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WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

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

**EXPANSION OF RESERVE NO. 41076 (QUARRY - SHELL GRIT), L'HARIDON BIGHT,
SHARK BAY (566)**

SHIRE OF SHARK BAY

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 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 Consultative Environmental Review and in response to issues raised following public submissions. These commitments are consolidated in Environmental Protection Authority Bulletin 667 as Appendix 1. (A copy of the commitments is attached.)

2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 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 Mining Operations

- 3-1 In order to minimise impacts from mining shell grit, the proponent shall mine by the shallow layer harvesting technique outlined in the Consultative Environmental Review in an area extending not more than 7.3 kilometres northwards from the southern boundary of the existing reserve no. 41076 (see Figure 1 attached).

- 3-2 The proponent shall extract not more than 5000 tonnes of shell grit per year from the expanded reserve.

4 Environmental Management Programme and Reporting

- 4-1 Prior to commencing mining, the proponent shall design an Environmental Management Programme to the requirements of the Minister for the Environment on advice of the Department of Conservation and Land Management. This Environmental Management Programme shall include consideration of, but not be limited to:

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- 1 an initial depth limit and proposed mined profile (including proper survey controls to show profiles before and after mining);
 - 2 monitoring of shell accumulation; and
 - 3 reporting procedures.
- 4-2 The proponent shall implement the Environmental Management Programme required by condition 4-1.
- 4-3 The proponent shall submit an environmental performance report annually to the requirements of the Environmental Protection Authority. This report shall include the monitoring results required by condition 4-2 in order to determine the volume of shell deposited annually. Continued use of the reserve and grant of any further expansion of the reserve area will be contingent upon establishing that the harvesting of shells within this reserve is environmentally sustainable in the long term.

5 Decommissioning

The satisfactory decommissioning of the project, removal of the plant and installations and rehabilitation of the site and its environs is the responsibility of the proponent.

- 5-1 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan.
- 5-2 The proponent shall implement the plan required by condition 5-1.

6 Proponent

These conditions legally apply to the nominated proponent.

- 6-1 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.

7 Time Limit on Approval

The environmental approval for the proposal is limited.

- 7-1 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.)

8 Compliance Auditing

In order to ensure that environmental conditions and commitments are met, an audit system is required.

- 8-1 The proponent shall prepare periodic "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

The Department of Land Administration will manage the expansion of Reserve No. 41076 in accordance with the Land Act 1933.

If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Note:

- 1 The mining area will not initially exceed 7.3 kilometres along the beach and will be confined to below the limit of vegetation. Grant of any further expansion of the reserve area will be contingent upon a review of mining operations by the Environmental Protection Authority.
- 2 The proponent will be required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act.

Jim McGinty, MLA
MINISTER FOR THE ENVIRONMENT

29 JAN 1993

PROPONENT'S COMMITMENTS

**EXPANSION OF RESERVE 41076 (QUARRY - SHELL GRIT) L'HARIDON BIGHT, SHARK BAY
(566)**

SHIRE OF SHARK BAY

The proponent has made the following environmental commitments:

1. Mining method will be changed from "pit excavation" to "layer harvesting";
2. No extraction will occur in the areas included in the exclusion list (see Figure 1 attached);
3. Exclusion sites will be clearly marked to restrict access and prevent extraction.
4. No overburden or flora communities will be removed.
5. Interesting deposit formations will not be disturbed.
6. No additional traffic will be generated as no increase in extraction quantities is proposed.
7. No rehabilitation programme is detailed as the regeneration of the shell beach is expected to occur naturally according to wind and water action.

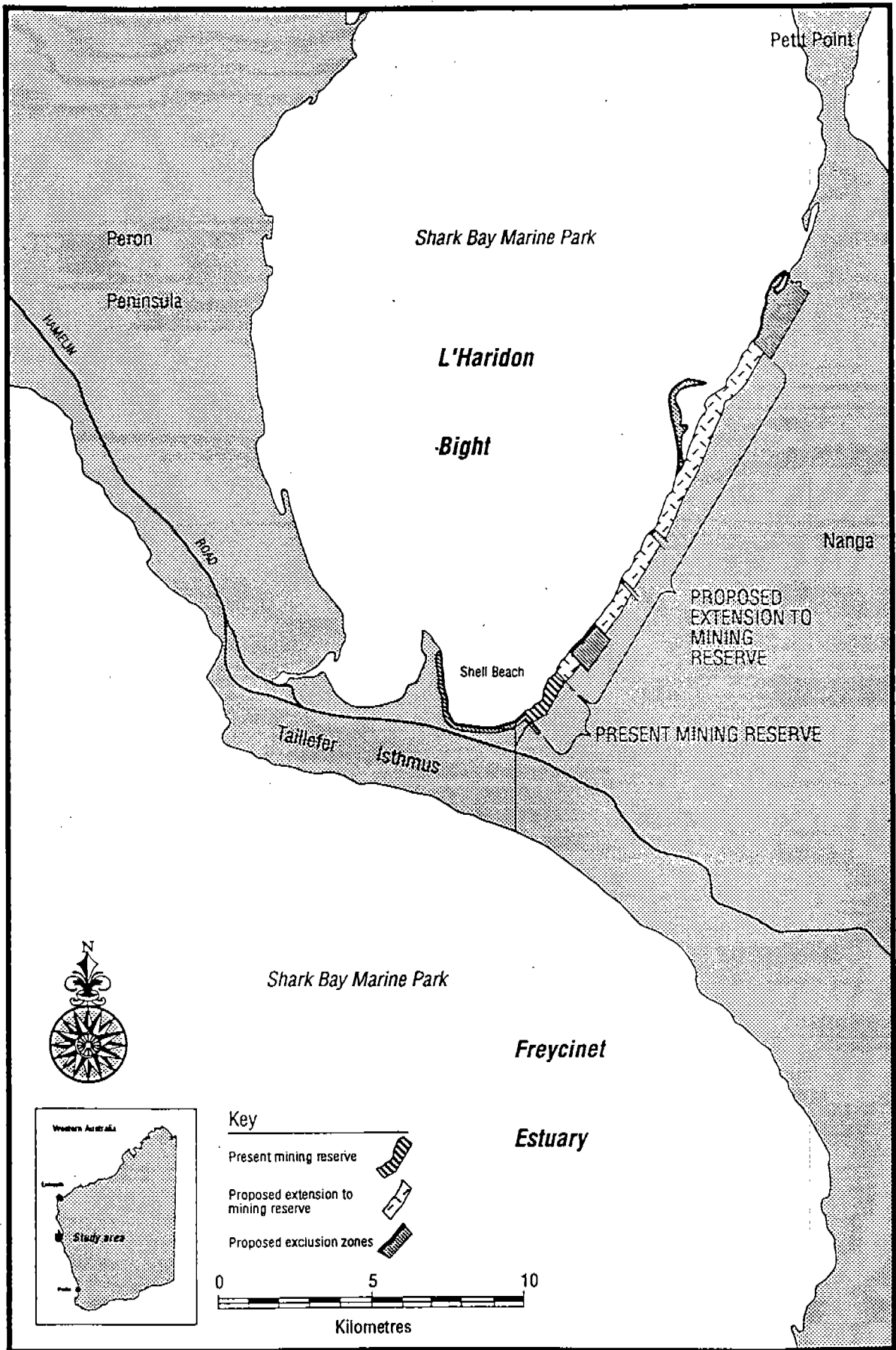


Figure 1: Location map.