



MINISTER FOR THE ENVIRONMENT WESTERN

Ass # 1028

Bull # 820

State # 422

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

**SERVICE VESSEL FACILITY
PRINCESS ROYAL HARBOUR, ALBANY (1028)**

ALBANY PORT AUTHORITY

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments made in the Consultative Environmental Review, and subsequently; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

The consolidated environmental management commitments (May 1996) were published in Environmental Protection Authority Bulletin 820 (Appendix 4) and a copy is attached.

2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal.
- 2-2 Where, in the course of the detailed implementation referred to in condition 2-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority in any way that the Minister for the Environment determines, on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

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3 Proponent

These conditions legally apply to the nominated proponent.

- 3-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

4 Time Limit on Approval

The environmental approval for the proposal is limited.

- 4-1 If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced.

Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period to the Minister for the Environment.

Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Department of Environmental Protection that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years.

5 Compliance Auditing

To help determine environmental performance and compliance with the conditions, periodic reports on the implementation of the proposal are required.

- 5-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponent.

Procedure

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance of conditions.
- 2 Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.

Hon Peter Foss QC MLC
MINISTER FOR THE ENVIRONMENT

28 JUN 1996

**Proponent's Environmental Management
Commitments**

May 1996

**SERVICE VESSEL FACILITY
PRINCESS ROYAL HARBOUR, ALBANY (1028)**

ALBANY PORT AUTHORITY

ENVIRONMENTAL MANAGEMENT COMMITMENTS (1028)

Objective: Minimize direct impacts on seagrass.

- 1 Direct impacts on seagrass due to dredging and reclamation will be restricted to a maximum area of 0.3ha. This will be to the requirements of the Albany Waterways Management Authority.

Objective: Ensure that off-site impacts on seagrass and water quality are minimized.

- 2 The impacts from dredging and reclamation activities will be monitored consistent with the dredging licence which will be issued for the development.
- 3 Monitoring will include secchi disk measurements (to ensure that secchi depths are not reduced by more than 50% of background at 300m from the dredge) and seagrass monitoring (to assess any long term changes in adjacent seagrass beds).
- 4 Readings less than 50% will be notified to the Albany Waterways Management Authority and works will cease until water clarity improves.
- 5 Continuous incidents of less than 50% will result in the implementation of alternative means of containing spoil.

These will be undertaken and reported to the requirements of the Albany Waterways Management Authority.

Objective: Restrict movement of suspended material.

- 6 Dredging operations will be managed so that suspended material is confined, as far as practicable, to areas in close proximity to the beach. This will be to the requirements of the Albany Waterways Management Authority.

Objective: Manage dust to acceptable levels.

- 7 Dust generated during earthworks associated with reclamation activities will be managed in accordance with Environmental Protection Authority Dust Control Guidelines to ensure the public amenity is maintained.

Objective: Manage noise to acceptable levels.

- 8 Noise Regulations of the Environmental Protection Act 1986 will be complied with during site works.

Objective: Ensure that floating matter is regularly removed.

- 9 A management strategy will be developed to remove any floating matter which accumulates within the Service Vessel Facility. This will be to the requirements of the Albany Waterways Management Authority.

Objective: Maintain a safe and navigable facility.

- 10 Maintenance dredging, if required, will be undertaken consistent with the requirements of the Albany Waterways Management Authority.