



Statement No.

MINISTER FOR THE ENVIRONMENT AND HERITAGE

000599

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

LONG-TERM SHELLSAND DREDGING, OWEN ANCHORAGE

Proposal: The proposal is to dredge shellsand in the long-term from areas of Success Bank, Parmelia Bank and West Success Bank, as documented in schedule 1 of this statement.

Proponent: Cockburn Cement Limited

Proponent Address: Lot 242, Russell Road East, Munster WA 6166

Assessment Number: 1300

Reports of the Environmental Protection Authority: Bulletin 1033

The proposal referred to above may be implemented subject to the following conditions and procedures:

Procedural conditions

1 Implementation and Changes

- 1-1 The proponent shall implement the proposal as documented in schedule 1 of this statement subject to the conditions of this statement.
- 1-2 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment and Heritage determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.
- 1-3 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment and Heritage determines, on advice of the Environmental Protection Authority, is not substantial, the proponent may implement those changes upon receipt of written advice.

Published on

- 8 JUL 2002

2 Proponent Commitments

- 2-1 The proponent shall implement the environmental management commitments documented in schedules 2 and 3 of this statement.

Note: Schedule 3 includes supplementary commitments submitted during negotiations leading to the Minister's appeals decisions.

- 2-2 The proponent shall implement subsequent environmental management commitments which the proponent makes as part of the fulfilment of the conditions and procedures in this statement.

3 Proponent Nomination and Contact Details

- 3-1 The proponent for the time being nominated by the Minister for the Environment and Heritage under section 38(6) or (7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal until such time as the Minister for the Environment and Heritage has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person as the proponent for the proposal.

- 3-2 If the proponent wishes to relinquish the nomination, the proponent shall apply for the transfer of proponent and provide a letter with a copy of this statement endorsed by the proposed replacement proponent that the proposal will be carried out in accordance with this statement. Contact details and appropriate documentation on the capability of the proposed replacement proponent to carry out the proposal shall also be provided.

- 3-3 The nominated proponent shall notify the Department of Environmental Protection of any change of contact name and address within 60 days of such change.

4 Commencement and Time Limit of Approval

- 4-1 The proponent shall provide evidence to the Minister for the Environment and Heritage within five years of the date of this statement that the proposal has been substantially commenced or the approval granted in this statement shall lapse and be void.

Note: The Minister for the Environment and Heritage will determine any dispute as to whether the proposal has been substantially commenced.

- 4-2 The proponent shall make application for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement to the Minister for the Environment and Heritage prior to the expiration of the five-year period referred to in condition 4-1.

The application shall demonstrate that:

- the environmental factors of the proposal have not changed significantly;
- new, significant, environmental issues have not arisen; and
- all relevant government authorities have been consulted.

Note: The Minister for Environment and Heritage may consider the grant of an extension of the time limit of approval not exceeding five years for the substantial commencement of the proposal.

Environmental conditions

5 Compliance Audit and Performance Review

5-1 The proponent shall prepare an audit programme in consultation with and submit compliance reports to the Department of Environmental Protection which address:

- the implementation of the proposal as defined in schedule 1 of this statement;
- evidence of compliance with the conditions and commitments; and
- the performance of the environmental management plans and programmes.

Note: Under sections 48(1) and 47(2) of the *Environmental Protection Act 1986*, the Chief Executive Officer of the Department of Environmental Protection is empowered to audit the compliance of the proponent with the statement and should directly receive the compliance documentation, including environmental management plans, related to the conditions, procedures and commitments contained in this statement. Usually, the Department of Environmental Protection prepares an audit table which can be utilised by the proponent, if required, to prepare an audit program to ensure that the proposal is implemented as required. The Chief Executive Officer is responsible for the preparation of written advice to the proponent, which is signed off by either the Minister or, under an endorsed condition clearance process, a delegate within the Environmental Protection Authority or the Department of Environmental Protection that the requirements have been met.

5-2 The proponent shall submit a performance review report every five years after the start of the operations phase, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority, which addresses:

- the major environmental issues associated with the project; the targets for those issues; the methodologies used to achieve these; and the key indicators of environmental performance measured against those targets;
- the level of progress in the achievement of sound environmental performance, including industry benchmarking, and use of best available technology where practicable;
- significant improvements gained in environmental management, including the use of external peer reviews;

- stakeholder and community consultation about environmental performance and the outcomes of that consultation, including a report of any on-going concerns being expressed; and
- the proposed environmental targets over the next five years, including improvements in technology and management processes.

6 **Dredging and Environmental Management Plan – Success and Parmelia Banks**

- 6-1 Within three months following the formal authority issued to the decision-making authorities under Section 45(7) of the *Environmental Protection Act 1986*, the proponent shall prepare a Dredging and Environmental Management Plan for Success and Parmelia Banks, to the requirements of the Minister for the Environment and Heritage and the Minister for State Development on advice of the Environmental Protection Authority.

Note: In the preparation of advice to the Minister, the Environmental Protection Authority expects that the advice of the following agencies will be obtained:

- Fremantle Port Authority;
- Department of Conservation and Land Management;
- Department of Fisheries; and
- Department of Mineral and Petroleum Resources.

The objectives of this Plan are to:

- retain seagrass in Owen Anchorage wherever possible; and
- relocate dredging operations from Success and Parmelia Banks to West Success Bank, as soon as practicable.

This Plan shall address:

- 1 the configuration of dredging on Success and Parmelia Banks to:
 - ensure that any dredging on Success and Parmelia Banks limits the impact on seagrasses; and
 - ensure that, if dredging is configured to create a second shipping channel, those areas that have been previously dredged on Success and Parmelia Banks are recognised and incorporated in such a way as to limit the impact on seagrasses;
 - 2 the relocation of dredging operations from Success and Parmelia Banks to West Success Bank as soon as practicable;
 - 3 the identification of seagrass areas and plans to limit impacts on seagrass;
 - 4 dredging schedules; and
 - 5 dredging management, including turbidity.
- 6-2 The proponent shall implement the Dredging and Environmental Management Plan required by condition 6-1 as specified in that plan.

6-3 The proponent shall make the Dredging and Environmental Management Plan required by condition 6-1 publicly available, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

7 Seagrass Research and Rehabilitation Plan – Stage 1

7-1 Within three months following the formal authority issued to the decision-making authorities under Section 45(7) of the *Environmental Protection Act 1986*, the proponent shall prepare a Seagrass Research and Rehabilitation Plan, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

Note: In the preparation of advice to the Minister, the Environmental Protection Authority expects that the advice of the following agencies will be obtained:

- Department of Conservation and Land Management; and
- Department of Fisheries.

The objectives of this Plan are to:

- better understand the determinants of seagrass regeneration under natural conditions;
- encourage innovation in the development of practical technical solutions for the rehabilitation of the environment and the re-establishment of seagrasses in Owen Anchorage and Cockburn Sound; and
- demonstrate that long-term replacement and sustainability of the ecological and functional roles of seagrasses lost by dredging on Success and Parmelia Banks is environmentally possible and can be practically effected.

This Plan shall address:

- 1 the use of seagrass remaining in the proposal area where dredging for shellsand will occur, for:
 - subsea mechanical transplanting experiments; and
 - rehabilitating areas in the vicinity that are shallow and unvegetated to mitigate the impacts of dredging;
- 2 criteria on which to base performance;
- 3 development of seagrass revegetation techniques and technology, consistent with commitment 9;
- 4 improving understanding of the determinants of seagrass establishment and regeneration under natural conditions;

- 5 the use of findings from the research program to increase the rate of transplanting;
 - 6 the application of research; and
 - 7 the effect of nutrient-enriched water passing from Cockburn Sound onto the seagrasses on Parmelia and Success Banks.
- 7-2 The proponent shall implement the Seagrass Research and Rehabilitation Plan required by condition 7-1 as specified in that plan.
- 7-3 The proponent shall make the Seagrass Research and Rehabilitation Plan required by condition 7-1 publicly available, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

8 Decommissioning Plans

- 8-1 At least 12 months prior to completion of dredging of Success Bank and Parmelia Bank within the Stage 1 area and at least 12 months before the completion of dredging on West Success Bank, the proponent shall prepare Preliminary Decommissioning Plans which provide the framework to ensure that the site is left in a suitable condition, with no liability to the State, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

Note: In the preparation of advice to the Minister, the Environmental Protection Authority expects that the advice of the following agencies will be obtained:

- Fremantle Port Authority;
- Department of Conservation and Land Management; and
- Department of Fisheries.

The Preliminary Decommissioning Plans shall address:

- 1 conceptual closure plans and schedules for, in turn, Success Bank, Parmelia Bank and West Success Bank once complete. These plans shall address the following issues:
 - future use of dredged areas for navigation and other uses;
 - monitoring of slopes and edges of slopes to record stability of slopes and revegetation by seagrasses;
 - remedial actions, if required, to stabilise slopes; and
 - monitoring of changes in water quality prior to and after the completion of dredging.
- 2 conceptual plans for the removal or if appropriate the retention of plant and infrastructure; and

- 3 conceptual rehabilitation plans for all disturbed areas and a process to agree on the rehabilitation, if any, and end land use(s).

8-2 At least six months prior to the anticipated date of decommissioning for each of Success Bank, Parmelia Bank and West Success Bank, or at a time agreed with the Department of Environmental Protection, the proponent shall prepare Final Decommissioning Plans designed to ensure that the site is left in a suitable condition, with no liability to the State, to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority.

Note: In the preparation of advice to the Minister, the Environmental Protection Authority expects that the advice of the following agencies will be obtained:

- Fremantle Port Authority.
- Department of Conservation and Land Management; and
- Department of Fisheries.

The Final Decommissioning Plans shall address:

- 1 dredge area closure for, in turn, Success Bank, Parmelia Bank and West Success Bank;
 - 2 removal or, if appropriate, retention of plant and infrastructure;
 - 3 rehabilitation if any of all disturbed areas to a standard suitable for the agreed new land use(s); and
 - 4 identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities.
- 8-3 The proponent shall implement the Final Decommissioning Plan required by condition 8-2 until such time as the Minister for the Environment and Heritage determines on advice of the Environmental Protection Authority that decommissioning is complete.
- 8-4 The proponent shall make the Final Decommissioning Plan required by condition 8-2 publicly available, to the requirements of the Minister for the Environment and Heritage on advice of Environmental Protection Authority.

Procedures

- 1 Where a condition states "to the requirements of the Minister for the Environment and Heritage on advice of the Environmental Protection Authority", the Chief Executive Officer of the Department of Environmental Protection will obtain that advice for the preparation of written advice to the proponent.

- 2 The Environmental Protection Authority may seek advice from other agencies, as required, in order to provide its advice to the Chief Executive Officer of the Department of Environmental Protection.

Note

- 1 The Minister for the Environment and Heritage will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environmental Protection over the fulfilment of the requirements of the conditions.
- 2 Compliance and performance reporting will endeavour to be in accord with the timing requirements of the State Agreement Act.

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT AND HERITAGE

- 8 JUL 2002

Schedule 1

The Proposal (Assessment No. 1300)

The long-term dredging of shellsand involves dredging shellsand from Success Bank, Parmelia Bank and West Success Bank, Owen Anchorage, as shown in the modified figure of 28 June 2002 (See figure 1 attached).

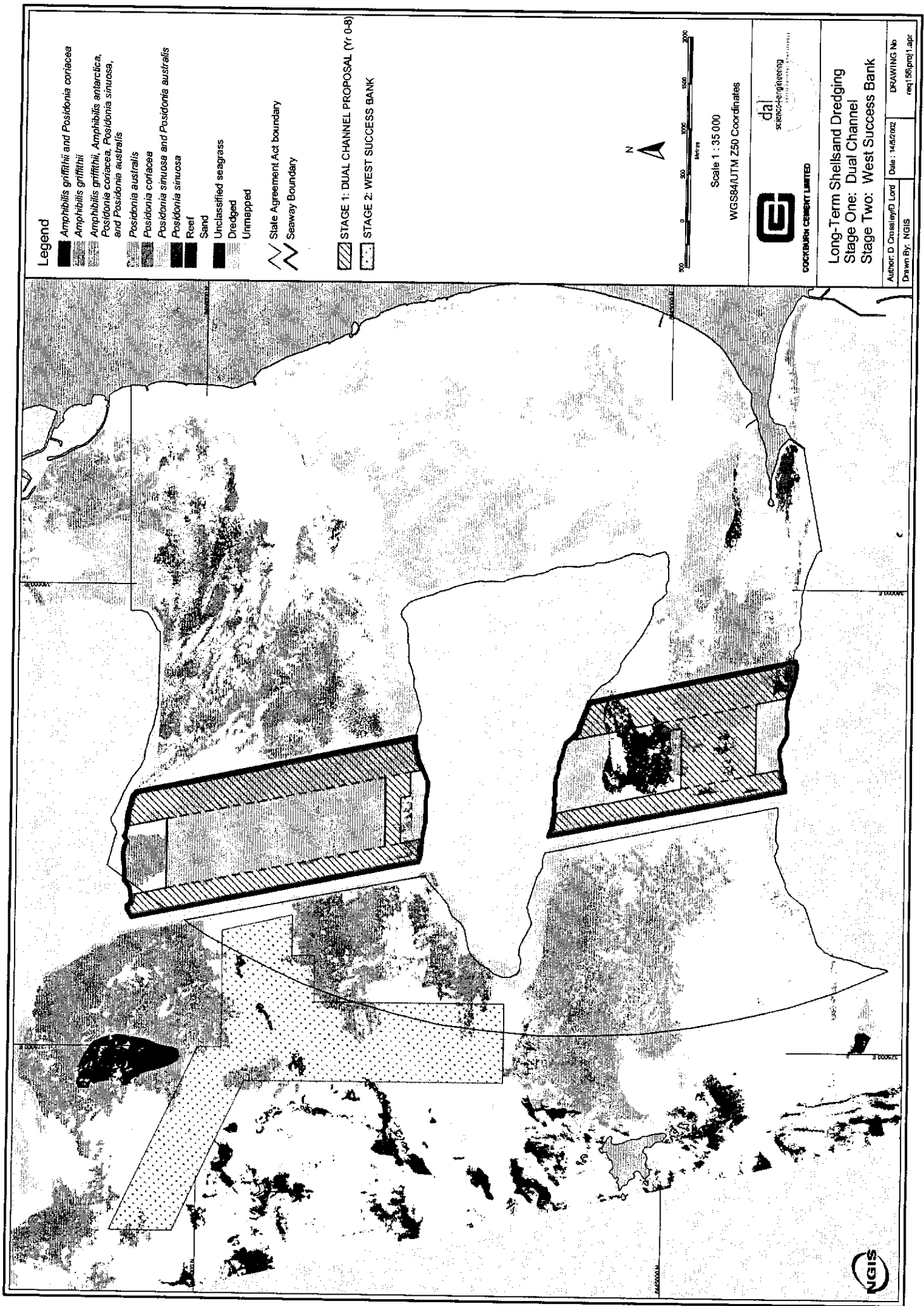
The key characteristics of the proposal are described in Table 1 below.

Table 1 – Key Proposal Characteristics (modified proposal)

















Stage	Element	Characteristics
Stage 1 (modified)	Dredging	<ul style="list-style-type: none"> Shellsand will be dredged from Success Bank and Parmelia Bank to form a dual channel. Dredging operations will be relocated to West Success Bank as soon as practicable.
	Duration	<ul style="list-style-type: none"> Absolute maximum of 8 years.
	Volume	<ul style="list-style-type: none"> Approximately 19.9 million tonnes from within the dual channel area. Some of this resource may require beneficiation.
	Area of disturbance	<p>The area of disturbance consists of:</p> <ul style="list-style-type: none"> Widening the existing Fremantle Port Authority shipping channel to 350 metres; Completion of the second shipping channel through Success and Parmelia Banks to 350 metres; Dredging an area of approximately 52 hectares from the centre of Parmelia Bank; and Dredging an area of approximately 19 hectares from the southern portion of Success Bank.
Stage 2	Dredging	<ul style="list-style-type: none"> Shellsand will be dredged from areas of West Success Bank where there is no seagrass.
	Duration	<ul style="list-style-type: none"> Approximately 20 years.
	Volume	<ul style="list-style-type: none"> Approximately 60 million tonnes. This material will require beneficiation.
	Area of disturbance	<ul style="list-style-type: none"> The area to be dredged is approximately 350 hectares. The dredging will occur in areas devoid of seagrass and be at least 750 metres from reefs and islands.

Figure (attached)

Figure 1: Long-term Shellsand Dredging – Stage 1 (Dual Channel) and Stage 2 (West Success Bank).



Legend

-  *Amphibolis griffithii* and *Posidonia coriacea*
-  *Amphibolis griffithii*
-  *Amphibolis griffithii*, *Amphibolis antarctica*, *Posidonia coriacea*, *Posidonia sinuosa*, and *Posidonia australis*
-  *Posidonia australis*
-  *Posidonia coriacea*
-  *Posidonia sinuosa* and *Posidonia australis*
-  *Posidonia sinuosa*
-  Reef
-  Sand
-  Unclassified seagrass
-  Dredged
-  Unmapped
-  State Agreement Act boundary
-  Seaway Boundary
-  STAGE 1: DUAL CHANNEL PROPOSAL (Yr 0-8)
-  STAGE 2: WEST SUCCESS BANK



Scale 1 : 35 000

WGS84/UTM Z50 Coordinates



COCKBURN CEMENT LIMITED

Long-Term Shellsand Dredging
 Stage One: Dual Channel
 Stage Two: West Success Bank

Author: D Crossley/D Lord Date: 14/5/2002 DRAWING No: req156/proj1.apr
 Drawn By: NGIS



**PROPONENT'S ENVIRONMENTAL MANAGEMENT
COMMITMENTS**

October 2001

**LONG-TERM SHELLSAND DREDGING
OWEN ANCHORAGE**

(Assessment No. 1300)

Cockburn Cement Limited

Schedule 2

PROPONENT COMMITMENTS
LONG-TERM SHELLSAND DREDGING, OWEN ANCHORAGE (Assessment No. 1300)

OCTOBER 2001

NO	TOPIC	ACTION	OBJECTIVE	TIMING	ADVICE
1	Coastal processes: Wave climate – Owen Anchorage and Cockburn Sound	Prepare a Wave Climate Measurement and Modelling Plan (WCMMP) for Owen Anchorage and Cockburn Sound, which addresses: 1) Measurement of wave climate 2) Validation / modification of model used to forecast changes in wave climate due to dredging	<ul style="list-style-type: none"> Determine changes in wave climate due to previous dredging (validate model) Forecast changes in wave climate due to proposed dredging, using validated model Determine effects of changes in wave climate on shipping, coastal structures, and shoreline stability 	<ul style="list-style-type: none"> Complete within six months following the commencement of long-term dredging 	FPA DPI
2	Coastal processes: Wave climate – Owen Anchorage and Cockburn Sound	Implement the WCMMP referred to in commitment 1	<ul style="list-style-type: none"> Achieve the objectives of commitment 1 	<ul style="list-style-type: none"> Complete first measurement and modelling programme within 24 months of commencement of long-term dredging Repeat each five years, or more frequently if required (see commitment 1) 	FPA DPI
3	Coastal processes: Sediment transport – Owen Anchorage and Cockburn Sound	Prepare a Shoreline Monitoring Plan (SMP) for Owen Anchorage and Cockburn Sound, that: 1) Monitors shoreline position (aerial photography, shoreline surveys) 2) Calculates changes in shoreline position 3) Determines rates of sediment transport along the shorelines of Owen Anchorage and Cockburn Sound, and 4) Identifies sites of erosion/accretion and rates	<ul style="list-style-type: none"> To ensure that dredging does not adversely modify the natural processes that affect the shoreline 	<ul style="list-style-type: none"> Complete within three months following the formal authority issued to the decision-making authorities under Section 45(7) of the <i>Environmental Protection Act 1986</i>. 	DPI
4	Coastal processes: Sediment transport – Owen Anchorage and Cockburn Sound	Implement the SMP referred to in commitment 3	<ul style="list-style-type: none"> Achieve the objectives of commitment 3 	<ul style="list-style-type: none"> Annual summer and winter surveys commencing after start of long-term dredging programme Data reports annually Synthesis reports each three years 	DPI

NO	TOPIC	ACTION	OBJECTIVE	TIMING	ADVICE
5	Coastal processes: Owen Anchorage and Cockburn Sound	Prepare a Banks and Shoreline Protection Management Programme (BSPMP) that: 1) Maintains shipping and navigation on the Banks, protects coastal structures, and maintains shoreline stability 2) Identifies appropriate management actions and mitigation/protection options and techniques to protect these features	<ul style="list-style-type: none"> Maintain navigational requirements across Success and Parmelia Banks, and adjacent marine areas Protect coastal structures Maintain shoreline stability of Owen Anchorage and Cockburn Sound 	<ul style="list-style-type: none"> Complete BSPMP within 24 months of commencement of long-term dredging, to incorporate results from: <ul style="list-style-type: none"> The WCMMP (see commitments 1 and 2) The SMP (see commitments 3 and 4), and Marine habitat monitoring (see commitment 7) 	
6	Coastal processes: Owen Anchorage and Cockburn Sound	Implement the BSPMP referred to in commitment 5	<ul style="list-style-type: none"> As for commitment 5 	<ul style="list-style-type: none"> During dredging programme Review each five years 	FPA DPI
7	Marine habitats: Seagrasses, reef, and sand - Owen Anchorage	Measure distribution of marine habitats in Owen Anchorage, including western side of Success and Parmelia Banks that: 1) Identifies nature and distribution of seagrass, reef, and sand habitats 2) Determines the nature, abundance and distribution of flora and fauna associated with these habitats	<ul style="list-style-type: none"> Determine the distribution of seagrasses, reef, and bare sand in Owen Anchorage Determine changes with time in distribution of marine habitats and associated flora and fauna Enable ecological function, and changes in ecological function over time, to be evaluated 	<ul style="list-style-type: none"> Collect photography annually in summer Detailed groundtruth of entire area each five years Groundtruth selected areas more frequently as required 	Department of Fisheries CALM
8	Marine fisheries: West Success Bank	Undertake survey of commercial and recreational fisheries activity in West Success Bank and adjacent areas	<ul style="list-style-type: none"> Determine commercial and recreational fishing catch and effort on West Success Bank Determine significance of West Success Bank for commercial and recreational fisheries 	<ul style="list-style-type: none"> Commence summer 2002/2003 Complete five years prior to start of Stage Two of long-term dredging 	Department of Fisheries CALM
9	Marine habitats: Seagrasses - Seagrass rehabilitation	Conduct a programme of research and development into seagrass revegetation that: 1) Develops techniques for the rehabilitation of seagrasses, which are ecologically sound and economically feasible 2) Includes a programme of study of the factors affecting natural recruitment and propagation of seagrass	<ul style="list-style-type: none"> To maintain the abundance, species diversity and geographic distribution of seagrasses 	<ul style="list-style-type: none"> Programme underway prior to commencement of long-term dredging Report annually 	Department of Fisheries CALM

NO	TOPIC	ACTION	OBJECTIVE	TIMING	ADVICE
10	Dredging and Environmental Management Programme (DEMP) for dredging: West Success Bank (Stage Two)	Prepare a detailed DEMP, which addresses: 1) Selection of Stage Two area based on absence of seagrass, as well as wave climate, resources, fisheries, and other relevant information 2) Dredging schedules 3) Dredging management, including turbidity 4) Monitoring of sensitive marine habitats 5) Monitoring of wave climate and shoreline processes 6) Habitat rehabilitation 7) Mine closure plans and schedules 8) Contingency planning for issues such as hydrocarbon spills, and contaminated sediments Implement the DEMP referred to in commitment 10	<ul style="list-style-type: none"> Monitor the implementation of the proposal Monitor the management of potential environmental impacts associated with the implementation of the proposal Meet EPA objectives to maintain ecological function of West Success Bank area 	<ul style="list-style-type: none"> Complete 36 months prior to the commencement of Stage Two of the long-term dredging 	Department of Fisheries CALM DPI
11	Dredging and Environmental Management Programme (DEMP) for dredging: West Success Bank (Stage Two)	Implement the DEMP referred to in commitment 10	<ul style="list-style-type: none"> Achieve the objectives of commitment 10 		CALM Department of Fisheries DPI
12	Seagrasses - West Success Bank	Dredging will only occur in areas where there is no seagrass	<ul style="list-style-type: none"> To avoid the loss of seagrass 		
13	State Agreement Act	No dredging will occur outside the Stage One (Seaway) and Stage Two (West Success Bank) throughout the duration of the proposal	<ul style="list-style-type: none"> To minimise any further loss of seagrass To manage effects of dredging on coastal processes 	<ul style="list-style-type: none"> Prior to the commencement of Stage One of the long-term dredging 	DMPR

Key:

- CALM Department of Conservation and Land Management
- DMPR Department of Mineral and Petroleum Resources
- DPI Department of Planning and Infrastructure - Transport Division (formerly the Department of Transport)
- FPA Fremantle Port Authority

**PROPONENT'S SUPPLEMENTARY
ENVIRONMENTAL MANAGEMENT COMMITMENTS**

13 May 2002

**LONG-TERM SHELLSAND DREDGING
OWEN ANCHORAGE**

(Assessment No. 1300)

Cockburn Cement Limited



COCKBURN CEMENT

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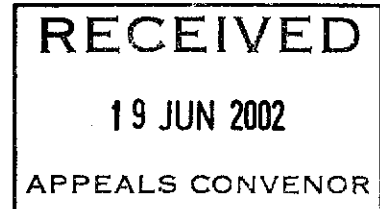
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13 May 2002

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14 MAY 2002	
REF NO.	11521
REQUIRED BY	29/5/02

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RB

Hon Dr J M Edwards MB BS MLA
Minister for the Environment and Heritage
29th Floor, Allendale Square
77 St George's Terrace
PERTH WA 6000



Dear Dr Edwards,

SUPPORT FOR MANAGEMENT OF EASTERN OWEN ANCHORAGE

Cockburn, through its significant programmes of research and investigation into Shellsand dredging on Success and Parmelia Banks, recognises the importance of the Owen Anchorage area for its special characteristics including significant seagrass habitat, its ecological importance and the use of its shoreline and waters for both recreational and commercial purposes. Further, Cockburn supports the management of the specific area of eastern Owen Anchorage between the sea lanes in Owen Anchorage and the shore, for multiple use and marine conservation. Cockburn also recognises the States interest in expanding the role of the Cockburn Sound Management Council into Owen Anchorage

Cockburn has already made some considerable commitments in its modified Long-Term dredging proposal to the generation and provision of information and environmental management plans for this area. In light of its interest of ensuring the sound management of Owen Anchorage into the future, Cockburn is willing to provide further support to relevant activities that contribute to the appropriate long term environmental management of eastern Owen Anchorage.

Cockburn therefore has pleasure in advising that it agrees to provide funding to a total value of \$300,000 over a 3-year period to contribute to a number of programs that have been identified as integral to the development of environmental management and implementation plans for eastern Owen Anchorage. These programs are:

1. Contribution to a multiple uses planning study for the extension of the role of the Cockburn Sound Management Council into Owen Anchorage.
2. Assist with the implementation of the City of Cockburn Coastal Management Strategy.
3. Contribute to the evaluation of a proposed extension of the Shoalwater Marine Park into eastern Owen Anchorage
4. Measurement of groundwater discharges into Owen Anchorage.
5. Measurement and reporting of environmental quality of the nearshore waters of Owen Anchorage.



Cockburn will collaborate closely with State and local government and all other relevant and interested parties to define these activities in greater detail, to allocate priorities and resources, and to develop and implement a procedure for the management of these activities in close association with Cockburn's existing extensive programme of research and investigation in the area.

Cockburn also recognises the importance of a strong programme of community information and involvement and, will continue to take an active role in the social and environmental decision-making processes of local government and community based organisations.

This undertaking is given on the understanding that the modified proposal as discussed in meetings with yourself, the Appeals-Convenor and your Principal Policy Advisor is the basis for environmental approval of Cockburn's future shellsand dredging.

I thank you and your staff for the professional and helpful manner in which this process has been conducted.

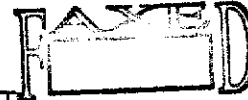
Yours sincerely

G Miller
Commercial Manager - Group
Cockburn Cement Limited

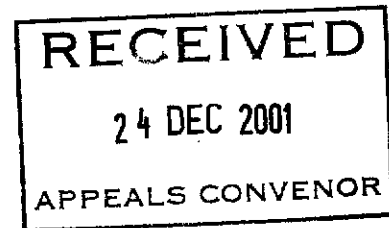


GOVERNMENT OF WESTERN AUSTRALIA

**MINISTER FOR STATE DEVELOPMENT,
TOURISM; SMALL BUSINESS**



Our Ref: 8124



MINISTER FOR THE ENVIRONMENT AND HERITAGE

Attention: Appeals Convenor

LONG-TERM SHELLSAND DREDGING, OWEN ANCHORAGE (Assessment No. 1300)

Thank you for the opportunity to comment on the proposed conditions for the implementation of the above proposal.

I agree with what I believe to be the intention of the proposed conditions. However, I wish to clarify the meaning of Condition 6.

Condition 6-1 requires the preparation of a Dredging and Environmental Management Program (DEMP) for Success and Parmelia Banks. It is not clear whether the DEMP will be subject to further environmental assessment and approval and hence does not give certainty to the approval given to implement the proposal as documented in Schedule 1 (proposed Condition 1).

I believe that the intention of Bulletin 1300 is to approve implementation of the proposal as described in Schedule 1, but prior to commencing dredging in the stage 1 area as defined in the ERMP, Cockburn Cement Ltd will be required to lodge a DEMP addressing the five issues listed in Condition 6-1.

I am concerned that after a long and rigorous environmental assessment, this essentially operational plan could be subjected to further environmental assessment. Condition 5, Compliance Auditing and Performance Review, appears to provide the mechanism to ensure that the proposal complies with the Proponent's Commitments and Ministerial Conditions.

I seek your clarification that my understanding of Condition 6 is correct, in that Stage 1 of the proposal as detailed in the ERMP is approved, and that prior to commencing dredging operations within the Stage 1 area, the proponent will lodge a DEMP. Subject to that clarification, the implementation of the proposal and the conditions are acceptable to me.

**CLIVE BROWN MLA
MINISTER FOR STATE DEVELOPMENT**

21 DEC 2001

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**MINISTER FOR AGRICULTURE; FORESTRY AND FISHERIES;
THE MIDWEST, WHEATBELT AND GREAT SOUTHERN**

LEADER OF THE GOVERNMENT IN THE LEGISLATIVE COUNCIL

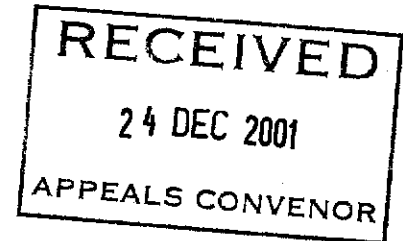
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Ref: 8-4145



MINISTER FOR THE ENVIRONMENT AND HERITAGE

Attention: Appeals Convenor

LONG-TERM SHELLSAND DREDGING, OWEN ANCHORAGE (Assessment No. 1300)

Your memorandum of 3 December seeking comment on the Environmental Protection Authority's (EPA) recommended environmental conditions for the above project refers.

I have considered the recommended conditions and I am of the opinion that they are appropriate to the proposal.

I support the EPA's recommendation that the dredging activity should be relocated from Success and Parmelia Banks to West Success Bank, where there is no seagrass, as soon as practicable. I suggest that Cockburn Cement begin its preparations for this relocation immediately so that operations on Success and Parmelia Banks can be progressively phased out within two years.

However, I recommend that the proponent's commitment to undertake a survey of commercial and recreational fisheries activity in West Success Bank and adjacent areas should be completed prior to the commencement of any dredging activity in the area. The results of the survey should be incorporated into the proposed Dredging and Environmental Management Programme for West Success Bank in order to achieved minimal impact on fishing activity.

Kim Chance MLC
MINISTER FOR AGRICULTURE, FORESTRY AND FISHERIES

24 DEC 2001

Attachment 1 to Statement 599

Change to Proposal

Proposal: Long-term Shellsand Dredging, Owen Anchorage

Proponent: Cockburn Cement Limited

Change: Clarification of operational tolerances of approved dredging.

Components of original proposal:

Stage	Element	Description
Stage 1 (modified)	Area of disturbance	The area of disturbance consists of: <ul style="list-style-type: none">• Widening the existing Fremantle Port Authority shipping channel to 350 metres;• Completion of the second shipping channel through Success and Parmelia Banks to 350 metres;• Dredging an area of approximately 52 hectares from the centre of Parmelia Bank; and• Dredging an area of approximately 19 hectares from the southern portion of Success Bank.

Components of changed proposal:

Stage	Element	Description
Stage 1 (modified)	Area of disturbance	The area of disturbance consists of: <ul style="list-style-type: none">• Widening the existing Fremantle Port Authority shipping channel to 350 metres;• Completion of the second shipping channel through Success and Parmelia Banks to 350 metres;• Dredging an area of approximately 52 hectares from the centre of Parmelia Bank; and• Dredging an area of approximately 19 hectares from the southern portion of Success Bank. <p>The operational accuracy of dredging (with a tolerance of approximately ± 15 metres) is consistent with Figure 1 of Ministerial Statement 599.</p>

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Approval date: 11.3.09

Attachment 2 to Statement 599

Change to Proposal

Proposal: Long-term Shellsand Dredging, Owen Anchorage

Proponent: Cockburn Cement Limited

Change: Definition of Stage 2 (West Success Bank) dredging area

Key Characteristics Table:

Stage	Element	Description of approved proposal	Description of approved change to proposal
Stage 2	Dredging	Shellsand will be dredged from areas of West Success Bank where there is no seagrass.	Shellsand will be dredged from areas of West Success Bank where there is no seagrass.
	Duration	Approximately 20 years	No more than 20 years
	Volume	Approximately 60 million tonnes. This material will require beneficiation.	No more than 60 million tonnes
	Area of disturbance	<ul style="list-style-type: none">The area to be dredged is approximately 350 hectares.The dredging will occur in areas devoid of seagrass and be at least 750 metres from reefs and islands.	<ul style="list-style-type: none">The area to be dredged is no more than 365 hectares.The dredging will occur in areas devoid of seagrass and be at least 750 metres from two centroid points within reefs and islands.The operational accuracy of dredging (with a tolerance of approximately ± 15 metres) is consistent with Ministerial Statement 599.

List of Figures:

Figure 2: Approved Stage 1 (Dual Channel) and Stage 2 (West Success Bank) dredging areas for long-term shellsand dredging

Figure 3: Approved Stage 2 (West Success Bank) dredging areas showing coordinates

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Approval date: 19/11/09

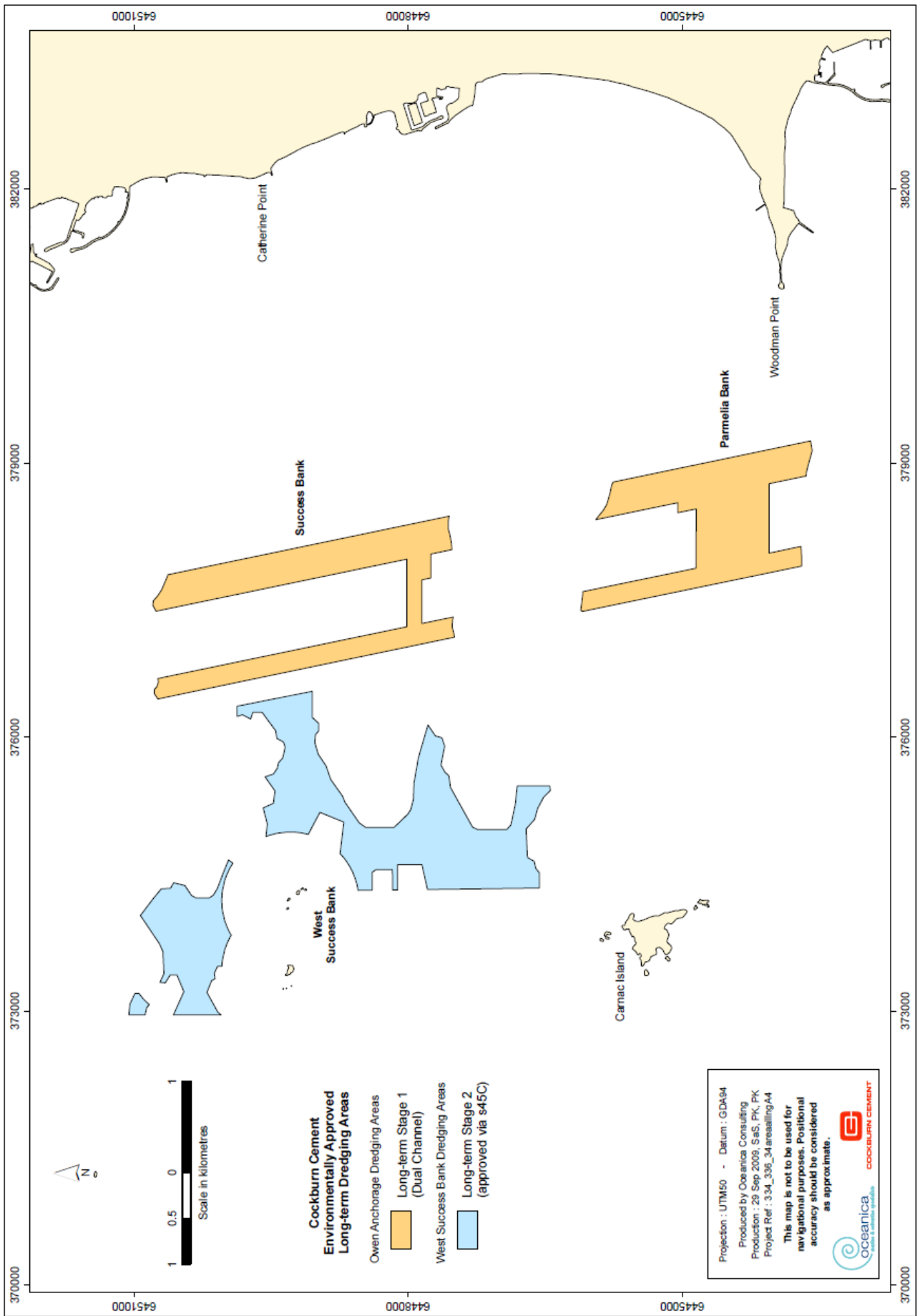


Figure 2: Approved Stage 1 (Dual Channel) and Stage 2 (West Success Bank) dredging areas for long-term shellsand dredging

