



GOVERNMENT OF WESTERN AUSTRALIA

Statement No.

MINISTER FOR THE ENVIRONMENT; SCIENCE

000704

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

DAMPIER TO BUNBURY NATURAL GAS PIPELINE
KEMERTON LATERAL GAS PIPELINE
KEMERTON, SHIRE OF HARVEY

Proposal: The construction and operation of a five kilometre pipeline from Main Line Valve 154/155, on the Dampier to Bunbury Natural Gas Pipeline, to supply gas to the Kemerton Power Station, as documented in schedule 1 of this statement.

Proponent: DBNGP (WA) Nominees Pty Limited

Proponent Address: Level 7 GHD House, 239 Adelaide Terrace, PERTH WA 6823

Assessment Number: 1604

Report of the Environmental Protection Authority: Bulletin 1204

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

1 Implementation

- 1-1 The proponent shall implement the proposal as documented in schedule 1 of this statement subject to the conditions and procedures of this statement.

2 Proponent Nomination and Contact Details

- 2-1 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.

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- 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 Environment 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 substantially commence the proposal within five years of the date of this statement 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.

- 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, prior to the expiration of the five-year period referred to in condition 3-1.

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.

4 Compliance Audit and Performance Review

- 4-1 The proponent shall prepare an audit program and submit compliance reports to the Department of Environment which address:
1. the status of implementation of the proposal as defined in schedule 1 of this statement;
 2. evidence of compliance with the conditions; 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 Environment is empowered to monitor the compliance of the proponent with the statement and should directly receive the compliance documentation, including environmental management plans, related to the conditions and procedures contained in this statement.

- 4-2 The proponent may submit a report prepared by an independent auditor to the Chief Executive Office of the Department of Environment on each condition/commitment of this statement which requires the preparation of a management plan, programme, strategy or system, stating whether the requirements of each condition/commitment have been fulfilled within the timeframe stated within each condition/commitment.

5 Timing of Works

- 5-1 The proponent shall only undertake open trench work between January and April 2006 (inclusive) unless otherwise authorised by the Minister for the Environment.

6 Vegetation Disturbance

- 6-1 Prior to ground-disturbing activities, the proponent shall clearly delineate on the ground the boundaries of the 16-metre wide pipeline easement.
- 6-2 The proponent shall not cause or allow disturbance of vegetation outside the delineated pipeline easement, as referred to in condition 6-1.

7 Fauna

- 7-1 The proponent shall limit the length of open trench to 800 metres during day time.
- 7-2 The proponent shall limit the length of open trench to 36 metres during night time.
- 7-3 Prior to vegetation clearing, the proponent shall mark significant habitat trees of sufficient age to form nesting hollows for hollow-nesting birds and mammals, in consultation with the Department of Conservation and Land Management and the Department of Environment.
- 7-4 The proponent shall not fell marked habitat trees referred to in condition 7-3, except in the case where a habitat tree occurs in the direct line of the proposed pipeline.
- 7-5 The proponent shall employ a "fauna clearing person" to remove fauna from the trench. The "fauna clearing person" shall be able to demonstrate suitable experience to obtain a fauna handling licence issued by the Department of Conservation and Land Management.

- 7-6 The area of open trench shall be cleared by a “fauna clearing person” each day before 10 a.m. and then subsequently during the day at intervals not exceeding two hours, and then half an hour prior to backfilling the pipeline trench at the end of each day.
- 7-7 In the event of significant rainfall, the proponent shall, following the clearing of fauna from the trench, pump out any pooled water in the open trench (with the exception of groundwater) and discharge it via a mesh (to dissipate energy) to adjacent vegetated areas.

Definition:

“fauna clearing person” means an employee whose responsibility is to daily walk the open trench to recover and record fauna found within the trench.

8 Wetlands

- 8-1 The proponent shall implement and comply with the Wetland Management Plan: Hydrogeological Management Plan, as contained in Appendix 4 of the proponent’s *Assessment on Referral Information* document dated October 2005.
- 8-2 The proponent may modify from time to time the Wetland Management Plan: Hydrogeological Management Plan referred to in condition 8-1 with the approval of the Minister for the Environment.

9 Flora

- 9-1 Prior to the commencement of vegetation clearing, the proponent shall submit a report which details the results of the spring flora surveys undertaken in 2005, to the requirements of the Minister for the Environment on advice of the Department of Conservation and Land Management.

This report shall address:

1. the recorded location of any rare and priority flora species;
2. a description of the habitat in which specially protected flora species were found, and the extent of the contiguous area of the same habitat in the local area;
3. the degree of impact of the proposed works on specially protected flora species or its identified contiguous habitat;
4. the proposed management strategy for the protection of rare or priority flora species; and
5. post-activity monitoring plan of specially protected flora species.

- 9-2 The proponent shall not disturb the single plant of *Caladenia procera* (recorded during the spring 2005 flora surveys) and its immediate surrounding habitat currently demarcated with a minimum 10-metre square buffer, unless otherwise approved by the Minister for the Environment acting on advice of the Department of Conservation and Land Management.

10 Rehabilitation

- 10-1 The proponent shall implement and comply with the Rehabilitation Plan, as contained in Appendix 7 of the proponent's *Assessment on Referral Information* document dated October 2005.

- 10-2 The proponent may modify from time to time the Rehabilitation Plan referred to in condition 10-1 with the approval of the Minister for the Environment.

- 10-3 The proponent shall carry out rehabilitation to achieve the following completion criteria as specified in the Rehabilitation Plan referred to in condition 10-1:

Completion Criteria:

1. Weeds to be eradicated prior to the commencement of clear and grade and 100% compliance with the weed hygiene protocol;
2. 100% compliance with the dieback hygiene protocol;
3. Vegetation and topsoil to be cleared and stored in accordance with the Environmental Management Plan;
4. Significant plant species to be protected in accordance with the rehabilitation plan;
5. All equipment, materials and litter to be removed from the Right-of-Way;
6. Natural contours to be re-instated to pre-disturbance conditions;
7. No active erosion rills greater than 10 metres x 0.1 metres
8. No bare patches longer than 10 metres after 12 and 24 months;
9. The foliage cover of declared and environmental weeds on the Right-of-Way to be no greater than in surrounding undisturbed areas at 12 and 24 months;
10. A minimum of two native plants per square metre when averaged over the entire area rehabilitated at 12 months;
11. Percentage foliage cover of native species indigenous to each plant community to be greater than or equal to 50% of foliage cover in undisturbed areas of similar vegetation types outside the easement at 24 months; and
12. Species richness greater or equal to 50% of richness in undisturbed areas of similar vegetation types outside the easement at 24 months.

- 10-4 The proponent shall continue to manage rehabilitation of the pipeline route until the completion criteria, referred to in condition 10-3, have been achieved in accordance with the requirements of the Minister for the Environment on advice of the Environment Protection Authority and the Department of Conservation and Land Management.

Note: The proponent has obligations under legislation administered by the Department of Industry and Resources to maintain the vehicle access track. Certain completion criteria may not be achievable within the access track.

11 Acid Sulphate Soils and Dewatering

- 11-1 Prior to trenching and excavation activities, the proponent shall amend the Acid Sulphate Soils and Dewatering Management Plan, as contained in Appendix 3 of the proponent's *Assessment on Referral Information* document dated October 2005, to demonstrate that all practical measures have been included to manage the potential impacts from acid sulphate soils and dewatering activities, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.
- 11-2 The proponent shall implement and comply with the Acid Sulphate Soils and Dewatering Management Plan, as amended in accordance with condition 11-1.
- 11-3 The proponent shall make the Acid Sulphate Soils and Dewatering Management Plan referred to in condition 11-2 publicly available.
- 11-4 The proponent may modify from time to time the Acid Sulphate Soils and Dewatering Management Plan referred to in condition 11-2 with the approval of the Minister for the Environment.

Procedures

- 1 Where a condition states "to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority", the Environmental Protection Authority will provide that advice to the Department of Environment for the preparation of written notice to the proponent.
- 2 The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment.
- 3 Where a condition lists advisory bodies, it is expected that the proponent will obtain the advice of those listed as part of its compliance reporting to the Department of Environment.

Notes

- 1 The Minister for the Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment over the fulfilment of the requirements of the conditions.

- 2 . The proponent is required to apply for a Ground Water Abstraction Licence for this project in order to conduct dewatering activities in accordance with the *Rights in Water and Irrigation Act 1914*.

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT; SCIENCE

29 NOV 2005

Schedule 1

The Proposal (Assessment No. 1604)

The proposal is to construct and operate a pipeline to supply gas to the Kemerton Power Station (located approximately 22 kilometres north-east of Bunbury nearby the Kemerton Industrial Estate) and to construct a meter station at the power station site (See Figure 1). The pipeline is five kilometres in length, connecting at Main Line Valve 154/155 on the Dampier to Bunbury Natural Gas Pipeline and runs parallel to the existing Dampier to Bunbury Natural Gas Pipeline until it deviates west to connect to the Kemerton Power Station (See Figure 2). The pipeline is to be installed in the existing 16-metre wide Dampier to Bunbury Natural Gas Pipeline easement.

The main characteristics of the proposal are summarised in Table 1 below.

Table 1 – Key Proposal Characteristics

Element	Description
Location	Within the Kemerton Industrial Estate, 22 kilometres North-east of Bunbury.
Proposed Action	Construct a 300 millimetre diameter pipeline adjacent to the existing DBNGP corridor to provide gas to the Kemerton Power Station.
Route Alignment	The route begins at MLV 154/155 and runs south within the existing DBNGP easement for approximately five kilometres. The route then deviates west for approximately 100 metres to the Kemerton Power Station site.
Route Length	Approximately 5 kilometres.
Proposed Tenure	The majority of the pipeline will be constructed wholly within the existing DBNGP easement. The exception is the final 100 metres west to the power station. This will be gazetted as separate easement under the <i>Petroleum Pipelines Act 1969</i> . The first 4 kilometres of the easement traverses freehold land owned by the Kemerton Silica Sands mine. The rest of the area is managed by the Western Australian Land Authority.
Area of temporary vegetation clearance	Approximately 8 hectares.
Maximum length of trench to be left open during day time	800 metres.
Maximum length of trench to be left open during night time	36 metres.
Construction Duration	Approximately 5 weeks

Key

DBNGP = Dampier to Bunbury Natural Gas Pipeline

Figures (attached)

Figure 1 – Kemerton Pipeline Site Location Diagram

Figure 2 – Kemerton Pipeline Site Plan

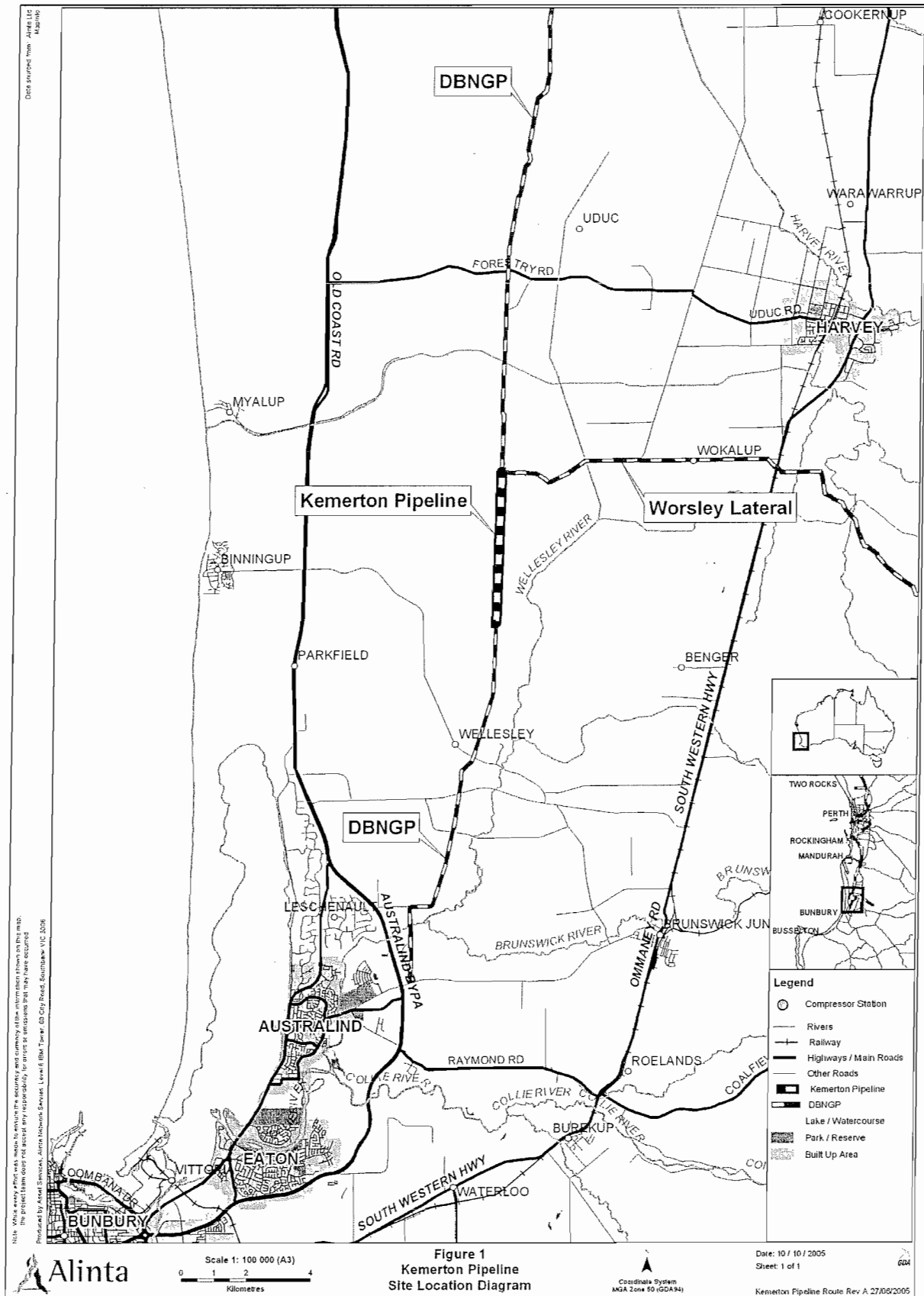


Figure 1 – Kemerton Pipeline Site Location Diagram

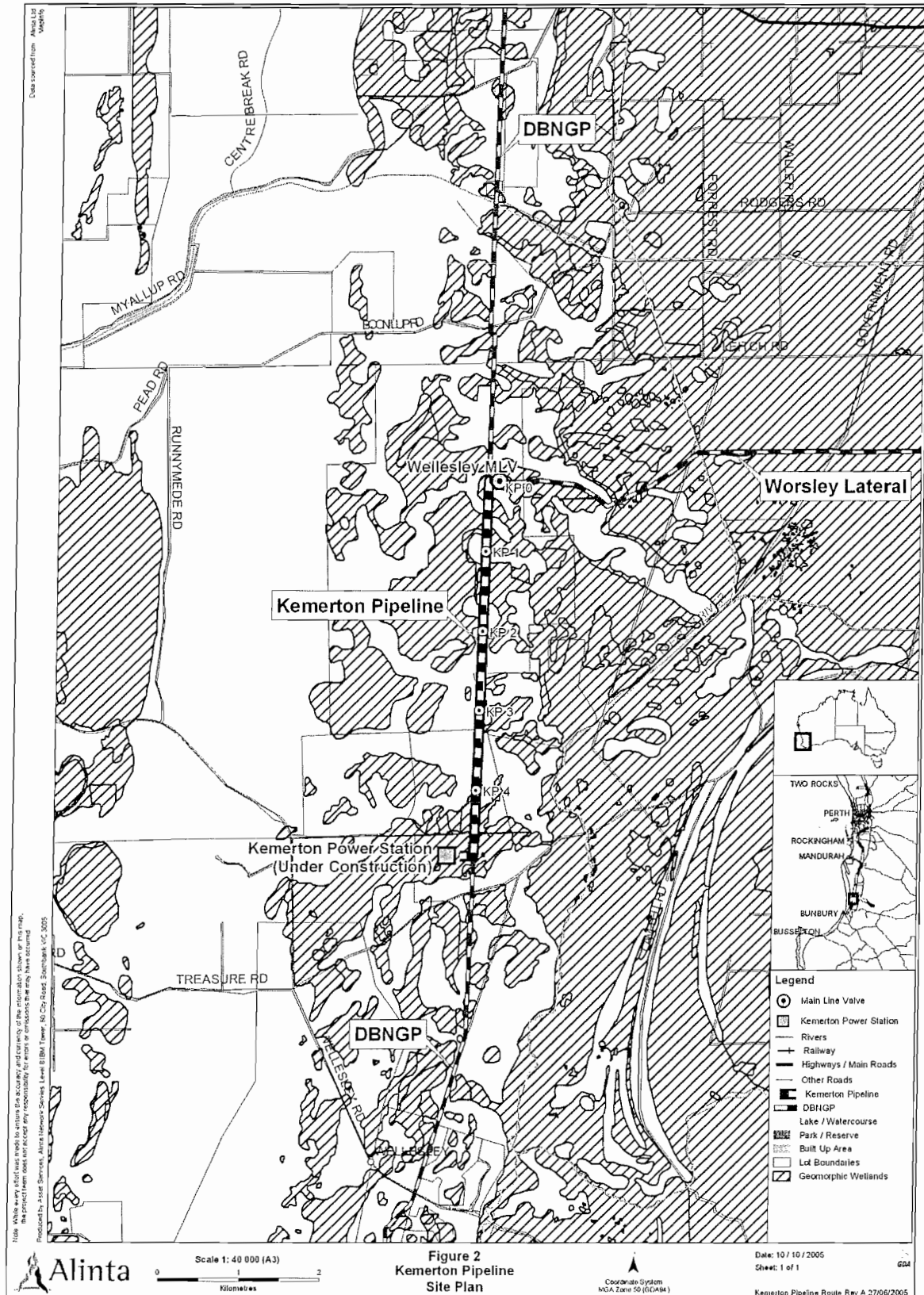


Figure 2 – Kemerton Pipeline Site Plan