



MINISTER FOR THE ENVIRONMENT;
LABOUR RELATIONS

Statement No.

000507

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

PRAWN FARM, DOCTOR'S CREEK, DERBY

Proposal:

The construction of a prawn farm in stages on the mud flats east of Derby. The final stage of the project will involve 650 hectares of prawn ponds on a 2000 hectare lease area with a prawn hatchery on-site.

Seawater will be drawn from East Doctor's Creek and discharged to West Doctor's Creek (If a proposed tidal power station is approved in the area, water will be drawn from West Doctor's Creek and discharged to East Doctor's Creek) after passing through a treatment system that consists of a settling pond and filter feeders to act as algal scrubbers, as documented in schedule 1 of this statement.

Proponent: Kimberley Prawn Company (Aust) Pty. Ltd.

Proponent Address: PO Box 867, Derby, WA 6728

Assessment Number: 976

Report of the Environmental Protection Authority: Bulletin 918

The proposal to which the above report of the Environmental Protection Authority relates may be implemented subject to the following conditions and procedures:

1 Implementation

- 1-1 Subject to these conditions and procedures, the proponent shall implement the proposal as documented in schedule 1 of this statement.
- 1-2 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.
- 1-3 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

Published on

- 3 JUN 1999

2 Proponent Commitments

- 2-1 The proponent shall implement the consolidated environmental management commitments documented in schedule 2 of this statement.
- 2-2 The proponent shall implement subsequent environmental management commitments which the proponent makes as part of the fulfilment of conditions and procedures in this statement.

3 Environmental Management System

- 3-1 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 ground-disturbing activity, the proponent shall demonstrate to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection that there is in place an environmental management system which includes the following elements:
 - 1 An environmental policy and corporate commitment to it;
 - 2 Mechanisms and processes to ensure:
 - (1) planning to meet environmental requirements;
 - (2) implementation and operation of actions to meet environmental requirements;
 - (3) measurement and evaluation of environmental performance; and
 - 3 Review and improvement of environmental outcomes.
- 3-2 The proponent shall implement the environmental management system referred to in condition 3-1.

4 Groundwater Management Plan

- 4-1 Prior to commencement of construction of Stage 1 (as defined in schedule 1), the proponent shall prepare a Groundwater Management Plan to protect the groundwater-reliant values and the groundwater resources, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Water and Rivers Commission.

This Plan shall address:

- 1 the water requirements at maximum production;
 - 2 environmental management of groundwater quality at the perimeter of ponds, at the lease boundary and around the abstraction bore(s); and
 - 3 contingency plans, including, for example, the sealing of ponds, in the event that monitoring shows salt water leaching into groundwater.
- 4-2 The proponent shall implement the Groundwater Management Plan required by condition 4-1.

- 4-3 Prior to commencement of Stages 2 and 3 (as defined in schedule 1), the proponent shall review and modify the Groundwater Management Plan given the results of monitoring during Stage 1, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Water and Rivers Commission.
- 4-4 The proponent shall implement the appropriately modified Groundwater Management Plan required by condition 4-3.
- 4-5 The proponent shall make the Groundwater Management Plan required by condition 4-1 and the modified plan required by condition 4-3 publicly available, to the requirements of the Environmental Protection Authority.

5 Water Quality Management Plan

- 5-1 Prior to commencement of construction of Stage 1 (as defined in schedule 1), the proponent shall prepare a Water Quality Management Plan to ensure that acceptable water quality is maintained in Doctor's Creek, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Water and Rivers Commission.

This Plan shall address:

- 1 the background water quality of East and West Doctor's Creeks;
 - 2 monitoring parameters and frequency;
 - 3 the water quality criteria to be maintained in Doctor's Creek during Stage 1 and modified as required for subsequent stages using information gained during monitoring;
 - 4 volume of discharge water expected during Stage 1;
 - 5 impacts on water quality from acid sulfate soils;
 - 6 the size and design of water treatment systems to show that the water quality criteria can be met and subsequent modifications to water treatment design based on information gained during monitoring and operations; and
 - 7 the preparation of a contingency plan in the event that the proponent is unable to meet the water quality criteria.
- 5-2 The proponent shall implement the Water Quality Management Plan required by condition 5-1.
 - 5-3 Prior to commencement of Stages 2 and 3 (as defined in schedule 1), the proponent shall review and modify the Water Quality Management Plan given the results of monitoring during Stage 1, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Water and Rivers Commission.
 - 5-4 The proponent shall implement the appropriately modified Water Quality Management Plan required by condition 5-3.
 - 5-5 The proponent shall make the Water Quality Management Plan required by condition 5-1 and the modified plan required by condition 5-3 publicly available, to the requirements of the Environmental Protection Authority.

6 Vegetation Rehabilitation Plan

- 6-1 Prior to commissioning, the proponent shall prepare a Vegetation Rehabilitation Plan to protect locally and regionally significant vegetation associations and habitats to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

This Plan shall include:

- 1 a monitoring program which details the health of samphire and mangrove communities and will be able to record changes to the community health or structure over time;
- 2 rehabilitation measures for areas of samphire or other communities disturbed during construction which are no longer needed during operation; and
- 3 a setback of 150 metres from mangrove growth for the bunding and pond construction.

- 6-2 The proponent shall implement the Vegetation Rehabilitation Plan required by condition 6-1.

- 6-3 The proponent shall make the Vegetation Rehabilitation Plan required by condition 6-1 publicly available, to the requirements of the Environmental Protection Authority.

7 Dust and Noise Management Plan

- 7-1 Prior to construction, the proponent shall prepare a Dust and Noise Management Plan to ensure that statutory requirements for dust and noise management are being met, to the requirements of the Environment Protection Authority on advice of the Department of Environmental Protection.

This Plan shall address:

- 1 monitoring methods to detect dust levels;
- 2 dust suppression techniques to be implemented during construction to minimise dust generation;
- 3 dust suppression techniques to be implemented during operation to minimise dust generation; and
- 4 methods used to ensure compliance with Environmental Protection (Noise) Regulations.

- 7-2 The proponent shall implement the Dust and Noise Management Plan required by condition 7-1.

- 7-3 The proponent shall make the Dust and Noise Management Plan required by condition 7-1 publicly available, to the requirements of the Environmental Protection Authority.

8 Mosquito Monitoring and Management Plan

- 8-1 Prior to construction, the proponent shall prepare a Mosquito Monitoring and Management Plan to the requirements of the Department of Environmental Protection on advice of the Health Department of Western Australia.

8-2 The proponent shall implement the Mosquito Monitoring and Management Plan required by condition 8-1.

8-3 The proponent shall make the Mosquito Monitoring and Management Plan required by condition 8-1 publicly available, to the requirements of the Environmental Protection Authority.

9 Decommissioning Management Plan

9-1 At least twelve months prior to decommissioning, the proponent shall prepare a Decommissioning Management Plan to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

This Plan shall address:

- 1 removal or, if appropriate, retention of plant and infrastructure;
- 2 rehabilitation of all disturbed areas to a standard suitable for agreed new land use(s); and
- 3 identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities.

9-2 The proponent shall implement the Decommissioning Management Plan required by condition 9-1 until such time as the Minister for the Environment determines that decommissioning is complete.

9-3 The proponent shall make the Decommissioning Management Plan required by condition 9-1 publicly available, to the requirements of the Environmental Protection Authority.

10 Performance Review

10-1 Each six years following the commencement of construction, the proponent shall submit a Performance Review to the Department of Environmental Protection:

- to document the outcomes, beneficial or otherwise;
- to review the success of goals, objectives and targets; and
- to evaluate the environmental performance over the six years;

relevant to the following:

- 1 environmental objectives reported on in Environmental Protection Authority Bulletin 918;
- 2 proponent's consolidated environmental management commitments documented in schedule 2 of this statement and those arising from the fulfilment of conditions and procedures in this statement;
- 3 environmental management system environmental performance targets;
- 4 environmental management programs and plans; and/or
- 5 environmental performance indicators;

to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

Note: The Environmental Protection Authority may recommend changes and actions to the Minister for the Environment following consideration of the Performance Review.

11 Proponent

- 11-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person in respect of the proposal.
- 11-2 Any request for the exercise of that power of the Minister referred to in condition 11-1 shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the proposal in accordance with the conditions and procedures set out in the statement.
- 11-3 The proponent shall notify the Department of Environmental Protection of any change of proponent contact name and address within 30 days of such change.

12 Commencement

- 12-1 The proponent shall provide evidence to the Minister for the Environment within five years of the date of this statement that the proposal has been substantially commenced.
- 12-2 Where the proposal has not been substantially commenced within five years of the date of this statement, the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment will determine any question as to whether the proposal has been substantially commenced.
- 12-3 The proponent shall make application to the Minister for the Environment for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement at least six months prior to the expiration of the five year period referred to in conditions 12-1 and 12-2.
- 12-4 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.

13 Compliance Auditing

- 13-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit program prepared in consultation between the proponent and the Department of Environmental Protection.
- 13-2 Unless otherwise specified, the Chief Executive Officer of the Department of Environmental Protection is responsible for assessing compliance with the conditions, procedures and commitments contained in this statement and for issuing formal written advice that the requirements have been met.

13-3 Where compliance with any condition, procedure or commitment is in dispute, the matter will be determined by the Minister for the Environment.

Note

- 1 The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act.
- 2 Co-operative management of water quality in Doctor's Creek, to maintain acceptable water quality, may be required if the proposal for a tidal power station (Assessment Number 1073) is to be implemented.

CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

- 3 JUN 1999

Schedule 1

The Proposal (976)

A prawn farm is to be developed in stages on the mud flats east of Derby. The final stage of the project will involve 650 hectares of prawn ponds on a 2000 hectare lease area with a prawn hatchery on-site. Seawater will be drawn from West Doctor's Creek and discharged to East Doctor's Creek (If a proposed tidal power station is approved in the area, water will be drawn from West Doctor's Creek and discharged to East Doctor's Creek) after passing through a treatment system which consists of a settling pond and filter feeders to act as algal scrubbers.

Key characteristics table

Element	Description
Project development	Stage 1 (year 1) 20 hectares of ponds Stage 2 (years 2 & 3) 100 hectares of ponds Stage 3 (years 4 to 10) 650 hectares of ponds
Hatchery development	Stage 3
Area of lease	2000 hectares
List of major components <ul style="list-style-type: none"> • ponds • bunding • inlet canal • infrastructure (water supply, roads, power) • distribution channel • outflow canal • workshop • process shed • office • accommodation 	Refer to attached maps.
Employment <ul style="list-style-type: none"> • up to 35 Full Time Employees and some seasonal employment 	By stage 2
Species to be used <ul style="list-style-type: none"> • <i>Penaeus monodon</i> (Black leader prawn) • <i>Saccostrea echinata</i> (King Sound Rock Oyster) • <i>Amusium balloti</i> (Saucer scallop) • <i>Artemia salina</i> (Brine shrimp) 	Supplied from local hatcheries and/or wild collection under licence from Fisheries WA.

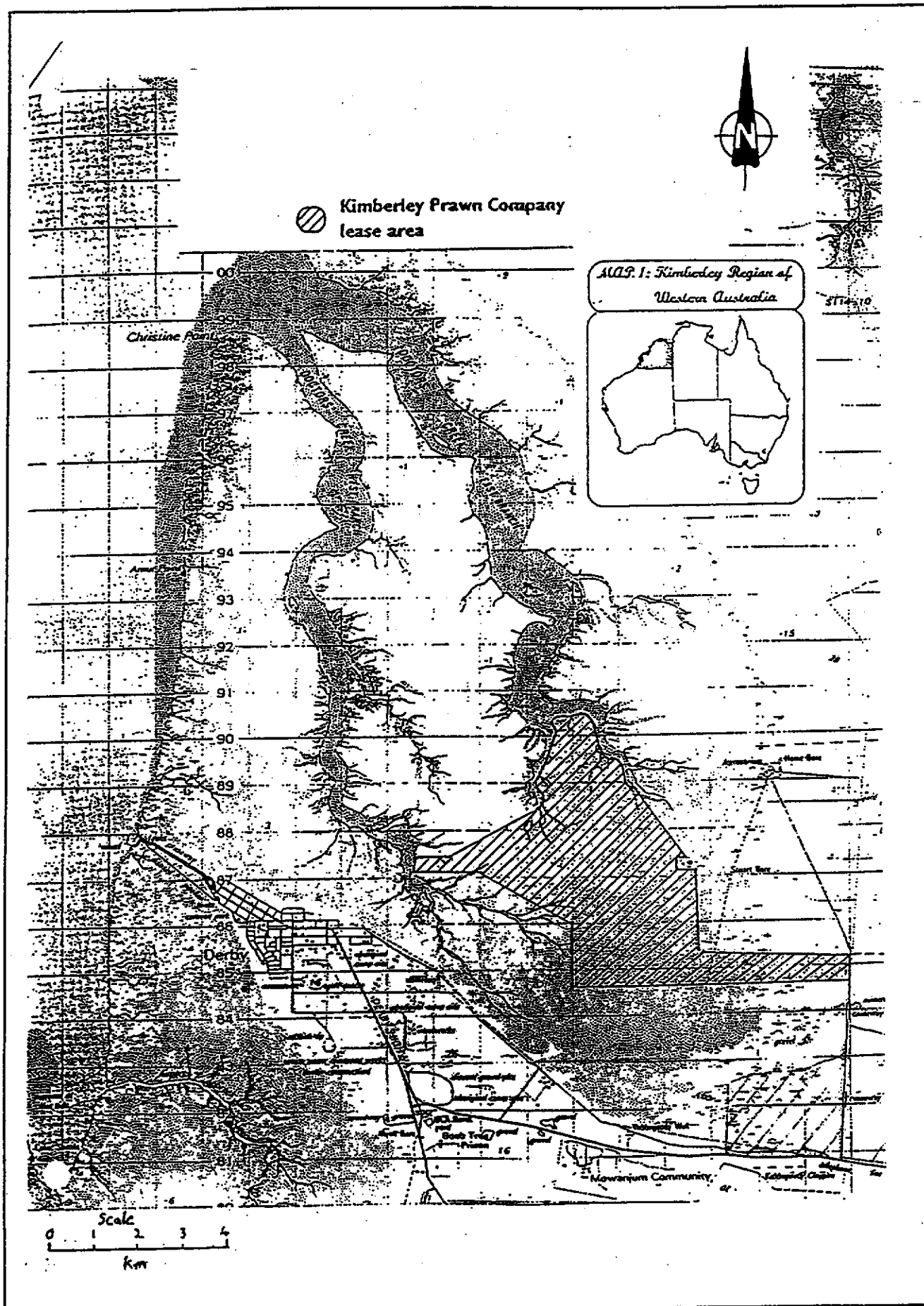
Key characteristics table (976) - continued

Feed supply <ul style="list-style-type: none">• Pelletised fish meal• lupins• super phosphate (for phytoplankton production)	Quantity to be determined during production.
Vehicle fuel storage	In accordance with the Department of Mineral and Energy requirements.
Electrical power	Taken from existing power lines at the land-based site and power line in Sutherland Street, Derby.

Map

A map of the region and lease area of the prawn farm is shown in Map 1 (attached).

The grey shaded areas show approximate mangrove distribution, dotted areas show extent of mud flats and cross-hatched area shows proposed lease site.



Map 1.

**Proponent's Consolidated Environmental Management
Commitments**

2 December 1998

Prawn Farm, Doctor's Creek, Derby (976)

Kimberley Prawn Company (Aust) Pty. Ltd.

Proponent's Environmental Management Commitments - Prawn Farm, Doctor's Creek, Derby (976)

TOPIC	COMMITMENT	OBJECTIVE	ACTION	TIMING	WHOSE ADVICE	MEASUREMENT/ COMPLIANCE CRITERIA
Public Access	1. Maintain public access to the two arms of Doctor's Creek.	To maintain existing recreational access to Doctor's Creek.	Construct a raised crossing over the canal to West Doctor's Creek.	Before the start of the operation phase.	Shire of Derby - West Kimberley	Letter to DEP from Shire confirming construction of accessway.
Drainage	2. Construction design to minimise erosion, all internal drainage, including shed, directed to settling ponds and oil interceptors in workshop drainage.	To ensure protection against erosion, storm surge, cyclonic flooding and dust and noise protection.	Incorporate appropriate design considerations.	During design phase.	DEP	Not audited by DEP.
Imported feed	3. All imported feed to be held under strict import quarantine arrangements.	To minimise the risk of introducing disease.	Liaise with AQIS as to quarantine requirements.	Before and during operation phase.	Fisheries WA / AQIS	AQIS approval to import.
Mangroves	4. No mangrove or samphire will be cleared during the construction or operation phase.	To protect mangrove and samphire communities.	Avoid areas of mangroves and samphire during construction.	During design and construction phase.	DEP	Before and after photographic monitoring.

Mangroves	5. The quality, physical appearance, and health of mangroves in the discharge creek will be monitored to ensure the discharge water from the prawn farm is having no adverse effects on mangroves of Doctor's Creek.	To protect the mangrove communities.	Undertaken mangrove monitoring.	During construction and operation phases.	DEP	On-going photographic monitoring.
Rehabilitation	6. As required rehabilitation will be carried out and monitored to ensure that the vegetation approaches pre-construction conditions.	To rehabilitate disturbed areas of vegetation.	Undertake replanting, reseeding or other rehabilitation work, including monitoring, as required.	During construction and operation phases.	DEP	Results of monitoring included in annual progress and compliance report. Rehabilitated areas to approach similar condition to pre-construction.
Decommissioning	7. On decommissioning of any part of the project, the decommissioned area will be rehabilitated to pre-construction conditions, in accordance with Best Practices for the prawn industry.	To ensure there are no long-term impacts to the site after decommissioning.	Decommissioned areas will be rehabilitated to pre-construction conditions.	On decommissioning of any or all of the project.	DEP, Shire of Derby - West Kimberley, Department of Land Administration.	Letter of compliance from DOLA and the Shire.
Aboriginal heritage	8. A heritage survey will be commissioned over the lease area.	To identify any areas of Aboriginal significance.	Undertake heritage survey.	Before construction.	DEP and Aboriginal Affairs Department.	Copy of heritage survey report to the DEP or letter of a approval from Aboriginal Affairs Department.

Aboriginal heritage	9. In compliance with Aboriginal Heritage Act of WA, construction work in the immediate area will cease until approval to recommence is given by the Aboriginal Affairs Department if any Aboriginal artefacts or burial sites are discovered or inadvertently disturbed.	To protect any areas of Aboriginal significance.	Stop construction in vicinity if significant Aboriginal site is discovered.	During construction.	DEP and Aboriginal Affairs Department.	Letter of advice from Aboriginal Affairs Department.
Water quality	10. The proponent will prepare a water quality monitoring program to ensure that water quality in the discharge creek is not compromised and any adverse effects are detected and rectified quickly.	To protect water quality in the discharge creek.	Prepare and implement a water quality monitoring program that sets out water quality criteria, details of monitoring sites, frequency of monitoring and reviews of monitoring as required.	Prior to operation.	DEP	Copy of monitoring results as evidence of compliance with water quality criteria.
Disease Management	11. The proponent will implement a disease contingency plan to control the possible escape of disease into wild stock, should an outbreak of disease occur.	To protect wild prawn stocks from introduced disease.	Prepare a disease contingency plan.	Prior to operation.	DEP and Fisheries WA.	Letter of acceptance from Fisheries WA.

Code of Practice	12. The proponent will comply with all the requirements of the draft Environmental Code of Practice for Prawn Farmers.	Minimise environmental impacts from prawn farming.	Comply with draft Code of Practice.	At all times.	DEP and Fisheries WA.	Demonstrated by compliance with other conditions and commitments.
------------------	--	--	-------------------------------------	---------------	-----------------------	---

Abbreviations:

DEP - Department of Environmental Protection.
DOLA - Department of Land Administration.
AQIS - Australian Quarantine Inspection Service.

Attachment 1 to Statement 507

Change to Proposal

Proposal: Prawn Farm, Doctor's Creek, Derby

Proponent: Kimberly Prawn Company (Aust) Pty Ltd

Change: Farm additional species

Key Characteristics Table:

Element	Description of proposal
Project development	Stage 1 (year 1) 20 hectares of ponds Stage 2 (years 2 & 3) 100 hectares of pond Stage 3 (years 4 to 10) 650 hectares of ponds
Hatchery development	Stage 3
Area of lease	2,000 hectares
List of major components <ul style="list-style-type: none">• ponds• bunding• inlet canal• infrastructure (water supply, roads, power)• distribution channel• outflow canal• workshop• process shed• office• accommodation	Refer to attached maps
Employment <ul style="list-style-type: none">• up to 35 Full Time Employees and some seasonal employment	By Stage 2
Species to be used <ul style="list-style-type: none">• <i>Penaeus monodon</i> (Black leader prawn)• <i>Penaeus merguensis</i> (White Banana Prawn)• <i>Penaeus semisulcatus</i> (Grooved Tiger Prawn)• <i>Saccostrea echinata</i> (King Sound Rock Oyster)• <i>Amusium balloti</i> (Saucer scallop)• <i>Artemia salina</i> (Brine shrimp)• <i>Scylla serrata</i> (Green Mud Crab)• <i>Scylla olivacea</i> (Brown Mud Crab)• <i>Lates calcarifer</i> (Barramundi)• <i>Cnidoglanis macrocephalus</i> (Cobbler)	Supplied from local hatcheries and/or wild collection under licence from Fisheries WA

Feed supply <ul style="list-style-type: none"> • Pelletised fish meal • Lupins • Super phosphate (for phytoplankton production) 	Quantity to be determined during production
Vehicle fuel storage	In accordance with the Department of Mineral and Energy Requirements
Electrical Power	Taken from existing power lines at the land-based site and power line in Sutherland Street, Derby

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Approval date: 22 April 2010