



**MINISTER FOR THE ENVIRONMENT**

Statement No.

**000634**

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

**DEVELOPMENT OF A QUARRY AND INDUSTRIAL SITE  
KING BAY, BURRUP PENINSULA**

**Proposal:** The development of a quarry and industrial site on 7.8 hectares of land within the King Bay Eastern Lease Area, Burrup Peninsula, as documented in schedule 1 of this statement.

**Proponent:** BGC Contracting Pty Ltd and Dampier Port Authority

**Proponent Address:** BGC Contracting Pty Ltd  
Lot 4, Stirling Crescent  
HAZELMERE WA 6055

Dampier Port Authority  
PO BOX 285  
DAMPIER WA 6713

**Assessment Number:** 1481

**Report of the Environmental Protection Authority:** Bulletin 1103

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

**1 Implementation and Changes**

- 1-1 The proponent shall implement the proposal as documented in the referral document and 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 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, the proponent may implement those changes upon receipt of written advice.

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**26 SEP 2003**

## **2 Proponent Commitments**

- 2-1 The proponent shall implement the 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 the conditions in this statement.

## **3 Proponent Nomination and Contact Details**

- 3-1 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 as the proponent for the proposal.
- 3-2 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.
- 3-3 The nominated proponent shall notify the Department of Environmental Protection of any change of contact name and address within 60 days of such change.

## **4 Commencement and Time Limit of Approval**

- 4-1 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 or the approval granted in this statement shall lapse and be void.

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

- 4-2 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, prior to the expiration of the five-year period referred to in condition 4-1.

The application shall demonstrate that:

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

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

## **5 Compliance Audit and Performance Review**

5-1 The proponent shall prepare an audit program and submit compliance reports to the Department of Environmental Protection which address:

1. the implementation of the proposal as defined in schedule 1 of this statement;
2. evidence of compliance with the conditions and commitments; and
3. 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.

5-2 The proponent shall submit a performance review report every five years after the commencement of ground-disturbing activities, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, which addresses:

1. the major environmental issues associated with the project; the targets for those issues; the methodologies used to achieve these; and the key indicators of environmental performance measured against those targets;
2. the level of progress in the achievement of sound environmental performance, including industry benchmarking, and the use of best available technology where practicable;
3. significant improvements gained in environmental management, including the use of external peer reviews;
4. stakeholder and community consultation about environmental performance and the outcomes of that consultation, including a report of any on-going concerns being expressed; and
5. the proposed environmental targets over the next five years, including improvements in technology and management processes.

## Procedures

- 1 Where a condition states "to the requirements of the Minister for the Environment 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.
- 3 Prior to 31 March 2004, the Dampier Port Authority will prepare a 20-Year Port Development Plan to the requirements of the Minister for Planning and Infrastructure and the Minister for the Environment, on advice of the Environmental Protection Authority. This plan will take into consideration the heritage and conservation values of the approximately 12.2 hectare area to the south and east of the quarry and industrial site, and will be finalised before any development of this land takes place.

This abovementioned area consists of the following:

1. Unallocated Crown Land 475;
2. that part of De Witt Location 471 south of the development boundary shown in figure 1, schedule 1; and
3. the unnamed area south of De Witt Location 471 and east of the Gearhart site.

## Notes

- 1 The Minister for the Environment 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 The proponent is required to apply for a Works Approval, Licence and/or Registration for this project under the provisions of Part V of the *Environmental Protection Act 1986*.
- 3 Within this statement, to "have in place" means to "prepare, implement and maintain for the duration of the proposal".

Dr Judy Edwards MLA  
MINISTER FOR THE ENVIRONMENT

26 SEP 2003

## Schedule 1

### The Proposal (Assessment No. 1481)

The proposal is to develop a quarry and industrial site on 7.8 hectares of land within the King Bay Eastern Lease Area, Burrup Peninsula. The 7.8 hectare site will be quarried and then used as an industrial site by the Dampier Port Authority.

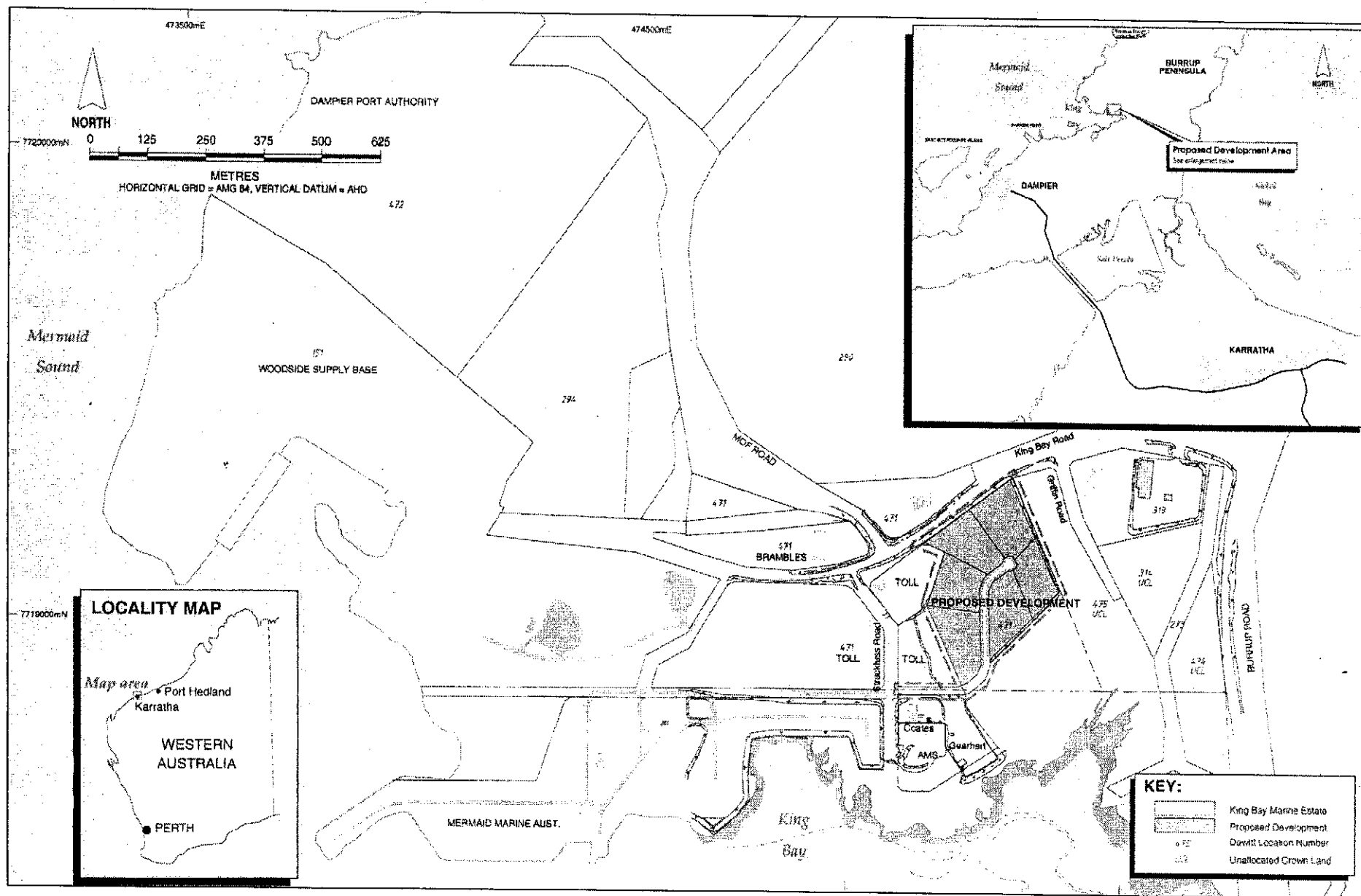
The Key Proposal Characteristics are shown in Table 1.

**Table 1 – Key Proposal Characteristics**

Element	Quantities/Description
Area of quarry and industrial site	7.8 hectares (Total of 2 stages)
Final surface height of industrial site	Approximately 6 metres RL
Quarry life	10 years (approximately)
Quarry Extraction Rate	3,000 tonnes per day (approximately)
Earthwork Quantities (Quarry)	Maximum 1.5 million cubic metres or 3.3 million tonnes
Plant Facilities (Quarry)	<ul style="list-style-type: none"><li>• Site Office,</li><li>• Crushing Plant, and</li><li>• Concrete Batching Plant.</li></ul>

### Figure (attached)

Figure 1 - Location plan.



**Figure 1: Location Plan**

**Proponent's Environmental Management Commitments**

**August 2003**

**DEVELOPMENT OF A QUARRY AND  
INDUSTRIAL SITE  
KING BAY, BURRUP PENINSULA**

**(Assessment No. 1481)**

**BGC Contracting Pty Ltd and Dampier Port Authority**

## Proponent's Environmental Management Commitments – August 2003

### Development of a Quarry and Industrial Site, King Bay, Burrup Peninsula (Assessment No. 1481)

**Note:** The term “commitment” as used in this schedule includes the entire row of the table and its six separate parts as follows:

- a commitment number;
- a commitment topic;
- the objective of the commitment;
- the ‘action’ to be undertaken by the proponent;
- the timing requirements of the commitment; and
- the body/agency to provide technical advice to the Department of Environmental Protection.

No.	Topic	Objective	Action	Timing	Advice
1	Terrestrial Flora and Vegetation	<p>1) To protect Declared Rare and Priority Flora, consistent with provisions of the <i>Wildlife Conservation Act 1950</i>.</p> <p>2) To protect other significant vegetation as outlined in the Vegetation and Flora Report (Appendix 2 of the referral document -<i>King Bay Eastern Lease Development, Burrup Peninsula, Draft Environmental Referral Document, Astron Environmental 2003</i>).</p>	<p>Have in place and make publicly available a Terrestrial Flora and Vegetation Management Plan, which addresses the following:</p> <ol style="list-style-type: none"> <li>1) Protection of remnant vegetation within the quarry and industrial site.</li> <li>2) Protection of remnant vegetation in the approximately 12.2 hectare area referred to in Procedure 3.</li> <li>3) Instruction and training of staff and contractors on the importance of vegetation protection and, in particular, protection of priority listed flora within the quarry and industrial site and in the approximately 12.2 hectare area referred to in Procedure 3.</li> <li>4) Weed management.</li> </ol>	Prior to commencement of ground disturbance	Department of Conservation and Land Management



No.	Topic	Objective	Action	Timing	Advice
2	Fauna	To prevent accidental death of native fauna and to protect native fauna, consistent with the provisions of the <i>Wildlife Conservation Act 1950</i> .	<p>Have in place and make publicly available a Fauna Management Plan, to address the following:</p> <ol style="list-style-type: none"> <li>1) Undertake trapping and relocation, as necessary, of the Pilbara Olive Python (<i>Morelia olivacea barroni</i>).</li> <li>2) Recording of encounters with native animals, in particular the Pilbara Olive Python.</li> <li>3) Instruction and training of staff and contractors in dealing with encounters with native animals, in particular the Pilbara Olive Python.</li> <li>4) Relocation strategy for any animals captured.</li> <li>5) Catalogue the presence and number of Pebble Mound Mouse (<i>Pseudomys chapmani</i>) mounds.</li> </ol>	Prior to commencement of ground disturbance	Department of Conservation and Land Management
3	Aboriginal Heritage	To comply with the <i>Aboriginal Heritage Act 1972</i> and other statutory requirements in relation to areas of cultural or historical significance.	<p>Have in place and make publicly available an Aboriginal Heritage Management Plan, to address the following:</p> <ol style="list-style-type: none"> <li>1) Consultation with Aboriginal representatives.</li> <li>2) Protection of existing sites and relocation of all engravings under supervision of Aboriginal representatives.</li> <li>3) Reporting mechanisms for the recording of any new sites that are identified prior to or during construction.</li> <li>4) Instruction and training of staff and contractors to ensure that they are aware of the significance and importance of Aboriginal cultural sites.</li> </ol>	Prior to commencement of ground disturbance	Department of Indigenous Affairs

## Attachment 1 to Statement 634

### Change to Proposal

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**Proposal:** Development of a Quarry and Industrial Site King Bay, Burrup Peninsula

**Proponent:** BGC Contracting Pty Ltd and Dampier Port Authority

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**Change:** Change to site boundaries and increase in quarry volume.

#### Key Characteristics Table:

Element	Description of proposal	Description of approved change to proposal
Area of quarry and industrial site	7.8 hectares (Total of 2 stages)	<b>9.8 hectares total area</b>
Final surface height of industrial site	Approximately 6 metres RL	Approximately 6 metres RL
Quarry life	10 Years (approximately)	<b>Approximately 15 years</b>
Quarry extraction rate	3,000 tonnes per day (approximately)	3,000 tonnes per day (approximately)
Earthwork quantities (Quarry)	Maximum 1.5 million cubic metres or 3.3 million tonnes	<b>Maximum 1.59 million cubic metres, or 3.5 million tonnes</b>
Plant facilities (Quarry)	<ul style="list-style-type: none"><li>• Site Office</li><li>• Crushing Plant</li><li>• Concrete Batching Plant</li></ul>	<ul style="list-style-type: none"><li>• Site Office</li><li>• Crushing Plant</li><li>• Concrete Batching Plant</li></ul>

#### List of Figures:

Figure 2: Amended King Bay Eastern Lease Development Quarry and Industrial Area

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**Dr Paul Vogel**  
CHAIRMAN  
Environmental Protection Authority  
under delegated authority

Approval date: 28 September 2011



