

Environmental Protection Authority

Environmental Protection Act 1986

Section 45C

NOTICE OF DECISION TO CONSENT TO AMEND IMPLEMENTATION CONDITIONS WITHOUT INQUIRY

PERSON TO WHOM THIS NOTICE IS GIVEN

Pilbara Ports Authority

PROPOSAL TO WHICH THIS NOTICE RELATES

Wheatstone Development – Shipping Channel, Materials Offloading Facility, and Access Road

MINISTERIAL STATEMENT AND ANY APPROVED CHANGES

Ministerial Statement 1131 first issued 23 April 2020.

s.45C changes issued on 2 February 2022.

DECISION

Pursuant to s. 45C (1) (b) of the *Environmental Protection Act 1986* (EP Act), the Chair acting as delegate for the Minister for the Environment gives approval to the following amendments of the approved proposal:

- Delete condition 6 Introduced Marine Pests.
- Administrative changes to Table 3 of Schedule 1.

SUMMARY OF REASONS

- The proponent is required to manage biosecurity risks from introduced marine pests through the adhering to *Australian biofouling management requirements version 2* (ABFMR) required by the *Biosecurity Act 2015* which sets out a vessel operators' obligations within Australian territorial seas. This requires best practice controls to be implemented for the control and management of ships' biofouling to minimise the transfer of invasive aquatic species and will ensure ongoing adherence to EPA objectives.
- The Department of Primary Industries and Regional Development has considered that the risks associated with low numbers of commercial trading vessels are much lower than during initial development phase, and that the vessel management practices at the Port of Ashburton are sufficient to manage biosecurity risks.

- The changes to Table 3 of Schedule 1, such as deleting 'non-trading vessel', are considered administrative and are unlikely to result in any new or additional impacts.
- There are no new environmental factors likely to be significantly affected as a result of the amendments.
- The effects of the amendments on their own, the effect of the amendments in the context of the existing referred proposal, cumulative impacts, and holistic impacts have been considered.
- The amended proposal will be substantially the same character as the existing referred proposal.

EFFECT OF THIS NOTICE:

1. The proposal as amended in accordance with this notice is taken to be able to be implemented under s. 45 of the EP Act.

RIGHTS OF APPEAL:

There are no rights of appeal under the EP Act in respect of this decision.

A handwritten signature in black ink, appearing to read 'Darren Walsh', with a stylized, cursive script.

Darren Walsh
CHAIR
Environmental Protection Authority
under delegated authority

Approval date: 4 July 2025