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Published on: 21 October 2013

Statement No: 950

RECOMMENDED ENVIRONMENTAL CONDITIONS**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)****ALGAE FARM AND PROCESSING FACILITIES, KARRATHA**

Proposal: The proposal is to construct and operate an Algae farm and processing facilities near Karratha in the Shire of Roebourne.

Proponent: Aurora Algae Pty Ltd
Australian Company Number 141 400 884

Proponent Address: Level 3,
679 Murray Street
WEST PERTH WA 6872

Assessment Number: 1857

Report of the Environmental Protection Authority Number: 1475

This statement authorises the implementation of the proposal described and documented in Table 2 of Schedule 1. The implementation of the proposal is subject to the following implementation conditions and procedures and Schedule 2 details definitions of terms and phrases used in the implementation conditions and procedures.

1 Proposal Implementation

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal has been approved under the EP Act.

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 proponent shall submit to the CEO the compliance assessment plan required by condition 4-1 at least six months prior to the first compliance assessment report required by condition 4-6, or prior to implementation, whichever is sooner.

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) the method of reporting of potential non-compliances and corrective actions taken;
 - (5) the table of contents of compliance assessment reports; and
 - (6) public availability of compliance assessment 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 seven days of that non-compliance being known.

- 4-6 The proponent shall submit to the CEO the first compliance assessment report 15 months from the date of issue of this statement addressing the 12 month period from the date of issue of this statement and then annually from the date of submission of the first compliance assessment report.

The compliance assessment report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer'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 Public Availability of Data

- 5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this statement.

- 5-2 If any data referred to in condition 5-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make this data publically available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publically available.

6 Inland Waters Environmental Quality

- 6-1 The proponent shall ensure that leakage from the evaporation ponds and the algae ponds associated with the proposal is managed to protect the environmental values, both ecological and social, associated with groundwater in the local area.
- 6-2 To ensure that the requirements of condition 6-1 are met, the proponent shall implement the monitoring and management actions related to groundwater as described within the document *Algae Farm and Processing facilities, Karratha, Assessment on Proponent Information* (April 2013), or any revisions as approved by the CEO and continue implementation until otherwise agreed by the CEO.

6-3 In the event that monitoring pursuant to condition 6-2 indicates that the requirements of condition 6-1 are not being met, the proponent shall immediately implement contingency actions as described in *Algae Farm and Processing facilities, Karratha, Assessment on Proponent Information* (April 2013) or other contingency actions as agreed by the CEO until groundwater quality is returned to an acceptable level as agreed by the CEO.

7 Decommissioning

7-1 At least one year prior to the closure and decommissioning of the project, the proponent shall submit to the CEO a decommissioning plan prepared to the satisfaction of the CEO which details the following:

- (1) a description of the existing infrastructure associated with the proposal;
and
- (2) information demonstrating how infrastructure will be removed and/or decommissioned in accordance with current best practice and in consultation with appropriate stakeholders.

7-2 The proponent shall implement the decommissioning plan required by condition 7-1 or its revisions as approved by the CEO.

[Signed 21 October 2013]

Albert Jacob MLA
MINISTER FOR ENVIRONMENT; HERITAGE

Schedule 1

Table 1: Summary of the Proposal

Proposal Title	Algae Farm and Processing Facilities, Karratha
Short Description	<p>The proponent proposes to construct and operate an Algae farm and processing facilities near Karratha in the Shire of Roebourne.</p> <p>The project includes a seawater intake and associated pipeline to the project area, algae ponds, evaporation ponds, processing equipment (including a reverse osmosis desalination plant), and storage areas for hazardous materials.</p>

Table 2: Location and authorised extent of physical and operational elements

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Algae Farm	Figure 1	Clearing no more than 470 hectares within the 610 hectare Algae farm development envelope
Seawater pipeline and associated infrastructure	Figure 1	Clearing no more than 35 hectares within the Pipeline development envelope
	Figure 1 (Intake Point)	Excavation as required to maintain a deepened area of no more than 2 metres below the natural bed of the creek over an area of no more than 400 square metres. Excavated material to be removed off site.
Seawater intake velocity		No more than 0.15 metres per second

Figure 1 - Algae farm and seawater pipeline development envelopes (attached)

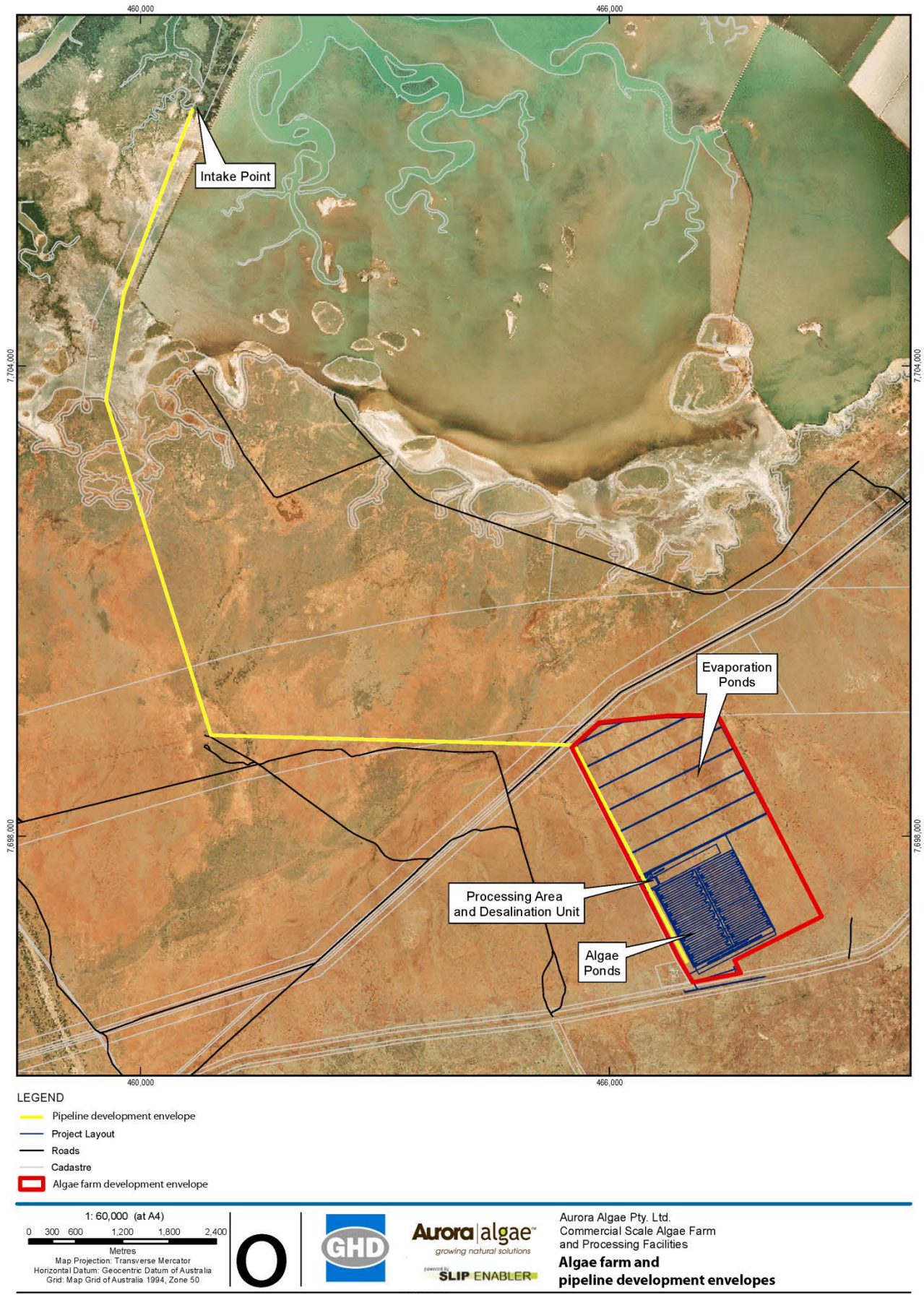


Figure 1 - Algae farm and seawater pipeline development envelopes

Schedule 2

Term or Phrase	Definition
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>

COMMERCIAL SCALE ALGAE FARM AND PROCESSING FACILITIES KARRATHA

Coordinates that define the Development Envelope

Coordinates defining the Development Envelope as shown in Figure 1 of the Ministerial statement are held by the Office of the EPA.

Notes

The following notes are provided for information and do not form a part of the implementation conditions of the statement:

- The proponent for the time being nominated by the Minister for Environment under section 38(6) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal unless and until that nomination has been revoked and another person is nominated.
- If the person nominated by the Minister, ceases to have responsibility for the proposal, that person is required to provide written notice to the Environmental Protection Authority of its intention to relinquish responsibility for the proposal and the name of the person to whom responsibility for the proposal will pass or has passed. The Minister for Environment may revoke a nomination made under section 38(6) of the *Environmental Protection Act 1986* and nominate another person.
- To initiate a change of proponent, the nominated proponent and proposed proponent are required to complete and submit *Post Assessment Form 1 – Application to Change Nominated Proponent*.
- The General Manager of the Office of the Environmental Protection Authority was the Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the *Environmental Protection Act 1986* at the time the statement was signed by the Minister for Environment.