



MINISTER FOR THE ENVIRONMENT AND HERITAGE

Statement No.

000613

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

**DREDGING OF DENHAM CHANNEL, BAR FLATS
& THE SLOPE ISLAND SHIPPING BERTH
FREYCINET ESTUARY, SHARK BAY**

Proposal: Dredging of the existing shipping channel and the Slope Island Shipping Berth used for the transport of salt from the proponent's ship loading facility at Slope Island, Freycinet Estuary, Shark Bay, as documented in schedule 1 of this statement.

Proponent: Shark Bay Salt Joint Venture

Proponent Address: PO Box 7005, Cloisters' Square, PERTH WA 6000

Assessment Number: 1429

Report of the Environmental Protection Authority: Bulletin 1049

The proposal referred to above may be implemented subject to the following conditions and procedures:

Procedural conditions

1 Implementation and Changes

- 1-1 The proponent shall implement the proposal as documented in schedule 1 of this statement subject to the conditions 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 and Heritage determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.

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- 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 and Heritage determines, on advice of the Environmental Protection Authority, is not substantial, the proponent may implement those changes upon receipt of written advice.

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for the Environment and Heritage 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 and Heritage has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person as the proponent for the proposal.
- 2-2 If the proponent wishes to relinquish the nomination, the proponent shall apply for the transfer of proponent and provide a letter with a copy of this statement endorsed by the proposed replacement proponent that the proposal will be carried out in accordance with this statement. Contact details and appropriate documentation on the capability of the proposed replacement proponent to carry out the proposal shall also be provided.
- 2-3 The nominated proponent shall notify the Department of Environmental Protection of any change of contact name and address within 60 days of such change.

3 Commencement and Time Limit of Approval

- 3-1 The proponent shall provide evidence to the Minister for the Environment and Heritage within five years of the date of this statement that the proposal has been substantially commenced or the approval granted in this statement shall lapse and be void.

Note: The Minister for the Environment and Heritage will determine any dispute as to whether the proposal has been substantially commenced.

- 3-2 The proponent shall make application for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement to the Minister for the Environment and Heritage prior to the expiration of the five-year period referred to in condition 3-1.

The application shall demonstrate that:

- the environmental factors of the proposal have not changed significantly;
- new, significant, environmental issues have not arisen; and
- all relevant government authorities have been consulted.

Note: The Minister for the Environment and Heritage may consider the grant of an extension of the time limit of approval not exceeding five years for the substantial commencement of the proposal.

Environmental conditions

4 Compliance Audit

4-1 The proponent shall prepare an audit program in consultation with and submit compliance reports to the Department of Environmental Protection which address:

- the implementation of the proposal as defined in schedule 1 of this statement;
- evidence of compliance with the conditions and commitments; and,
- the performance of the environmental management plans and programs.

Note: Under sections 48(1) and 47(2) of the *Environmental Protection Act 1986*, the Chief Executive Officer of the Department of Environmental Protection is empowered to audit the compliance of the proponent with the statement and should directly receive the compliance documentation, including environmental management plans, related to the conditions, procedures and commitments contained in this statement.

Usually, the Department of Environmental Protection prepares an audit table which can be utilised by the proponent, if required, to prepare an audit program to ensure that the proposal is implemented as required. The Chief Executive Officer is responsible for the preparation of written advice to the proponent, which is signed off by either the Minister or, under an endorsed condition clearance process, a delegate within the Environmental Protection Authority or the Department of Environmental Protection that the requirements have been met.

5 Salinity and Water Flow

5-1 To confirm that the salinity and water flow regimes in Freycinet Estuary will not be significantly affected by the proposal, prior to the commencement of dredging Denham Channel and Bar Flats, the proponent shall prepare and implement a Salinity Monitoring Plan, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

5-2 In the event that a significant environmental impact on the salinity or water flow regimes in Freycinet Estuary is detected, the proponent shall immediately inform the Department of Environmental Protection and prepare a plan for remedial works to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

5-3 The proponent shall implement the remedial works plan required by condition 5-2 to the requirements of the Minister for the Environment and Heritage.

5-4 The proponent shall make the Salinity Monitoring Plan required by condition 5-1 publicly available, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

6 Marine Pests and Diseases

6-1 At least 48 hours prior to the arrival of the dredge in Shark Bay, the proponent shall arrange for an inspection by an appropriately qualified expert (accredited environmental auditor) acceptable to the Environmental Protection Authority to ensure that:

- there is no sediment in the dredging equipment;
- ballast water (if any) in the dredging vessel (or other associated vessels) does not contain living organisms; and
- there are no fouling organisms on the dredge or other associated vessels or equipment.

Note: The preceding requirements shall apply irrespective of whether the last port of call was a domestic or international port.

6-2 The proponent shall dispose of any sediment or organisms found, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

Procedures

- 1 Where a condition states "to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority", the Chief Executive Officer of the Department of Environmental Protection will obtain that advice for the preparation of written advice to the proponent.
- 2 The Environmental Protection Authority may seek advice from other agencies, as required, in order to provide its advice to the Chief Executive Officer of the Department of Environmental Protection.

Notes

- 1 The Minister for the Environment and Heritage will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environmental Protection over the fulfilment of the requirements of the conditions.
- 2 Compliance and performance reporting will endeavour to be in accord with the timing requirements of the *Shark Bay Solar Salt Industry Agreement Act 1983*.

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT AND HERITAGE

28 NOV 2002

Schedule 1

The Proposal (Assessment No. 1429)

The proposal is to dredge the existing shipping channel in Freycinet Estuary, Shark Bay. The channel is used for the transport of salt from the ship loading facility at Slope Island. The proposal involves the dredging of the existing channel to 11.0 metres depth, dredging the shipping berth basin at Slope Island to a depth of 12.1 metres and the area adjacent to the shipping berth to a depth of 10.9 metres. The proposal also, includes widening the shipping channel from 130 to 150 metres. Spoil from the dredging is expected to be approximately 720,000 cubic metres, which will be dumped according to the Commonwealth's Sea Dumping permit.

The key proposal characteristics are contained in Table 1.

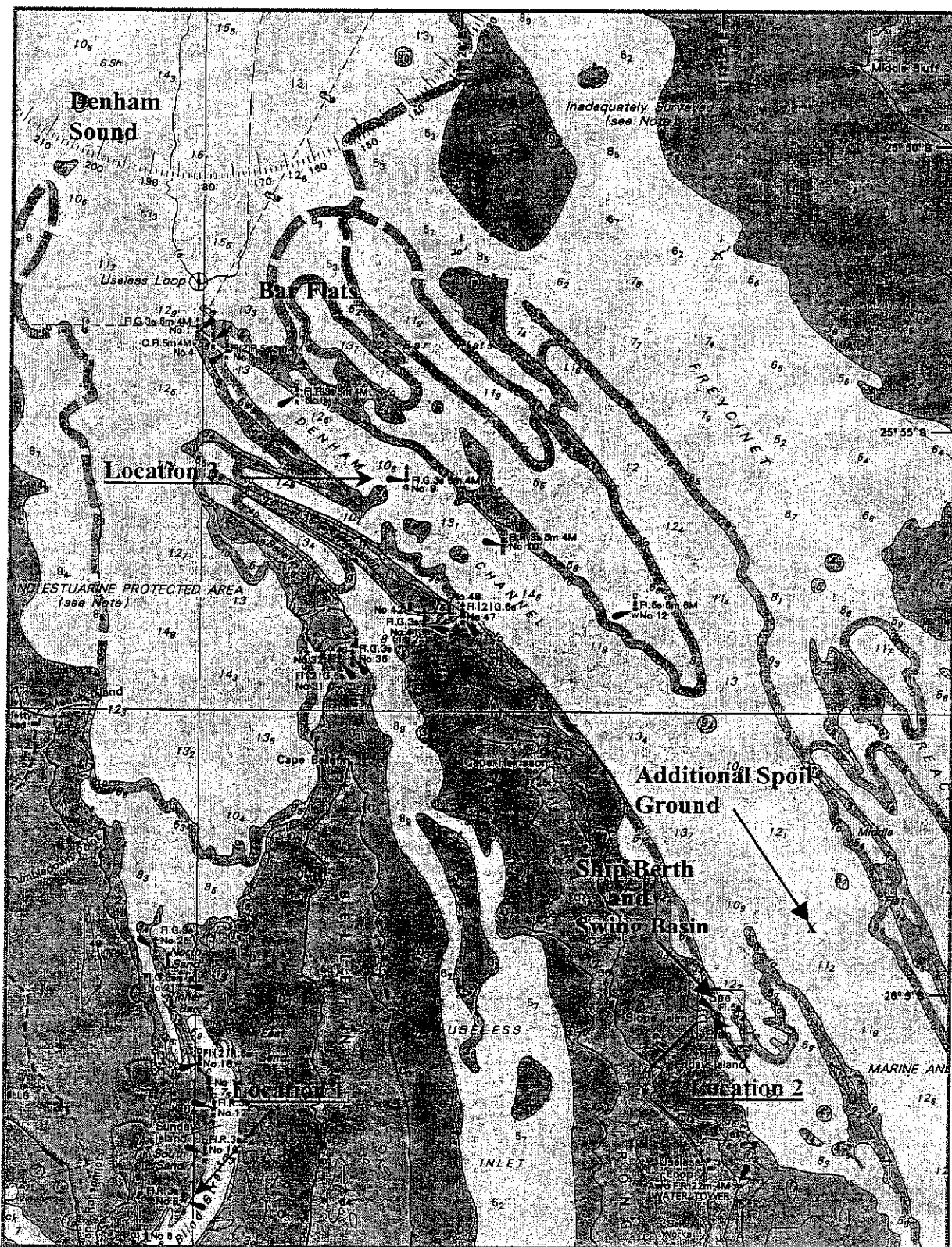
Table 1 - Key Characteristics of the Proposal

Element	Quantities/Description
Life of project (channel dredging)	3 years
Final depth of shipping berth basin	12.1 metres
Final depth of the area adjacent to the shipping berth basin	10.9 metres
Final depth of channel	11.0 metres
Final width of channel	150 metres
Volume of spoil (approx.)	722,000 cubic metres
Channel length	1.25 kilometres

Figure (attached)

Figure 1 – Location Map.

Figure 1: Location Map –Monitoring Points – Approximate Locations



Note: Chart Datum WGS84