

**Public record pursuant to s39(1) of the *Environmental Protection Act 1986***

**Proposal Title:** Derby Barge Facility

**Proposal Location:** Shire of Derby- West Kimberley

**Case Number:** CMS17850

**Date referral received:** 26-06-2020

**Date more information received:** 22-09-2020

**Referrer:** Colonial Marine Consultants Pty Ltd

**Proponent:** Colonial Marine Consultants Pty Ltd

**Potential significant effects:**

There are potential changes on: **Marine Environmental Quality** from a temporary increase in turbidity during construction and maintenance dredging, **Marine Fauna** from underwater noise emissions and **Benthic Communities and Habitats** from the loss of 1.75ha of mangrove community.

**Public comment on referral information:**

Do not assess:	1
Assess: a) Referral information	0
b) Environmental review - no public review	0
c) Public environmental review	0
<i>Total submissions:</i>	1

**Decision:** s. 39A – Not Assess

**Level of assessment:**

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the *Environmental Protection Act 1986* (EP Act).

**Explanation of decision:**

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment because the small extent and consequence of the predicted impacts as a result of the proposal are predicted to be minimal.

The surrounding environment of King Sound experiences high ambient turbidity levels as a result of the strong tidal currents, any impacts to marine fauna, marine environmental quality and benthic communities from construction activities are small and localised.

The EPA is of the view that the potential impacts of the proposal can be adequately managed through implementation of the proposal in accordance with the referral documentation and the proponent's management and mitigation measures.

The EPA notes there are other statutory processes relevant to this proposal including the clearing of native vegetation in accordance with a permit under Part V Division 2 (Clearing) of the *Environmental Protection Act 1986*.

**Appeals:** This decision is appealable. Appeals close 19-10-2020. Appeals are administered by the Office of the Appeals Convenor.



**Dr Tom Hatton**  
CHAIRMAN

Delegate of the Environmental Protection Authority

**Date:** 30 September 2020