

## Contemporising of Ministerial Statement 812 and 967

Ministerial Condition	Environmental Factor	Proposed Change	Assessment and evaluation of proposed changes: will the change ensure the combined proposal (existing proposal with significant amendment) can be implemented consistently with the EPA objectives?
<b>Ministerial Statement 812</b>			
Condition 1 Implement the proposal is accordance with Schedule 1	N/A	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition A1 and introduction. EPA recommends condition 1 is replaced with a new condition setting the maximum limits on proposal characteristics which will ensure the implementation of the proposal is consistent with the EPA's objectives. This condition reflects contemporary conditions setting approach recommended by the EPA
Condition 2 Proponent nomination and contact details.	N/A	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition D3. The requirements of this condition are still relevant and will be retained consistent with contemporary condition setting approach recommended by the EPA.
Condition 3 Commencement and time limit of approval	N/A	Delete Conditions	The implementation of this condition is no longer required, the proposal has been substantially commenced. The condition will not be retained for the consolidated proposal.
Condition 4 Compliance Reporting	N/A	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition D1 and D2. The requirements of this condition are still relevant and will be retained consistent with contemporary condition setting approach recommended by the EPA.
Condition 5 performance review	N/A	Delete Conditions	The requirements of this condition are no longer required, the final performance review report was submitted in March 2015. Agency correspondence to the proponent confirms no further performance review reports were required. The condition will not be retained for the consolidated proposal.

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Condition 6 Marine Water Quality	Marine Environmental Quality	Delete condition and replace with consolidated contemporary style condition.	Recommended condition B2.  The requirements of this condition are still relevant and will be retained consistent with the contemporary condition setting approach recommended by the EPA.
Condition 7 Acid Sulphate Soils (ASS)	Terrestrial Environmental Quality	Delete Conditions	The implementation of this condition is no longer required. Dredging under MS 812 ceased in 2010, monitoring from ASS was required for five years following completion. The risk of ASS being present in the dredge area was identified as a low risk for the Lumsden Point proposal.
Condition 8 Land use Management and Rehabilitation	Social Surroundings (Amenity)	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition B3.  The stability of the DMMA remains a relevant consideration for the consolidated proposal. Recommended condition B3-1 requires achievement of an environmental outcome that is consistent with the objectives of the land use management plan (LUMP) required by MS 812.  The long-term stability and rehabilitation of the DMMA remains a relevant consideration for the consolidated proposal. Recommended condition B3-2 requires the DMMA to be rehabilitated within 5 years following completion of dredging if dredge material is not used and recommended condition B3-3 specifies the environmental outcomes that are to be achieved in rehabilitated areas. Recommended conditions B3-2 and B3-3 are consistent with the requirements of condition 8 of MS 812.  Dust generation remains a relevant consideration for the consolidated proposal. Recommended condition B3-4 requires the proponent to implement appropriate dust control measures in order to ensure the DMMA are not significantly contributing to the Port Hedland air

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			<p>guideline value. This is consistent with the requirements of condition 8 of MS 812.</p> <p>The majority of the requirements of this condition will be retained consistent with the contemporary condition setting approach recommended by the EPA.</p> <p>Condition 8-3(1) of MS 812 requiring the proponent to monitor ambient air quality is no longer required as dust monitoring is undertaken by the Department of Water and Environmental Regulation (DWER). Control of the dust monitoring network was transferred to DWER in January 2022. Removal of conditions relating to dust monitoring is not expected to result in a significant effect on the environmental factor of Social Surroundings.</p>
<b>Ministerial Statement 967</b>			
Condition 1 Implement the proposal is accordance with Schedule 1	N/A	Delete condition and replace with consolidated contemporary style condition.	<p>Recommended condition A1 and introduction.</p> <p>EPA recommends condition 1 is replaced with a new condition setting the maximum limits on proposal characteristics which will ensure the implementation of the proposal is consistent with the EPA's objectives. This condition reflects contemporary conditions setting approach recommended by the EPA.</p>
Condition 2 Proponent nomination and contact details	N/A	Delete conditions and replace with consolidated contemporary style condition.	<p>Recommended condition D3.</p> <p>The requirements of this condition are still relevant and will be retained consistent with contemporary condition setting approach recommended by the EPA.</p>
Condition 3 Commencement and time limit of approval	N/A	Delete Conditions	<p>The requirements of this condition are no longer required, the proposal has substantial commenced.</p> <p>The condition will not be retained for the consolidated proposal.</p>

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Condition 4 Compliance Reporting	N/A	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition D1 and D2. The requirements of this condition are still relevant and will be retained consistent with contemporary condition setting approach recommended by the EPA.
Condition 5 Public Availability of Data	N/A	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition D4. The requirements of this condition are still relevant and will be retained consistent with contemporary condition setting approach recommended by the EPA.
Condition 6 Benthic Communities and Habitats – Mangrove	Benthic Communities and Habitats	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition B1. The requirements of this condition are still relevant and will be retained and updated.
Condition 7 Marine Environmental Quality – Dewatering from dredge material management areas	Marine Environmental Quality	Delete conditions and replace with consolidated contemporary style condition.	Recommended condition B2. The requirements of this condition are still relevant and will be retained consistent with the contemporary condition setting approach recommended by the EPA.