



Ass # 793

Bull # 725

State # 333

WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

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

PILBARA ENERGY PROJECT, KARRATHA, PORT HEDLAND & NEWMAN (793)

PILBARA ENERGY LIMITED

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 included in Environmental Protection Authority Bulletin 725, Section 6. (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 Proponent

These conditions legally apply to the nominated proponent.

- 3-1 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.

4 Works Approval and Licence

- 4-1 The gas turbine power station site at Port Hedland shall be subject to the Works Approval and Licence provisions of the Environmental Protection Act. The proponent shall apply for a Works Approval and subsequently a Licence following acceptance of the conditions in this statement.

Published on

- 6 JAN 1994

5 Time Limit on Approval

The environmental approval for the proposal is limited.

- 5-1 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.)

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.

 
Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

5 JAN 1994

Environmental Management Commitments

PILBARA ENERGY PROJECT

KARRATHA, PORT HEDLAND & NEWMAN (793)

PILBARA ENERGY LIMITED

LIST OF COMMITMENTS

GENERIC COMMITMENTS

The following commitments have been developed by PEL to reduce the potential impacts of the Pilbara Energy Project. They apply to all of the project components and will be implemented at the appropriate time and to the satisfaction of the landowner and/or relevant authority.

1 - Limits of Construction

The limits of construction activities outside approved easements will be predetermined by PEL in consultation with landowners, with activities restricted to and confined within those limits. All construction vehicle movement outside the easement will be restricted where practicable to predesignated roads and tracks.

2 - Personnel Instruction

Prior to construction, all supervisory construction personnel will be instructed by PEL (or a person nominated by PEL) on the protection of cultural and ecological resources and will be briefed on all agreed commitments, including the protocol for access to pastoral land already established by PEL.

3 - Complaints Resolution

A programme for handling and resolving complaints will be established by PEL prior to commencement of construction and will be administered by a designated person in consultation with landholders, local Shires and other relevant authorities.

4 - Fire Suppression

PEL will instruct the contractor to do everything reasonably within its power to prevent and suppress fires on or near the lands to be occupied under the easement, including making available such construction and maintenance forces as may be reasonably obtainable for the suppression of such fires. PEL will also comply with Bushfire Board requirements.

5 - Restoration

PEL will instruct the contractor to build and repair such roads, fences and trails as may be destroyed or damaged by construction work.

6 - Construction Activities

PEL will instruct the contractor to build and maintain necessary and suitable crossings for all roads, trails and fences that intersect the works constructed, maintained or operated. This will be completed under PEL supervision (or a Project Manager nominated by PEL) and in consultation with affected landowners.

7 - Archaeology/Ethnography Survey

Prior to construction, PEL will ensure that the survey of archaeological and ethnographic sites within the area occupied by the project components is completed. The results of this survey will be provided to the WA Museum. For all Aboriginal sites which require disturbance, PEL will meet the requirements of the Aboriginal Heritage Act (1972-1990).

8 - Rehabilitation

PEL will ensure that all construction and designated access roads not required for subsequent operation and maintenance purposes, construction sites, and material storage sites will be rehabilitated using methods described in the CER document (Section 5.8). The method of rehabilitation will normally consist of returning disturbed areas back to their natural contour, installing cross drains for erosion control, placing drains back in the road and filling ditches. This will be done to the satisfaction of the relevant authorities.

9 - Waste Disposal

PEL will instruct the contractor to remove or dispose of waste caused by its activities in a manner satisfactory to the landholder. The term "waste" as used herein means all discarded matter, including but not limited to human waste, garbage, oil drums, petroleum products, ashes and equipment. Construction areas will be maintained in a sanitary condition at all times and garbage and refuse at these sites will be disposed of on a regular basis. Hazardous or toxic waste generated or used on-site will be disposed of in a manner consistent with health authority guidelines.

10 - Access

PEL will ensure that no new access will be constructed where existing access is available and is adequate for PEL purposes. This will minimise ground disturbance and limit unauthorised access. Landholders will be consulted on the location for new access routes.

11 - New Access Alignments

PEL will ensure that the alignment of any new access will take minimal gradients provided that such alignment does not additionally impact environment and social values.

12 - Transmission Line Tower Locations

PEL will ensure that tower structures will be placed so as to avoid sensitive features (e.g. rare flora, Aboriginal sites etc.) and/or to allow conductors to clearly span the features, within the limits of line structure design. This will minimise the amount of sensitive features disturbed and/or reduce visual contrast.

13 - Road Crossings

PEL will ensure that, at highway and road crossings, the transmission line will cross at a minimum angle of 60° and the tower structures are placed outside of the road reserve.

14 - Camp Sites

Camp sites will be selected in consultation with the landholder and relevant authorities to comply with the following requirements:

- o no camp sites will be located in vested reserves, e.g. National Parks and Flora and Fauna Reserves; and
- o wherever possible and practical, camp sites will be located adjacent to, or as close as possible to, existing access roads.

PEL will ensure that every effort will be made to establish camps in areas with the following characteristics:

- o soil conditions are suitable for sewage effluent disposal;
- o no excavation is required prior to camp establishment;
- o some form of environmental degradation exists in the area; and
- o minimal visual impact would result from the establishment of a camp site.

15 - Environmental Management Plan

PEL will prepare an Environmental Management Plan (EMP) prior to construction. This plan will provide more detail about the environmental management for the project and discuss site specific treatments including disposal of excess rock. The plan will meet the requirements of the EPA.

SPECIFIC COMMITMENTS

16 - Pipeline Clearing

Wherever possible, clearing will be done only to groundlevel and disturbance to the soil or plant rootstock will be minimised. All service areas required for actual work activities will have the top soil removed and stockpiled.

17 - Pipeline Vegetation

During the pipeline construction, PEL will identify and clearly flag areas of significant vegetation within the construction areas. Only vegetation required to be removed for construction purposes will be affected.

18 - Pipeline Fauna

PEL will ensure that the contractor instructs all construction personnel about the ecological significance of the riverine vegetation.

19 - Firearms

All firearms will be banned.

20 - Barrier Effects

PEL will ensure that the easement is rehabilitated to the satisfaction of the relevant authorities and will monitor the success of the rehabilitation to minimise any potential barrier effects. All open trenches will be inspected each day and any fauna which has been accidentally trapped will be noted and released.

21 - Borrow Pits

Wherever possible, existing sand extraction areas or active borrow pits will be used. If new sites are required pits will be sited, excavated and rehabilitated according to the standards set out in the *BHP-Newman Guidelines and Objectives for Borrow Pit Development and Rehabilitation*.

22 - Dust and Noise

PEL will ensure that, in areas close to habitation, construction activities will be restricted as necessary to comply with the requirements of the neighbourhood noise provisions of the *Environmental Protection Act 1986*. Water sprays will be used to control dust as required.

23 - Pipeline River Crossings

PEL will ensure that clearing on river and creek banks will be kept to the absolute minimum necessary for the laying of the pipe. Temporary stabilisation measures such as stabilised sand bags, rock mattresses or similar will be used as required to ensure erosion protection until the vegetation on the banks has regrown. All stream channel disturbance will be landscaped to a form similar to that prior to pipe laying. The pipeline trench will have sack breakers installed at each side of the river crossing so that water entering the trench does not escape to the river causing erosion.

24 - Test Water

PEL will ensure that the gas pipeline hydrostatic pressure test water will be disposed of into the riverbeds for soakage and/or evaporation using aeration spraying at disposal to instigate the breakdown of the biodegradable inhibitor to the satisfaction of the EPA.

25 - Power Station Clearing

PEL will ensure that all areas not required for permanent facilities outside the power station boundary will be revegetated to the satisfaction of the relevant authorities.

26 - Air Quality Monitoring

During operation, ambient air quality monitoring will be carried out by PEL to ensure that the air emissions comply with EPA standards.

27 - Mining Tenements and Leases

PEL will comply with the statutory requirements in regard to Mining Tenements and leases crossed by the project.

28 - Pastoral Leases

PEL will continue discussions with local land holders during the construction period and comply with statutory requirements.

29 - Mulga Communities

PEL makes a number of commitments with regard to construction and operation of the transmission line through Mulga woodlands. These are:

- o PEL will ensure that existing access tracks will be used wherever possible to gain access to tower bases located in Mulga woodland;
- o where new access is required, PEL will ensure that the access will be 4WD only (i.e. not formed) and will not cause any disturbance to surface water flow;
- o wherever possible, clearing of vegetation through Mulga woodland will not involve the removal of route stock. It is anticipated that vehicles will be able to negotiate around individual tree stumps; and
- o within the easement, Mulga trees will be lopped using mechanical methods to maintain required clearances.

30 - Weed Control

The propagation of weeds will be controlled to the satisfaction of the Department of Agriculture by the following:

- o prospective borrow pit sites will be rejected if weed infestation on or near the site is apparent;
- o traffic in and out of areas where weed infestation exists along the routes of the gas pipeline and transmission line will be controlled to limit spreading of the weeds; and
- o the easements will be monitored for weed infestations and appropriate action taken if infestations are reported.