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State #	277

WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

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

SHARK BAY SALT, POND EXPANSION, USELESS INLET (183)

SHARK BAY SALT JOINT VENTURE

This proposal may be implemented subject to the following conditions:

1. In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Public Environmental Review and in the proponent's response to submissions (A copy of the commitments is attached).
2. 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. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material 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. Prior to the commencement of construction, the proponent shall prepare and subsequently implement an Environmental Management Programme encompassing measures to monitor the environmental effects of the proposal and to provide appropriate management strategies based on the monitoring results, to the satisfaction of the Minister for the Environment on advice of the Environmental Protection Authority. In the event that unacceptable environmental impacts occur, the proponent shall remedy these to the satisfaction of the Minister for the Environment on advice of the Environmental Protection Authority.

The Environmental Management Programme may be separate for each of the phases of the proposal, that is, construction, commissioning and operational, and shall be to the satisfaction of the Minister for the Environment on advice of the Environmental Protection Authority prior to the commencement of each phase.

4. The proponent shall construct the additional ponds and subsequently manage the salt mining operation such that the operation does not produce significant adverse impacts upon the mangroves in the tidal embayment on the eastern side of the proposed levee, to the satisfaction of the Environmental Protection Authority. The proponent shall prepare, and subsequently implement a plan, as part of the Environmental Management Programme, for the protection and where appropriate the rehabilitation of these mangroves which are likely to be or to have already been significantly adversely affected by the expansion of the salt mining operation, to the satisfaction of the Environmental Protection Authority.

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5. Prior to the commencement of construction, the proponent shall prepare and subsequently implement a rehabilitation plan for any disturbed areas, such as borrow pits, quarries, and access tracks, as part of the Environmental Management Programme, to the satisfaction of the Minister for the Environment on advice of the Environmental Protection Authority.
6. The proponent shall be responsible for decommissioning and removal of the plant and installations and rehabilitating the site and its environs to the satisfaction of the Environmental Protection Authority. At least six months prior to cessation of operations, the proponent shall prepare and subsequently implement a decommissioning and rehabilitation plan, to the satisfaction of the Environmental Protection Authority on advice of the Department of Mines. Should the project be placed on a care-and-maintenance basis, the proponent shall prepare and subsequently implement a plan for the short-term care-and-maintenance of the project area at least three months prior to the suspension of operations, to the satisfaction of the Environmental Protection Authority on advice of the Department of Mines.
7. Prior to construction commencing, the proponent shall carry out negotiations with the Minister for Fisheries and then implement arrangements to the requirements of the Minister for the Environment, following advice from the Minister for State Development, to make provision for any adverse environmental impacts on the regional fisheries which may occur as a consequence of the proposal proceeding.
8. 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.
9. 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 by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority).

Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

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The following commitments summarise the environmental management programme outlined in the Public Environmental Review document for the Shark Bay Salt Joint Venture.

1. Pre-construction phase

- (i) Determine the occurrence and use made of the proposed pond area in Useless Inlet by dugongs during the spring/early summer by aerial survey.

2. Construction phase

- (i) Locate levee 400m south of Lease Boundary to avoid containment of the large mangrove embayment in Useless Inlet.
- (ii) Minimise vehicular traffic along the western access track.
- (iii) Ensure continued use by tourists and recreational fishermen of the Clough's Bar access to Steep Point.
- (iv) Transfer any marine mammal or turtle from the pond area to open water prior to completion of the levee and pond closure.

3. Post construction phase

- (i) Continue to provide public access to Steep Point across Clough's Bar.
- (ii) Continue to provide cleared areas at the ends of Clough's Bar for overnight camping by tourists.
- (iii) Rehabilitate or vacate the construction access track along the western foreshore if required. Contour quarry sites to configuration prescribed by appropriate Government Agencies. Revegetate by agreed methods to approved standards. Manage the residual maintenance quarry site.
- (iv) If directed by EPA or requested by CALM, provide camping areas and boat launching ramp at the western end of the new bar for recreational fishing purposes.
- (v) If considered appropriate by CALM and/or Fisheries Department, allow public access to the new bar to tourists, fishermen, bird watchers, etc.
- (vi) If considered appropriate by CALM and/or Department of Fisheries, enable vehicular access on the proposed levee from the western side to some agreed point to the west of the intake structures.
- (vii) Install appropriate termination/s to vehicular access at agreed locations.

4. Operations phase

- (i) Continue to monitor groundwater salinities and ionic composition in the Useless Loop area together with seagrass distribution to ensure adequate dilution of bitterns.
- (ii) Develop and implement an oil spill contingency plan in conjunction with the appropriate authorities.
- (iii) Assist in the implementation and operation of any routine ballast water monitoring programme established by the Port Authority.
- (iv) Subject to Section 7.3.3 of the Public Environmental Review, enable regulated access to fishermen for commercial fish harvesting within the pond system.
- (v) If requested pursuant to Section 7.3.3 of the Public Environmental Review, assist in aquaculture research programme under the auspices of the Department of Fisheries and the Western Australian Fisheries Industry Council (WAFIC).
- (vi) Validate the essential and relevant items by field survey as requested and directed by the appropriate Government agencies that have responsibility for ongoing environmental regulation.

5. Termination of project

There is no predictable lifetime to a solar salt field and production can continue while demand provides for commercially viable continuance. The project could continue for hundreds of years.

Whenever the project does reach the end of its practical life the following shall occur:

- (i) breach levees and remove all pipes and gate structures so that tidal flushing of the whole ponded area can resume;
- (ii) remove infrastructure such as pump station, flume, washery, jetty, shiploader and townsite facilities, unless otherwise required by the State, all in accordance with Clause 27(b) of the 1983 Lease Agreement.