



MINISTER FOR THE ENVIRONMENT;
EMPLOYMENT AND TRAINING

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

PRAWN FARM, HERON POINT, EXMOUTH GULF (1087)

CAPE SEAFARMS PTY. LTD.

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 made in the Consultative Environmental Review and subsequently during the environmental assessment process conducted by the Environmental Protection Authority; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

In the event of any inconsistency, the conditions and procedures shall prevail to the extent of the inconsistency.

The consolidated environmental management commitments of May 1997 are 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.
- 2-2 Where, in the course of the detailed implementation referred to in condition 2-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority 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.

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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 Environmental Management System

The proponent should exercise care and diligence in accordance with best practice environmental management principles.

- 4-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to construction, the proponent shall prepare environmental management system documentation with components such as those adopted in Australian Standards AS/NZS ISO 14000 series, in consultation with the Department of Environmental Protection.
- 4-2 The proponent shall implement the environmental management system referred to in condition 4-1.

5 Environmental Management Plan

- 5-1 The proponent shall maintain a high level of environmental protection in the project area.
- 5-2 To achieve the objective of condition 5-1, prior to construction of the ponds, the proponent shall prepare an Environmental Management Plan which addresses, but is not limited to the following:

- 1 mangroves;
- 2 marine water quality;
- 3 effluent water quality;
- 4 groundwater; and
- 5 disease management,

to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection, Agriculture Western Australia and the Fisheries Department of Western Australia.

- 5-3 The proponent shall implement the Environmental Management Plan required by condition 5-2.

6 Decommissioning

- 6-1 The proponent shall carry out the satisfactory decommissioning of the project, removal of the plant and installations and rehabilitation of the site and its environs.
- 6-2 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan in consultation with the Commissioner of Soil and Land Conservation to achieve the objectives of condition 6-1.
- 6-3 The proponent shall implement the plan required by condition 6-2.

7 Time Limit on Approval

The environmental approval for the substantial commencement of 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.

Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Department of Environmental Protection that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years.

8 Compliance Auditing

To help determine environmental performance and compliance with the conditions, periodic reports on the implementation of the proposal are required.

- 8-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponent.

Procedure

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance of conditions.
- 2 Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.

Note

- 1 The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act.
- 2 The Environmental Protection Authority reported on the proposal in Environmental Protection Authority Bulletin 854 (May 1997).

CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

27 AUG 1997

Proponent's Environmental Management Commitments

May 1997

Prawn Farm, Heron Point, Exmouth Gulf (1087)

Cape Seafarms Pty Ltd

COMMITMENTS

Cape Seafarms - Prawn Farm, Heron Point, Exmouth Gulf (1087)

Vegetation

- 1 No mangroves will be cleared for the construction of the discharge channel.

This commitment will be confirmed to the requirements of the Department of Environmental Protection (DEP) by photographic monitoring before and after construction.

- 2 The proponent will prepare a Rehabilitation Plan prior to construction in order to ensure that disturbed areas which are no longer required following construction or at any later stage of the project are protected from erosion and carry a vegetative cover similar to their pre-construction state.

The Rehabilitation Plan will include details of rehabilitation methods, species, monitoring of regrowth and success criteria.

- 3 The Rehabilitation Plan will be prepared and implemented to the requirements of the DEP.

- 4 The proponent will prepare a Mangrove Management and Monitoring Plan to monitor and manage the physical characteristics of Wapet Creek and the extent and health of the mangroves in the creek, in order to confirm that the quality and quantity of water discharged from the prawn farm is having no adverse effects on the creek or its mangroves.

- 5 The Mangrove Management and Monitoring Plan will be prepared and implemented under the supervision and co-ordination of the Australian Institute of Marine Science (AIMS) as part of an Australia-wide research project, in association with CSIRO, the Fisheries Research and Development Corporation (FRDC), Australian prawn farms and the Aquaculture Co-operative Research Centre (CRC).

The Plan will include contingency actions, including the option of direct ocean discharge, to be implemented should the EPA objectives for mangroves not be met.

- 6 The Mangrove Management and Monitoring Plan will be prepared and implemented to the requirements of the DEP.

Water Quality

- 7 The proponent will prepare and implement a Water Quality Management and Monitoring Plan (WQMMP) to monitor and manage the quality of water in the ground beneath the project and in the receiving waters of Wapet Creek and Exmouth Gulf, in order to ensure that water quality-sensitive ecosystems in the Groundwater, Wapet Creek and Exmouth Gulf are protected.

- 8 The WQMMP will be developed in consultation with AIMS, Aquaculture-CRC and CSIRO and will be integrated with the AIMS/CRC research project E.1: Pond Productivity and Effluent Management being conducted by the CSIRO Division of Fisheries.

- 9 The WQMMP will be prepared and implemented prior to commissioning to the requirements of the DEP.

- 10 The water quality criteria for Exmouth Gulf to be achieved during Stage 1 will be those stated on Page 51 of the CER.

At the end of Stage 1 and in the light of results from both the Mangrove Management and Monitoring Plan and the completed three-year AIMS/CRC study, these initial criteria will be reviewed and revised as necessary to achieve the objectives of EPA Bulletin 711: Western Australian Water Quality Guidelines for Fresh and Marine Waters.

Access

- 11 The proponent will maintain the existing public access to the beach and Wapet Creek during and after construction, in order to minimize interference with legitimate recreational activities.

This commitment will be fulfilled to the requirements of the DEP, as confirmed by a letter of advice from the Shire of Exmouth in conjunction with the proponent's application for operating licences.

Aboriginal Heritage

- 12 The proponent will protect any Aboriginal artefacts that might be discovered on the site during clearing or construction in order to ensure compliance with the Western Australian Aboriginal Heritage Act 1972.
- 13 In accordance with the requirements of the Act, if any Aboriginal artefacts are discovered all ground-disturbing work in the vicinity will stop and the Department of Aboriginal Affairs will be consulted.

Disease

- 14 The proponent will prepare a Disease Contingency Plan that will minimize the risk of disease being imported into or escaping from the prawn farm, in order to prevent the transmission of diseases to wild populations.

The proponent will maintain strict compliance with Australian quarantine regulations and licences in the importation of all feeds and other materials for the prawn farm.

- 15 The proponent will maintain hygiene standards which meet or improve upon industry Best Practice as set out in the draft Environmental Code of Practice for Australian Prawn Farmers and applicable licences, and will continue to implement industry Best Practice as it evolves.
- 16 The Disease Contingency Plan will meet the standards of the national Disease Contingency Plan (developed by CSIRO Division of Animal Health), will be prepared in consultation with the Department of Agriculture Western Australia and the Fish Health Section of Fisheries Department of WA, and will incorporate all reporting and other requirements of the Stock Diseases Regulations Act.
- 17 The Disease Contingency Plan will be prepared to the requirements of the DEP prior to commissioning and will be implemented throughout the life of the project.

Sediment & Pollution

- 18 The proponent will include protection against storm surge, cyclones, flooding and erosion in all phases of the project from planning to operation, in order to prevent storm-caused release of sediment, fuels or chemicals to the environment.
- 19 All pond walls, drainage structures and other earthen surfaces within the farm will be designed, constructed and stabilised to minimize erosion and run-off generation in accordance with the draft Environmental Code of Practice for Australian Prawn Farmers.
- 20 All buildings will be built to Force 1 cyclone specifications to withstand cyclone damage.
- 21 The diesel fuel storage facility will be sited on high ground so as to minimize its exposure to storm surge. The facility will be constructed to Department of Minerals and Energy (DME) requirements to withstand cyclonic winds and flooding.
- 22 All disturbed earthen surfaces associated with the project will be drained to the settling ponds via the site drainage system to minimize sediment exports.
- 23 Workshop drainage that is susceptible to hydrocarbon contamination (oil, grease, solvents) will be routed through oil interceptors.
- 24 Compliance with each commitment under "Sediment & Pollution" will be demonstrated to the DEP before commissioning of the project.