



Ass # 841
Bull # 716
State # 336

WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

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

PROPOSAL: BUSSELTON MINERAL SANDS DEPOSIT (237/841)
CURRENT PROPONENT: CABLE SANDS (WA) PTY LTD
CONDITIONS SET ON: 30 AUGUST 1989

Conditions 1 to 3 inclusive contained in the statement published on 30 August 1989 are revoked and the following conditions and procedure are inserted:

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, including the extension of operations as reported on in Environmental Protection Authority Bulletin 716, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Notice of Intent dated June 1993 submitted to the Department of Minerals and Energy. These commitments are consolidated in Environmental Protection Authority Bulletin 716 as Appendix 1. (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 the conditions in this amended statement, the manner of detailed implementation of the proposal, as defined in project documents dated March 1989 and the extension to that project dated June 1993, 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 Monitoring

Monitoring is required to ensure satisfactory environmental management of the mining and rehabilitation operations.

- 3-1 The proponent shall monitor the mining and rehabilitation operations to the requirements of the Environmental Protection Authority on advice of the Department of Minerals and Energy, and shall immediately notify these agencies of any impacts identified.

Published on

13 JAN 1994

3-2 The proponent shall take immediate measures to ameliorate any undesirable impacts to the requirements of the Environmental Protection Authority on advice of the Department of Minerals and Energy.

3-3 The proponent shall submit annually reports of monitoring results together with recommendations for the next 12 months' operations.

4 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.

4-1 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan.

4-2 The proponent shall implement the plan required by condition 4-1.

5 Proponent

These conditions legally apply to the nominated proponent.

5-1 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.

6 Time Limit on Approval

The environmental approval for the proposal is limited.

6-1 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 Compliance Auditing

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

7-1 The proponent shall prepare periodic "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with 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.

Note

The proponent will be required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act.

Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

12 JAN 1994

**EXTENSION OF BUSSELTON MINERAL SANDS
OPERATION (237/841)**

CABLE SANDS (WA) PTY LTD

Proponent's Commitments

2. PROPONENT COMMITMENTS TO ENVIRONMENTAL MANAGEMENT

Cable Sands (WA) Pty Ltd agrees to the following commitments, relating to the proposed extension, and is prepared to accept them as conditions of mining.

1. Cable Sands will comply with the relevant statutory requirements of the State of Western Australia and the Commonwealth of Australia.
2. Cable Sands will continue to operate in accordance with the Code of Practice on Radiation Protection in the Mining and Processing of Mineral Sands, and monitor and report to the authorities as requested by the Department of Minerals and Energy.
3. Mined land will be restored to permanent pastures, where appropriate, in consultation with the landowners. Trees will be established for stock shelter and for regional landscaping purposes.
4. After mining and primary separation of the minerals from the sand and clay, the clay will be incorporated into the sand, especially in the surface horizon of the new soil profile to enhance the water retention capacity of the sands.
5. All topsoil will be saved and returned to the restored landforms as a final layer.
6. Rehabilitation will follow the mining front closely and be fully integrated with production.
7. Groundwater will not be contaminated.
8. Cable Sands will continue to liaise closely with the Shire of Busselton to keep the Shire fully informed of issues of interest to them.
9. Cable Sands will inform the Department of Minerals and Energy and the Western Australian Museum immediately in the event of finding material of archaeological interest or sites of cultural importance to Aboriginal people. The Company will abide by the Aboriginal Heritage Act.
10. Dust and noise levels will be kept to a minimum.
11. A report will be submitted annually to the Department of Minerals and Energy outlining mining progress, rehabilitation, radiation monitoring and dust and noise control. This report will be confidential.
12. Cable Sands will rehabilitate any areas cleared of Peppermint forest in consultation with the Department of Conservation and Land Management so as to provide a suitable habitat for the Western Ringtail Possum.
13. Cable Sands will initiate a programme to control Arum lilies in the area.
14. In the event that surveys indicate that re-location of individual Western Ringtail Possums is required, Cable Sands will support such action in consultation with the Department of Conservation and Land Management.