



WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

Ass # 454
Bull # 629
State # 284

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

AIRSTrip & FISHING BASE, CAPE LONDONDERRY (454)

BENRAMA 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 (which are not inconsistent with the conditions or procedures contained in this statement) made and included in Environmental Protection Authority Bulletin 629 (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 Life of the Proposal and Land Act Lease Conditions

To achieve the environmental objectives through lease conditions between the Crown and the proponent, the proponent should apply to have the required Land Act leases (proposed and existing) drafted to fulfil certain requirements.

- 3-1 The proponent shall not commence development prior to the amendment of the existing lease and/or the issuing of a new Land Act lease, to the requirements of the Minister for the Environment and the Minister for Lands on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

The new and/or amended lease(s) is/are to include, but not to be limited to the following requirements:

- 1 Immediate surrender of the fishing base and airstrip Land Act leases on declaration of the Cape Londonderry National Park, with the National Parks and Nature Conservation Authority to take control of vesting and management of the land and facilities of this proposal; and

Published on
21 SEP 1992

2 Consistency of the lease(s) with the conditions contained in this statement and with all environmental management requirements of the proposal.

4 Proposal Operation Area

The area currently available to the proponent for the fishing base is unnecessarily large and should be reduced.

4-1 The proponent shall limit the operation and physical aspects of the fishing base component of the proposal to a land area not exceeding five hectares, to the requirements of the Minister for the Environment. The proponent shall surrender the remaining portion of the Land Act lease area prior to the commencement of development.

4-2 The proponent shall refer any proposal for expansion or modification of the facilities to the Environmental Protection Authority.

5 Decommissioning

The satisfactory decommissioning of the project, removal of the plant and installations and rehabilitation of the site and its environs is the responsibility of the proponent.

5-1 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan.

5-2 The proponent shall implement the plan required by condition 5-1.

6 Proponent

These conditions legally apply to the nominated proponent.

6-1 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.

7 Time Limit on Approval

The environmental approval for 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 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.)

7-2 Notwithstanding condition 7-1, the approval to implement the proposal as granted in this statement shall lapse and be void upon declaration of the Cape Londonderry National Park.

8 Compliance Auditing

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

- 8-1 The proponent shall prepare periodic "Compliance Reports" to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

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.

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.

Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

21 SEP 1992

SUMMARY OF COMMITMENTS BY PROPONENT

We the proponents agree to maintain a sound environmental management system to the satisfaction of the Department of Conservation and Land Management which shall be practised over the area and to this effect a surety of \$10 000 in the form of a bank guarantee shall be provided by us. The bank will provide funds from the account of up to \$10 000 without question; upon application by the Department of Land Administration or the Department of Conservation and Land Management for the purpose of environmental rehabilitation work on the lease.

Should however an environmental problem occur we will immediately contact the Department of Conservation and Land Management and the Department of Land Administration.

- A) We will undertake the recovery work with the relevant offices supervising the project.
- B) What the work is: We will obtain the necessary information from the relevant authority/ Shire, CALM, DOLA to determine the action required to rectify the problem.
- C) When the work will be carried out: The work will be carried out immediately, subject to the relevant offices being available to supervise the action required to rectify the problem.
- D) The work will be undertaken to the satisfaction of the relevant Department and Authority.

The proponent makes the following specific commitments

1. The Airstrip

- 1.1 The proponent will ensure that erosion will not take place during, or as a result of the construction of the airstrip and will not clear any areas other than that necessary to operate the airstrip to the satisfaction of DOLA and CALM.
- 1.2 The proponent will if erosion becomes a problem during the operation of the airstrip take action to correct the problem as soon as is practical to the satisfaction of DOLA and CALM.
- 1.3 The proponent will not waste cleared vegetation but will use it for cooking.
- 1.4 The proponent will not permit unauthorised use of the airstrip, or use by other commercial operators to achieve access to areas other than the fishing base without the express permission of CALM or EPA.

2. The Fishing Base

- 2.1 The proponent will minimise clearing associated with the construction of the fishing base to the satisfaction of DOLA and CALM.
- 2.2 Staff will be restricted to the base site by written and verbal instructions to the satisfaction of CALM.
- 2.3 An incinerator will be on site to dispose of combustible waste. All non biodegradable waste will be removed to the satisfaction of DOLA and CALM.

- 2.4 Boat servicing will be carried out in Wyndham. Only immediate break down repairs will be carried out on site.
- 2.5 Drums of diesel will be stored in a designated fuel dump area which will be bunded to the satisfaction of CALM to hold fuel should leakage occur. The necessary fire fighting equipment will be in place.
- 2.6 The proponent will not clear vegetation to obtain wood for cooking other than that which will result from the construction of the airstrip. Gas or imported wood will be used as cooking fuel to the satisfaction of CALM.
- 2.7 The proponent will not expand the currently proposed marine and land based facilities without consultation with and agreement of EPA, DOLA, and CALM.

3. The Camp/Airstrip Road

- 3.1 The proponent will renovate the existing track to make it safe for vehicle traffic and to avoid further deterioration resulting from vehicle traffic and ongoing weathering to the satisfaction of CALM.
- 3.2 The proponent will, if erosion becomes apparent during use of the track, take action to correct the problem as soon as is practical to the satisfaction of DOLA and CALM.
- 3.3 The proponent will prior to the construction of any other track from the campsite, prepare a management plan and route location plan of the proposed track to the satisfaction of DOLA and CALM.
- 3.4 The proponent will maintain all tracks in the lease area to the satisfaction of DOLA.

SUMMARY OF COMMITMENTS BY PROPONENT

We the proponents agree to maintain a sound environmental management system to the satisfaction of the Department of Conservation and Land Management which shall be practised over the area and to this effect a surety of \$10 000 in the form of a bank guarantee shall be provided by us. The bank will provide funds from the account of up to \$10 000 without question; upon application by the Department of Land Administration or the Department of Conservation and Land Management for the purpose of environmental rehabilitation work on the lease.

Should however an environmental problem occur we will immediately contact the Department of Conservation and Land Management and the Department of Land Administration.

- A) We will undertake the recovery work with the relevant offices supervising the project.
- B) What the work is: We will obtain the necessary information from the relevant authority/ Shire, CALM, DOLA to determine the action required to rectify the problem.
- C) When the work will be carried out: The work will be carried out immediately, subject to the relevant offices being available to supervise the action required to rectify the problem.
- D) The work will be undertaken to the satisfaction of the relevant Department and Authority.

The proponent makes the following specific commitments

1. The Airstrip

- 1.1 The proponent will ensure that erosion will not take place during, or as a result of the construction of the airstrip and will not clear any areas other than that necessary to operate the airstrip to the satisfaction of DOLA and CALM.
- 1.2 The proponent will if erosion becomes a problem during the operation of the airstrip take action to correct the problem as soon as is practical to the satisfaction of DOLA and CALM.
- 1.3 The proponent will not waste cleared vegetation but will use it for cooking.
- 1.4 The proponent will not permit unauthorised use of the airstrip, or use by other commercial operators to achieve access to areas other than the fishing base without the express permission of CALM or EPA.

2. The Fishing Base

- 2.1 The proponent will minimise clearing associated with the construction of the fishing base to the satisfaction of DOLA and CALM.
- 2.2 Staff will be restricted to the base site by written and verbal instructions to the satisfaction of CALM.
- 2.3 An incinerator will be on site to dispose of combustible waste. All non biodegradable waste will be removed to the satisfaction of DOLA and CALM.

- 2.4 Boat servicing will be carried out in Wyndham. Only immediate break down repairs will be carried out on site.
- 2.5 Drums of diesel will be stored in a designated fuel dump area which will be bunded to the satisfaction of CALM to hold fuel should leakage occur. The necessary fire fighting equipment will be in place.
- 2.6 The proponent will not clear vegetation to obtain wood for cooking other than that which will result from the construction of the airstrip. Gas or imported wood will be used as cooking fuel to the satisfaction of CALM.
- 2.7 The proponent will not expand the currently proposed marine and land based facilities without consultation with and agreement of EPA, DOLA, and CALM.

3. The Camp/Airstrip Road

- 3.1 The proponent will renovate the existing track to make it safe for vehicle traffic and to avoid further deterioration resulting from vehicle traffic and ongoing weathering to the satisfaction of CALM.
- 3.2 The proponent will, if erosion becomes apparent during use of the track, take action to correct the problem as soon as is practical to the satisfaction of DOLA and CALM.
- 3.3 The proponent will prior to the construction of any other track from the campsite, prepare a management plan and route location plan of the proposed track to the satisfaction of DOLA and CALM.
- 3.4 The proponent will maintain all tracks in the lease area to the satisfaction of DOLA.