



MINISTER FOR THE ENVIRONMENT;
EMPLOYMENT AND TRAINING

Ass # 1107

Bull # 871

State # 465

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

**EXMOUTH LIMESTONE PROJECT BARGE LOADING FACILITY
MOWBOWRA CREEK, SHIRE OF EXMOUTH (1107)**

WHITECREST ENTERPRISES PTY LTD

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 Consultative Environmental Review and those made as part of the fulfilment of the requirements of conditions in this statement requiring the preparation of an environmental management plan; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

In the event of any inconsistency, the conditions and procedures shall prevail to the extent of the inconsistency.

The attached environmental management commitments form the basis for consideration by the Chief Executive Officer of the Department of Environmental Protection for auditing of this proposal in conjunction with the conditions and procedures contained in this statement.

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.

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- 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.

3 Proponent

These conditions legally apply to the nominated proponent.

- 3-1 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.

4 Environmental Management System

The proponent should exercise care and diligence in accordance with best practice environmental management principles.

- 4-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to construction, the proponent shall prepare environmental management system documentation with components such as those adopted in Australian Standards AS/NZS ISO 14000 series, in consultation with the Department of Environmental Protection.

- 4-2 The proponent shall implement the environmental management system referred to in condition 4-1.

5 Environmental Management Plan

In order to plan for the Barge Loading Facility and to meet the Environmental Protection Authority's objectives, an Environmental Management Plan is required.

- 5-1 Prior to construction, the proponent shall prepare an Environmental Management Plan which includes:

- 1 Liaison and consultation;
- 2 Spillage, wastes and contaminants;
- 3 Noise, dust and emissions;
- 4 Vegetation disturbance;
- 5 Karst features and subterranean fauna;
- 6 Marine monitoring;
- 7 Heritage; and
- 8 Foreshore management,

to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection, the Department of Conservation and Land Management and the Ministry for Planning.

- 5-2 The proponent shall implement the Environmental Management Plan required by condition 5-1.

6 Decommissioning

- 6-1 The proponent shall carry out the decommissioning of the project, removal of the plant and installations and rehabilitation of the site and its environs.
- 6-2 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan to achieve the objectives of condition 6-1.
- 6-3 The proponent shall implement the plan required by condition 6-2.

7 Commencement

The environmental approval for the substantial commencement of 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 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 Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years for the substantial commencement of the proposal.

8 Compliance Auditing

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

- 8-1 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.

Note

- 1 The Environmental Protection Authority reported on the proposal in Environmental Protection Authority Bulletin 871 (November 1997).

CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

6 JAN 1998

Proponent's Environmental Management Commitments

January 1998

EXMOUTH LIMESTONE PROJECT BARGE LOADING FACILITY MOWBOWRA CREEK SHIRE OF EXMOUTH (1107)

WHITECREST ENTERPRISES PTY LTD

ENVIRONMENTAL MANAGEMENT COMMITMENTS (1107)

Environmental Management Plan

The proponent, Whitecrest Enterprises Pty Ltd, will prepare and implement an Environmental Management Plan (EMP) to manage potential environmental impacts resulting from the construction and operation of the proposal. The EMP will be prepared to the requirements of the Department of Environmental Protection prior to construction of the project, and will be implemented throughout the construction and operational phases of the project to the satisfaction of the Department of Environmental Protection.

The EMP referred to above will contain measures to address the following:

Liaison and Consultation

- 1 A suitably qualified part time project officer will be employed during construction to liaise with relevant agencies, including the Shire of Exmouth, the Department of Environmental Protection (DEP), the Department of Minerals and Energy (DME), the Water Corporation, the Water and Rivers Commission (WRC), the Department of Conservation and Land Management and the Department of Transport (DOT), to ensure that project construction complies with the EMP.
- 2 The proponent will liaise with the Management Advisory Committee of the Exmouth Gulf's prawn fishery and Fisheries WA.

Spillage, Wastes and Contaminants

- 3 An Oil Spill Contingency Plan will be prepared and submitted to the DEP after review by the Australian Maritime Safety Authority. This will complement the existing Royal Australian Navy oil spill contingency plan in place for operations at the Point Murat jetty.
- 4 A Ballast Water Management Plan will be prepared and submitted to the DEP after review by the Australian Quarantine and Inspection Service (AQIS). This will be incorporated within compliance arrangements to be established between shipping operators and AQIS.
- 5 Quicklime storage and loading operations will be fully enclosed to prevent dust emissions and spillage.
- 6 Any spillage of limestone or quicklime during storage and transport will be cleared and disposed of off-site for disposal at a site appropriately licensed by the DEP for the disposal of such wastes, in accordance with the requirements of the Shire of Exmouth and DME.
- 7 Spills from any plant or equipment will be cleaned up, with any contaminated material taken off-site for disposal. The proponent will maintain sufficient equipment and absorbent material on-site for the clean up of any spills.

- 8 The regional office and Managing Directors of the Water Corporation and the WRC will be informed in writing of any spillage.
- 9 All fuel, oil and lubricants will be stored within lined and bunded containment areas designed to the requirements of the DEP and DME. All fuel will be stored in elevated tanks.
- 10 Onshore works will be constructed to be freely draining with retention pits provided to retain any potential contaminants on site for collection and disposal in accordance with the requirements of the DEP, DME, the Water Corporation and the WRC.
- 11 Any solid and liquid wastes generated during operation and maintenance activities, including sanitary wastes, will be disposed of off-site in accordance with the requirements of the Shire of Exmouth and DME.

Noise, Dust and Emissions

- 12 All barge/shiploading activities will be designed and operated in accordance with the noise, dust and emission provisions required by the *Environmental Protection Act 1986* with appropriate monitoring as necessary.
- 13 Dust generation will be controlled on a needs basis with application of fresh water obtained from the Exmouth Town Water Supply.

Vegetation disturbance

- 14 Onshore construction and clearing activities will be confined to 15 hectares.
- 15 Vegetation will only be removed if it is essential for construction purposes or the safe operation of the facility and associated infrastructure.
- 16 All construction vehicle movements outside of the construction areas will be restricted, where practicable, to designated roads and tracks through the construction of a fence around the construction site.

Karst features and subterranean fauna

- 17 Further investigation of the occurrence of karst features in the area of impact will occur in consultation with CALM to the satisfaction of the DEP. The layout of the onshore works will be designed to avoid any large or significant karst feature.
- 18 Should a significant karst feature be identified in the project area, the proponent shall report this finding to DME, CALM and the DEP and investigate options to modify the proposal to conserve the feature.
- 19 If a karst feature cannot be avoided, discussions will be held with CALM and the DEP on the need for investigation of karst values, including subterranean fauna investigations.

Marine monitoring

- 20 Marine operations will be monitored in respect of water quality, potential limestone and quicklime spillage, TBT levels and general pollution to the satisfaction of the DEP.
- 21 Sediment accumulation on either side of the causeway will be monitored and, if the coastline is shown to be eroding, sediment accumulation will be mechanically bypassed to the downstream side of the causeway.

Heritage

- 22 The proponent will undertake archeological and ethnographic surveys of the project area prior to commencement of construction, in consultation with the Aboriginal custodians of the area.
- 23 Any sites identified by the surveys required by commitment 22 above will be reported to the Aboriginal Affairs Department and, if necessary, clearance obtained to develop the facility under the *Aboriginal Heritage Act 1972*.
- 24 All contractors will be instructed in respect of their obligations under the *Aboriginal Heritage Act 1972*. The proponent will consult with the Aboriginal custodians of the area to ensure that significant heritage sites are protected.

Foreshore management

- 25 To minimize disturbance to dunes and dune vegetation, areas to be avoided will be fenced during construction to prevent access.