



WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

Ass # 698

Bull # 653

State # 315

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

EAST PERTH PROJECT, CLAISEBROOK INLET (698)

EAST PERTH REDEVELOPMENT AUTHORITY

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 Public Environmental Review and in response to issues raised following public submissions. These commitments are consolidated in Environmental Protection Authority Bulletin 653 as Appendix 4. (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 Management of Contamination from the Gas-Works Site

- 3-1 The proponent shall not cause contamination from the adjacent gas-works site (reported in Environmental Protection Authority Bulletin 651) to enter the Claisebrook Inlet, and shall prevent such contamination from entering the Inlet.
- 3-2 The proponent shall coordinate construction involving the management of contamination from the gas-works site (referred to below) with the adjacent clean-up of contamination by the State Energy Commission of Western Australia.

Published on

30 JUN 1995

Management of contamination including:

- 1 the dredging of the entrance channel,
- 2 the excavation of the lower parts of the Claisebrook Main Drain,
- 3 the connection of the Claisebrook Inlet with the Swan River,
- 4 the commissioning of the entrance channel for public use; and
- 5 construction of the Claisebrook Inlet within the cadastral boundaries of the gas-works site (see attachment A).

This shall be done to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Swan River Trust.

- 3-3 The proponent shall not commence the de-watering for the construction of the Claisebrook Inlet until a barrier wall between the gas-works site and the Inlet has been constructed to prevent the movement of any further contaminants from the gas-works site, unless it can be established through further investigations that condition 3-1 can be met.
- 3-4 Prior to commencing construction of the Claisebrook Inlet, the proponent shall submit the results of any further investigations arising from condition 3-3 to the Minister for the Environment. These investigations should establish both the parameters under which de-watering could proceed prior to construction of the barrier wall, and the management and monitoring procedures which should be in place to ensure that condition 3-1 is met.
- 3-5 The proponent shall not commence construction of the Claisebrook Inlet until the Minister for the Environment on advice of the Environmental Protection Authority advises that condition 3-1 may be met by the management provisions referred to in conditions 3-2 and 3-4.

4 Management of Contamination from the Claisebrook Main Drain

- 4-1 The proponent shall minimise contamination of the Claisebrook Inlet from the Claisebrook Main Drain.
- 4-2 Prior to any modification to the Claisebrook Main Drain, the proponent shall prepare a design and management plan for the section of the drain proposed to be modified to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Water Authority of Western Australia and the Swan River Trust.

The plan shall address, but not be limited to the following:

- 1 the location of the Claisebrook Interceptor (low flow) drain entry to the Swan River;
- 2 measures to minimise any contamination entering the Claisebrook Inlet from either the Claisebrook Interceptor (low flow) drain or the high flow drain;
- 3 the measures which prevent gross pollutants from entering the Swan River; and
- 4 a management strategy for use of the Claisebrook Inlet.

- 4-3 The proponent shall implement the plan required by condition 4-2 to the requirements of the Environmental Protection Authority on advice of the Swan River Trust and the Water Authority of Western Australia.

5 Claisebrook Inlet Water Quality

- 5-1 The proponent shall manage the Claisebrook Inlet so that the water quality meets the standards for secondary contact recreation to the requirements of the Environmental Protection Authority on advice of the Swan River Trust.

5-2 The proponent shall only change the proposed management objectives for water quality of the Claisebrook Inlet in consultation with, and with the approval of, the Environmental Protection Authority.

6 Waterways Manager

The long term management of the Claisebrook Inlet and the public facilities needs to be assured.

6-1 Initially the proponent shall be the Waterways Manager for the Claisebrook Inlet.

6-2 Prior to the connection of the Claisebrook Inlet to the Swan River, the proponent shall put in place a mechanism which, in the event of the East Perth Redevelopment Authority ceasing to exist, designates a replacement Waterways Manager to the requirements of the Minister for the Environment.

7 Environmental Management Programme

The proponent is committed to preparing an environmental management programme at appropriate stages to address the impacts of the construction and the management of the Claisebrook Inlet.

7-1 Prior to construction, the proponent shall prepare an environmental management programme to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority. This programme shall address, but not be limited to the following issues:

- 1 management of construction impacts such as dust, noise, traffic, drainage, including any contaminated groundwater and soils encountered during excavation;
- 2 monitoring of water quality in the Claisebrook Inlet and perched water feature;
- 3 management of water-based recreation activities;
- 4 management of the public facilities on the edge of the Claisebrook Inlet; and
- 5 design and management of a maintenance dredging programme.

7-2 The proponent shall update the environmental management programme required by condition 7-1 every year for five years to the requirements of the Environmental Protection Authority on advice of the Swan River Trust.

7-3 In the fifth year, the proponent shall review the need for the above-mentioned environmental management programme in conjunction with the Environmental Protection Authority on advice of the Swan River Trust. The Environmental Protection Authority will then determine the need for continuation of the environmental management programme and further reviews.

8 Proponent

These conditions legally apply to the nominated proponent.

8-1 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.

9 Time Limit on Approval

The environmental approval for the proposal is limited.

9-1 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.)

10 Compliance Auditing

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

10-1 The proponent shall prepare periodic "Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

- 1 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.
- 2 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.
- 3 The East Perth Redevelopment Authority, as the responsible management authority, will comply with and co-operate with the formulation of any catchment management plan produced by State Government agencies for the Claisebrook Main Drain Catchment to the requirements of the Ministers for the Environment, Water Resources and Local Government.

Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

29 JUN 1993

CONSOLIDATED LIST OF COMMITMENTS FOR CLAISEBROOK

Commitments represent the Proponents solutions to potential environmental problems posed by the proposal. Essentially they are promises by the Proponent regarding the methods by which certain aspects of the proposal will be carried out.

The EPRA commits to carrying out the following commitment with respect to the Claisebrook Inlet:

1. With regard to connecting the Inlet to the Swan River the EPRA will ensure that, if required:
 - the connection will be made after most suspended sediment in the Inlet has had an opportunity to settle,
 - the connection will be timed if at all possible to correspond with high tide and a period during which suspended sediments are naturally high in the Swan River.

The above will be implemented in consultation with the EPA and the SRT.

2. With regard to managing the quality of water in the Claisebrook Inlet the EPRA will:
 - monitor the level of faecal coliforms in the Claisebrook Inlet and the Claisebrook Drain on a monthly basis until such time as it is considered to be no longer necessary.

The above will be performed to the satisfaction of the EPA and the SRT.

- Jointly, with other responsible government authorities, contribute to a program designed to identify and prevent pollution currently entering the Claisebrook Drain. The Authority's financial contribution will be limited to \$10,000.

The above will be performed upon agreement with other authorities to undertake the study.

3. To prepare an Environmental Management Program (EMP) which will provide full details of the excavation, handling and disposal of hazardous wastes should

they be uncovered during excavation, and of contaminated sediments, clean fill, and groundwaters extracted during dewatering exercises. This EMP will be supplied to the EPA as soon as design details become available and prior to construction commencing. This will be done to the satisfaction of the EPA.

4. Provide the following in order to minimise the potential generation of nuisance dust during and after construction of the Inlet:
 - adequate wind fencing will be stored on site during excavation,
 - water carts will be available for use during excavation,
 - stabilisation of areas if required.

The above will be carried out to the satisfaction of the EPA.

5. Perform the following with regard to minimising noise generation during Inlet excavation;

ensure trucks and excavators are in good operating order with standard noise mufflers,

ensure that dewatering pumps that are operating are within earth bunds,

only operate machinery with the exception of dewatering pumps and dredging and associated equipment during 0700 hours and 1800 hours Monday through Saturday.

The above will be done to the satisfaction of the EPA.

6. Minimise the fertilisers applied to landscaped areas adjacent to the Swan River and the Claisebrook Inlet to levels that maintain the grass in good health. The proponent will seek the advice of the City of Perth to achieve this objective.

This will be done to the satisfaction of the EPA.

7. If required construct a gross pollutant trap and facilities to accommodate a boom system to trap pollutants at the outfall of Claisebrook Drain.

This will be done in consultation with the Swan River Trust and WAWA.

8. Development of a foreshore landscaping program which will protect the banks of the Swan River and discourage primary contact recreation within 50 m of the outlet of Claisebrook Drain.

This will be done in consultation with the Swan River Trust and WAWA.

9. Continue to liaise with the Swan River Trust, the Perth City Council and WAWA on the management of the Claisebrook Inlet and Main Drain.

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SECTION 4 - DESCRIPTION OF SITE

4.1 CADASTRAL INFORMATION

The East Perth Gasworks is located on the western bank of the Swan River between the Bunbury Railway line to the north and the Claisebrook Drain to the south. On the western side, the site is bounded by Trafalgar Road and on the eastern side the site is separated from the river shoreline by a narrow strip of public open space.

Title details are as follows:

- Swan Location 8292 being the whole of land contained in Certificate of Title Volume 291 Folio 189a.
- Portion of Swan Location A1 on Diagram 201 and being the whole of the land contained in Certificate of Title Volume 416 Folio 51.
- Perth Lot 745 being the whole of land contained in Certificate of Title Volume 107B Folio 437.
- Portion of Swan Location A2 on Diagram 121B6 and being the whole of land contained in Certificate of Title Volume 1079 Folio 98.
- Perth Lot 764 being the whole of land contained in Certificate of Title Volume 119B Folio 658.

The Gasworks site location is shown on Figure 2.1.

4.2 TOPOGRAPHY, GEOLOGY, GROUNDWATER AND HYDROGEOLOGY

4.2.1 Topography

The site slopes approximately 10 metres from the north-west corner to the south-east corner.

4.2.2 Geology

The site lies on the Swan Coastal Plain, which is a low-lying and gently undulating area extending for several hundred kilometres along the southwest coast. Near Perth, the coastal plain is about 30km wide and is bounded by the coast to the west and the Darling Scarp to the east. Sedimentary units of the Perth basin lie beneath the Swan Coastal Plain.

Near the site the stratigraphic sequence consists of a mixture of recent alluvial deposits from the Swan River, Pleistocene sands and clayey sands of the Bassendean Sand Guildford Formation, and the Tamala limestone.