

**THIS DOCUMENT**

This document has been produced by the Office of the Appeals Convenor as an electronic version of the original Statement for the proposal listed below as signed by the Minister and held by this Office. Whilst every effort is made to ensure its accuracy, no warranty is given as to the accuracy or completeness of this document.

The State of Western Australia and its agents and employees disclaim liability, whether in negligence or otherwise, for any loss or damage resulting from reliance on the accuracy or completeness of this document. Copyright in this document is reserved to the Crown in right of the State of Western Australia. Reproduction except in accordance with copyright law is prohibited.

Published on: 12 June 2013

Statement No: 938

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL  
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE  
*ENVIRONMENTAL PROTECTION ACT 1986*)**

**ORD RIVER IRRIGATION AREA STAGE 2 (M2 SUPPLY CHANNEL)  
SHIRE OF WYNDHAM-EAST KIMBERLEY**

**Proposal:** The proposal is to develop the Ord River Irrigation Area Stage 2 (M2 Supply Channel), Kununurra, as documented in Schedule 1 of this Statement.

**Proponent:** Minister for State Development

**Proponent Address:** 1 Parliament Place  
WEST PERTH WA 6005

**Assessment Number:** 1941

**Previous Assessment Number:** 1240 and 1828

**Report of the Environmental Protection Authority:** 1467

**Previous Report of the Environmental Protection Authority:** 988, 1016 and 1354

**Previous Statement Number:** 585 and 830

The implementation of the proposal to which the above reports of the Environmental Protection Authority relate is subject to the following conditions and procedures, which replace and supersede all previous conditions and procedures of Statements 585 and 830.

## **1 Implementation**

1-1 The proponent shall implement the proposal as documented and described in Schedule 1 of this Statement, subject to the conditions and procedures of this Statement.

## **2 Contact Details**

- 2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within 28 days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

## **3 Time Limit for Proposal Implementation**

- 3-1 The proponent shall not commence implementation of the proposal after the expiration of 5 years from the date of this Statement, and any commencement, within this 5 year period, must be substantial.
- 3-2 Any commencement of implementation of the proposal, within 5 years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of 5 years from the date of this Statement.

## **4 Compliance Reporting**

- 4-1 The proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO.
- 4-2 The Compliance Assessment Plan shall indicate:
- (1) the frequency of compliance reporting;
  - (2) the approach and timing of compliance assessments;
  - (3) the retention of compliance assessments;
  - (4) reporting of potential non-compliances and corrective actions taken;
  - (5) the table of contents of compliance reports; and
  - (6) public availability of compliance reports.
- 4-3 The proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by Condition 4-1.
- 4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by Condition 4-1 and shall make those reports available when requested by the CEO.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within 7 days.
- 4-6 The proponent shall submit a compliance assessment report annually from the date of issue of this Statement addressing the previous twelve month period or other period as accepted by the CEO. The compliance assessment report shall:

- (1) be endorsed by the proponent's Managing Director or a person delegated to sign on the Managing Director's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by Condition 4-1.

## **5 Environmental Management Programme**

- 5-1 The proponent shall implement the proposal in accordance with the "Environmental Management Programme", dated July 2011, or subsequent revisions approved by the CEO.

## **6 Final Project Design**

- 6-1 The proponent shall implement the proposal in accordance with the "Final Project Design Plan", dated July 2011, or subsequent revisions approved by the CEO.

## **7 Final Decommissioning Plan**

- 7-1 At least six months prior to the anticipated date of decommissioning, or at a time accepted by the CEO, the proponent shall prepare a Final Decommissioning Plan designed to ensure that the site is left in a suitable condition, with no liability to the State.

The Final Decommissioning Plan shall be prepared in accordance with "Preliminary Decommissioning Plan", approved as part of the "Environmental Management Programme" dated July 2011 and required by Condition 5-1, or subsequent revisions approved by the CEO.

The Final Decommissioning Plan shall address:

- (1) removal or, if appropriate, retention of plant and infrastructure;
- (2) rehabilitation of all disturbed areas to a standard suitable for the accepted new land use(s); and
- (3) identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities.

- 7-2 The proponent shall implement the Final Decommissioning Plan required by Condition 7-1 until such time as the CEO determines that decommissioning is complete.
- 7-3 The proponent shall make the Final Decommissioning Plan required by Condition 7-1 publicly available, to the requirements of the CEO.

[Signed 11 June 2013]

Albert Jacob MLA  
**MINISTER FOR ENVIRONMENT; HERITAGE**

**The Proposal (Assessment No. 1240)**

The M2 project is located within the Victoria-Bonaparte Biographic Region. The Project Area extends over approximately 76,000 hectares (ha) of land comprising the Weaber, Keep River and Knox Creek Plains, and involves approximately equal areas within Western Australia (WA) and the Northern Territory (NT) (see Figure 1).

The M2 project involves (see Figure 2):

- development of 30,500 hectares (ha) for irrigated agriculture;
- development of 3,000 ha for water supply and land protection infrastructure;
- establishment and management of 42,500 ha of land as a buffer for conservation purposes;
- construction of a raw sugar mill, with the capacity to produce approximately 400,000 tonnes per annum (tpa) of raw sugar and 160 000 tpa of molasses, near the centre of the M2 Area, in Western Australia; and
- development of raw sugar and molasses storage and handling facilities at Wyndham.

The main characteristics of the proposal are summarised in Table 1 below.

**Table 1 – Key Proposal Characteristics**

<b>Element</b>	<b>Description</b>	<b>Amount</b>
Land within the Project Area	<ul style="list-style-type: none"> <li>• “Project Area”</li> <li>• Land managed as a buffer<sup>+</sup></li> <li>• Land for irrigable development</li> <li>• Infrastructure area</li> </ul>	<ul style="list-style-type: none"> <li>• 76,000 ha*</li> <li>• 42,500 ha*</li> <li>• 30,500 ha*</li> <li>• 3,000 ha*</li> </ul>
Land outside the “Project Area”	<ul style="list-style-type: none"> <li>• M2 Channel (Lake Kununurra to “Project Area”)</li> <li>• Wyndham Port Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• 690 ha</li> <li>• 1 ha</li> </ul>
Production	<ul style="list-style-type: none"> <li>• Raw sugar</li> <li>• Molasses</li> </ul>	<ul style="list-style-type: none"> <li>• 400,000 tpa</li> <li>• 160,000 tpa</li> </ul>
Infrastructure	<ul style="list-style-type: none"> <li>• Irrigation channels</li> <li>• Annual water requirement</li> <li>• Drains</li> <li>• Flood protection levees</li> <li>• Balancing storage dams (operating volume)</li> <li>• Roads</li> <li>• Power lines</li> </ul>	<ul style="list-style-type: none"> <li>• 160 km*</li> <li>• 740 GL*</li> <li>• 153 km*</li> <li>• 142 km*</li> <li>• 5.6 GL</li> <li>• 161 km</li> <li>• 165 km</li> </ul>
Wyndham Port	<ul style="list-style-type: none"> <li>• Raw sugar store</li> <li>• Molasses store</li> </ul>	<ul style="list-style-type: none"> <li>• 180,000 t</li> <li>• 75,000 t</li> </ul>

**Key:**

*	=	approximate
GL	=	Gigalitres
ha	=	hectares
km	=	kilometres
tpa	=	tonnes per annum
t	=	tonnes
+	=	Conservation reserve proposals by the Western Australia and Northern Territory Governments referred to as 'conservation areas' and the areas within the "Project Area" proposed by the proponent in the ERMP / draft EIS to be protected from development are referred to as 'buffer areas'.

**Figures (attached)**

Figure 1: The M2 Area

