this statement.
2. 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 reasonably determines, on having received the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.
3. Prior to the commencement of construction, the proponent shall prepare and subsequently implement an Environmental Management Programme encompassing measures to monitor the environmental effects of the proposal and to provide appropriate management strategies based on the monitoring results, to the reasonable satisfaction of the Minister for the Environment on having received the advice of the Environmental Protection Authority. In the event that unacceptable environmental impacts occur, the proponent shall remedy these to the reasonable requirements of the Minister for the Environment, on having received the advice of the Environmental Protection Authority.

The Environmental Management Programme may be separate for each of the phases of the proposal, that is, construction, commissioning and operational, and shall be to the reasonable satisfaction of the Minister for the Environment, having received the advice of the Environmental Protection Authority prior to the commencement of each phase.

4. The proponent shall construct the additional ponds and subsequently manage the salt mining operation such that, to the reasonable requirements of the Minister for the Environment, having received advice from the Environmental Protection Authority, the operation does not produce significant adverse impacts upon plant communities especially the mangroves in the tidal embayment on the eastern side of the proposed levee. The proponent shall prepare, and subsequently implement a plan, as part of the Environmental Management Programme, for the protection and where appropriate the rehabilitation of these mangroves which are likely to be or to have already been significantly adversely affected by the expansion of the salt mining operation, to the reasonable requirements of the Minister for the Environment having received the advice of the Environmental Protection Authority.

Published on
21 AUG 1996

5. Prior to the commencement of construction, the proponent shall prepare and subsequently implement a rehabilitation plan for any disturbed areas, such as borrow pits, quarries, and access tracks, as part of the Environmental Management Programme, to the reasonable requirements of the Minister for the Environment, having received the advice of the Environmental Protection Authority.
6. The proponent shall be responsible for decommissioning and removal of the plant and installations and rehabilitating the site and its environs to the reasonable satisfaction of the Environmental Protection Authority. At least six months prior to cessation of operations, the proponent shall prepare and subsequently implement a decommissioning and rehabilitation plan, to the reasonable satisfaction of the Environmental Protection Authority on advice of the Department of Minerals and Energy. Should the project be placed on a care-and-maintenance basis, the proponent shall prepare and subsequently implement a plan for the short-term care-and-maintenance of the project area at least three months prior to the suspension of operations, to the reasonable satisfaction of the Environmental Protection Authority on advice of the Department of Minerals and Energy.
7. Consistent with the intent of Clause 33 of the Shark Bay Solar Salt Industry Agreement Act, the proponent shall install fish inlet screens, similar to those currently installed at Clough's Bar, on the sea water intake structure(s) and make provision for a small exit gate to allow the passage of fish, surplus to the proponent's requirements, from the new pond to Useless Inlet. Operation of the small exit gate system between the new pond and Useless Inlet, allowing egress of fish surplus to the proponent's requirements, will be reported in the annual report to the Minister for Resources Development under Clause 11 of the State Agreement Act.
8. 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 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 has been served on the Minister for the Environment.
9. If the proponent has not substantially commenced the project within eight 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 reasonably determine any question as to whether the project has been substantially commenced. Any application to extend the period of eight 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 eight year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority).

Procedure

1. The proponent may request the Minister responsible for the Shark Bay Solar Salt Industry Agreement Act to inform and convey any supporting documentation to the Minister for the Environment of matters or requirements contained in conditions 3 and 9.
2. Nothing in the statement precludes the proponent from satisfying the requirements of this statement and any requirements under the Shark Bay Solar Salt Industry Agreement Act with the same documentation.

Hon Peter Foss, QC MLC
MINISTER FOR THE ENVIRONMENT

21 AUG 1996

PROPONENT'S COMMITMENTS

SHARK BAY SALT, POND EXPANSION USELESS INLET (183)

SHARK BAY SALT JOINT VENTURE

Certain commitments were made by the proponent in the Public Environmental Review document for the Shark Bay Salt Joint Venture and shall be fulfilled during the implementation of the proposal in the following manner:

1. Construction phase

- (1) Locate levee south of Lease Boundary to avoid containment of the large mangrove embayment in Useless Inlet.
- (2) Minimise vehicular traffic along the western access track.
- (3) Provide a means of egress for, and where desirable transfer, in consultation with CALM, any marine mammal or turtle from the pond area to open water prior to completion of the levee and pond closure.

2. Post construction phase

- (1) Rehabilitate or vacate the construction access track along the western foreshore if required by the DEP. Contour quarry sites to configuration prescribed by appropriate Government Agencies. Revegetate by agreed methods to approved standards. Manage the residual maintenance quarry site.
- (2) If considered appropriate by CALM, the Shark Bay Salt Joint Venture and the Fisheries Department, allow public non-vehicular access to the new bar to tourists, fishermen, bird watchers etc.

3. Operations phase

- (1) Continue to monitor groundwater salinities and ionic composition in the Useless Loop area together with seagrass distribution to ensure adequate dilution of bitterns.
- (2) Develop and maintain an oil spill contingency plan and reasonably implement the plan in conjunction with the appropriate authorities.

- (3) Assist in the implementation and operation of any routine ballast water monitoring programme established by the Port Authority.
- (4) Validate the essential and relevant items by field survey as reasonably requested and directed by the appropriate Government agencies that have responsibility for ongoing environmental regulation.

4. **Termination of project**

There is no predictable lifetime to a solar salt field and production can continue while demand provides for commercially viable continuance. The project could continue for hundreds of years.

Whenever the project does reach the end of its practical life the following shall occur:

- (1) breach levees and remove all pipes and gate structures so that tidal flushing of the whole ponded area can resume;
- (2) remove infrastructure such as pump station, flume, washery, jetty, shiploader and townsite facilities, unless otherwise required by the State, all in accordance with Clause 27(b) of the 1983 Lease Agreement.