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Published on: 18 April 2018

Statement No. 1077

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(Environmental Protection Act 1986)

ONslow MARINE SUPPORT BASE STAGE 2: CAPITAL DREDGING

Proposal: Capital dredging and land disposal of no more than 950,000 cubic metres of sediment to extend the Beadon Creek Harbour Approach Channel, Turning Basin and Berth Pocket, as described in Table 1 of Schedule 1 of this Statement.

Proponent: Onslow Marine Support Base Pty Ltd
Australian Company Number 167 963 715

Proponent address: Level 3, Suite 24, 25 Walters Drive
OSBORNE PARK WA 6017

Assessment number: 2133

Report of the Environmental Protection Authority: 1613

Pursuant to section 45 of the *Environmental Protection Act 1986* (EP Act), it has been agreed that the proposal described and documented in Table 1 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following 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 1 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have 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 twenty-eight (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 five (5) years from the date on this Statement, and any commencement, prior to this date, must be substantial.
- 3-2 Any commencement of implementation of the proposal, on or before five (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 five (5) years from the date of this Statement.

4 Compliance Reporting

- 4-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.
- 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) 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 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2, 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 (7) days of that non-compliance being known.
- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (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, or as otherwise agreed in writing by the CEO.

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 these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

6 Benthic Communities and Habitats and Marine Environmental Quality (Dredge and Spoil Disposal Management Plan)

6-1 The proponent shall ensure implementation of the proposal achieves the following environmental protection outcomes:

- (1) no irreversible loss of, or serious damage to, benthic communities and habitats outside of the authorised Zone of High Impact as spatially defined in Figure 2;

- (2) no negative change from the baseline state of benthic communities outside of the authorised Zone of High Impact and authorised Zone of Moderate Impact as spatially defined in Figure 2; and
 - (3) water quality within the western tributary of Beadon Creek (shown in Figure 1) during discharge of dredge spoil return water shall be maintained to at least a 'Moderate Level of Ecological Protection' and will return to a 'High Level of Ecological Protection' within one month following cessation of discharge.
- 6-2 The proponent shall implement the Dredge and Spoil Disposal Management Plan (Version 0, January 2018) until the CEO has confirmed by notice in writing that the environmental protection outcomes required by condition 6-1 have been met.
- 6-3 The proponent shall implement the most recent version of the Dredge and Spoil Disposal Management Plan which the CEO has confirmed by notice in writing, addresses the requirements of condition 6-1.
- 6-4 In the event that monitoring carried out under the Dredge and Spoil Disposal Management Plan (Version 0, January 2018), determines that any of the environmental protection outcomes set in condition 6-1 are not being achieved by implementing the proposed capital dredging and spoil disposal activities, the proponent shall:
- (1) immediately implement the contingency management actions specified in the Dredge and Spoil Disposal Management Plan (Version 0, January 2018), and continue implementation of those actions until it is demonstrated that the environmental protection outcomes set in condition 6-1 are being achieved and will continue to be achieved;
 - (2) investigate to determine the likely cause of the environmental protection outcomes set in condition 6-1 not being achieved;
 - (3) within 24 hours of determining that any of the environmental protection outcomes set in condition 6-1 are not being achieved, report the non-achievement to the CEO;
 - (4) within seven (7) days of determining that any of the environmental protection outcomes set in condition 6-1 are not being achieved submit to the CEO a report detailing the following:
 - i. the results of the monitoring that led to the determination that any of the environmental protection outcomes set in condition 6-1 are not being achieved;
 - ii. the investigation being undertaken as required by condition 6-4(2) into the cause of the environmental protection outcomes set in condition 6-1 not being achieved; and

- iii. any contingency management actions implemented by the proponent following determination that any of the environmental protection outcomes set in condition 6-1 are not being achieved,
 - (5) provide a report detailing the findings of the investigation required by condition 6-4(2) to the CEO within 30 days of first determining that any of the environmental protection outcomes set in condition 6-1 are not being achieved.
- 6-5 The proponent shall submit to the CEO an annual Compliance Assessment Report in accordance with condition 4-6 which includes:
- (1) all monitoring data and reportable incidents required by conditions 6-3 and 6-4;
 - (2) an analysis and interpretation of monitoring data to demonstrate compliance with the requirements of condition 6-1; and
 - (3) an assessment of the effectiveness of monitoring, management and contingency measures implemented to ensure compliance with the requirements of conditions 6-1.
- 6-6 Within six (6) months following completion of dredging, the proponent shall provide a close-out report to the CEO comparing the actual and predicted dredge related pressures; and resultant environmental impacts and effects.

7 Heritage

Prior to the commencement of ground-disturbing activities, the proponent shall consult with the Thalanyji Native Title Claim group and ensure that it is aware of its obligations under the *Aboriginal Heritage Act 1972*.

[signed on 18 April 2018]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

Schedule 1

Table 1: Summary of the Proposal

Proposal Title	Onslow Marine Support Base Stage 2: Capital Dredging
Short Description	<p>The proposal is for capital dredging of sediment to extend the Beadon Creek Harbour Approach Channel, Turning Basin and Berth Pocket to enable offshore supply vessels to access the existing Onslow Marine Support Base land-backed wharf infrastructure located within the Beadon Creek Maritime Facility.</p> <p>The dredging activities will require the development of a 44 ha Dredge Material Management Area (DMMA), located onshore, adjacent to the Onslow Airport; and the release of dredge spoil return water to the intertidal flats between the DMMA and the western tributary of Beadon Creek.</p>

Spatial coordinates for the boundaries of the proposal (MGA Zone 50)

Coordinates defining the boundaries shown in Figures 1 and 2 are held by the Department of Water and Environmental Regulation, Document Reference Number DWERDA-013186.

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

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
<p>Clearing and disturbance for:</p> <ul style="list-style-type: none"> • Dredge Material Management Area (DMMA); and • Dredge material disposal pipeline. 	<p>Locations and extent of elements in the Terrestrial Development Envelope including the DMMA area shown in Figure 1.</p>	<p>Clearing of no more than 15.8 ha of native vegetation within a 56.3 ha Terrestrial Development Envelope as shown in Figure 1.</p>
<p>Dredging for:</p> <ul style="list-style-type: none"> • harbour approach channel and turning basin (to a target depth of -6.0 m CD); and • berth pocket to a target depth of -8.0 m CD. 	<p>Locations and extent of dredging elements to be within the Zone of High Impact shown in Figure 2.</p>	<p>Dredging of no more than 950,000 cubic metres of sediments from within the 66 ha authorised Zone of High Impact as shown in Figure 2.</p> <p>Permanent loss of no more than 56.3 ha of benthic communities and habitat within the 66 ha authorised Zone of High Impact as shown in Figure 2.</p>
<p>Controlled discharge of dredge spoil return water from DMMA during construction.</p>	<p>Location of dredge spoil return water discharge to the adjacent intertidal area of the western tributary of Beadon Creek shown in Figure 1.</p>	<p>Water quality of discharged dredge spoil return water to meet the temporary 'moderate' ecological protection level within the western tributary of Beadon Creek.</p>

Table 3: Abbreviations and Definitions

Acronym or Abbreviation	Definition or Term
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.
CD	Chart datum
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
DMMA	Dredge Material Management Area
ha	hectare
Irreversible impacts	Impacts on benthic communities or habitats are irreversible (lacking a capacity to return or recover to a state resembling that prior to being impacted within a timeframe of five years or less).
High Level of Ecological Protection	As defined in the EPA's Technical Guidance <i>Protecting the Quality of Western Australia's Marine Environment</i> (December, 2016)
Moderate Level of Ecological Protection	As defined in the EPA's Technical Guidance <i>Protecting the Quality of Western Australia's Marine Environment</i> (December, 2016)
Recoverable impacts	Impacts on benthic communities and habitats are recoverable within a period of five years following completion of the dredging activities.
Zone of High Impact	Zone of High Impact area where impacts on benthic communities or habitats are predicted to be irreversible (lacking a capacity to return or recover to a state resembling that prior to being impacted within a timeframe of five years or less).
Zone of Moderate Impact	Zone of Moderate Impact is the area within which predicted impacts on benthic organisms are recoverable within a period of five years following completion of the dredging activities.

Figures (attached)

Figure 1. Terrestrial elements

Figure 2. Spatial extent of Zone of High Impact and Zone of Moderate Impact



Figure 1 Terrestrial elements



Figure 2 Spatial extent of Zone of High Impact and Zone of Moderate Impact