

Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

Proposal title: Wharf Extension

Proposal location: Port of Broome

EO number: APP-0025141

Date referral received: 21-03-2024 **Date more information received:** NA

Referrer: Kimberley Ports Authority **Proponent:** Kimberley Ports Authority

Potential significant effects:

There are potential impacts on: marine environmental quality from temporary and localised increases in turbidity; benthic communities and habitat from direct impact (>0.002 ha) to subtidal rocky reef habitat within pile locations, and increased area of shading from extension of the deck; marine fauna from underwater noise during construction; social surroundings from the potential to disturb cultural heritage, and recreational uses during construction.

Public comment on referral information:

Do not assess:	5
Assess: a) Referral information	2
b) Environmental review - no public review	1
c) Public environmental review	14
<i>Total submissions:</i>	22

Decision: s. 38G(1) – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act –Advice given.

Explanation of decision:

The proposal includes extending the existing wharf at the Port of Broome by undertaking piling works and extending the wharf deck area at two locations by 610m² and 495m².

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment because of the small magnitude and extent of the proposal footprint; the location of the proposal that adjoins the existing Broome wharf facility; the small extent of impact to benthic communities and habitats (>0.002 ha); and that the likely extent and consequence of indirect impacts to the marine environment are predicted to be localised, temporary and manageable.

The EPA has also considered the cumulative impacts of this proposal in the context of the existing Broome Wharf Facility and notes that this proposal represents a minor incremental impact on the benthic communities and habitats in Roebuck Bay.

Potential underwater noise impacts on marine fauna will be minimised through the designation of piling management zones to be monitored by dedicated marine fauna observers; pre-start and soft-start piling and shut down procedures; avoiding piling works during the humpback whale southern migration (July and September); limiting piling to one pile every 24-hours; and undertaking piling during low tide to the extent practicable.

The EPA is of the view that the potential impacts of the proposal can be managed through the implementation of the proposal in accordance with the referral documentation, including the proponent's mitigation and management measures outlined in the Marine Construction Environmental Management Plan (March 2024).

Public Advice:

The EPA notes the proponent's commitment to not undertake piling during the humpback whale southern migration. The proponent commitment is that piling will not be undertaken between July and September to avoid this sensitive fauna ecological window.

In order to further minimise impacts on humpback whale migration, the EPA recommends that the proponent extend to non-piling period to cover October when mother-calf pairs are generally present.

Appeals: This decision is appealable. Appeals close 14-05-2024. Appeals are administered by the Office of the Appeals Convenor.



Prof. Matthew Tonts

CHAIR

Delegate of the Environmental Protection Authority

Date: 19 April 2024