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

DAMPIER MARINE SERVICES FACILITY

Proposal: The proposal involves dredging of not more than 2.2 million cubic metres of material which will be used to reclaim a 22 hectare area and create a new land-backed wharf. A new jetty will extend approximately 300 metres from the land-backed wharf. The proposal will also require disturbance of approximately 5 hectares of land for a lay down area and an access road.

The proposal is further documented in schedule 1 of this statement.

Proponent: Dampier Port Authority

Proponent Address: MOF Road
Burrup Peninsular
Dampier WA  6713

Assessment Number: 1870

Report of the Environmental Protection Authority: Report 1389

The proposal referred to in the above report of the Environmental Protection Authority may be implemented. The implementation of that proposal is subject to the following conditions and procedures:

1 Proposal Implementation

1-1 The proponent shall implement the proposal as documented and described in schedule 1 of this statement subject to the conditions and procedures of this statement.
2 **Proponent Nomination and Contact Details**

2-1 The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.

2-2 The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

3 **Time Limit of Authorisation**

3-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.

3-2 The proponent shall provide the Chief Executive Officer of the Office of the Environmental Protection Authority with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.

4 **Compliance Reporting**

4-1 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority.

4-2 The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority the compliance assessment plan required by condition 4-1 at least six months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner.

The compliance assessment plan shall indicate:

1 the frequency of compliance reporting;
2 the approach and timing of compliance assessments;
3 the retention of compliance assessments;
4 the method of reporting of potential non-compliances and corrective actions taken;
5 the table of contents of compliance assessment reports; and
6 public availability of compliance assessment reports.

4-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.

4-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the Chief Executive Officer of the Office of the Environmental Protection Authority.

4-5 The proponent shall advise the Chief Executive Officer of the Office of the Environmental Protection Authority of any potential non-compliance within seven days of that non-compliance being known.

4-6 The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority the first compliance assessment report fifteen months from the date of issue of this Statement addressing the twelve month period from the date of issue of this Statement and then annually from the date of submission of the first compliance assessment report.

The compliance assessment report shall:

1 be endorsed by the proponent’s Managing Director or a person approved in writing by the Chief Executive Officer of the Office of the Environmental Protection Authority, delegated to sign on the Managing Director’s behalf;

2 include a statement as to whether the proponent has complied with the conditions;

3 identify all potential non-compliances and describe corrective and preventative actions taken;

4 be made publicly available in accordance with the approved compliance assessment plan; and

5 indicate any proposed changes to the compliance assessment plan required by condition 4-1.

5 Coral Communities

5-1 The proponent shall ensure that the implementation of the proposal does not cause the mortality of, or long-term serious damage to, the coral communities outside the zones of Direct and Indirect impact shown on Figure 4.
5-2 The proponent shall identify any critical windows for key mass coral spawning events and have in place procedures to ensure that implementation of the proposal does not adversely impact on these events.

5-3 To verify that the requirements of condition 5-1 and 5-2 are met, the proponent shall:

1. at least two months prior to the commencement of dredging, submit a monitoring plan for water quality and coral health to the requirements of the Chief Executive Officer of the Office of the Environmental Protection Authority. The monitoring plan shall include water quality trigger levels for protecting coral health;

2. undertake appropriate management actions during dredging should trigger levels in the monitoring plan be reached;

3. provide baseline data on the health of coral communities prior to the commencement of dredging;

4. undertake a coral health survey within two months of the completion of dredging; and

5. at least two months prior to the commencement of dredging, submit management procedures for mass coral spawning events to the requirements of the Chief Executive Officer of the Environmental Protection Authority.

5-4 The proponent shall submit a report of any management actions undertaken as required by condition 5-3 b) and e), and the coral health data required by conditions 5-3 c) and d) to demonstrate that the requirements of condition 5-1 and 5-2 have been met. This report shall be submitted to the Chief Executive Officer of the Office of the Environmental Protection Authority within three months of completion of the survey required by condition 5-3 d).

5-5 Should the report required by condition 5-4 show that the requirements of condition 5-1 have not been met, the proponent shall undertake further annual coral health surveys to the requirements of the Chief Executive Officer of the Office of the Environmental Protection Authority. These surveys shall be required until the coral has recovered, is within natural variation, or the Dampier marine Services Facility is no longer demonstrated to be the impacting activity.

6 **Cumulative loss of benthic primary producer habitats**

6-1 Prior to implementation, the proponent shall document the location and spatial extent of the following intertidal and subtidal benthic primary producer habitats to be impacted by the proposal:

- coral communities;
- macroalgae communities; and
• sandy (benthic microalgal) habitat.

6-2 Within 12 months of commencement of construction of the proposal, the proponent shall submit a report to the Chief Executive Officer of the Environmental Protection Authority which describes the cumulative loss of each benthic primary producer habitat referred to in condition 6-1 that has resulted from human activities and developments in the Dampier Port local assessment unit. The Report shall:

• estimate the historical distribution and extent of the benthic primary producer habitats referred to in condition 6-1 in the Dampier Port Authority local assessment unit, prior to European impact; and

• estimate the cumulative loss of the benthic primary producer habitats resulting from post European settlement human activities and developments in the Dampier Port Authority local assessment unit up to the time of implementation of the proposal. This should be provided as; a best, a most probable, and a worst-case estimate for each habitat type, along with the assumptions used for each estimate.

6-3 Within five months of completion of the dredging and reclamation components of the proposal, the proponent shall submit a report to the Chief Executive Officer of the Office of the Environmental Protection Authority which describes the additional cumulative loss of benthic primary producer habitat that has resulted from implementation of the proposal.

7 Non-Indigenous Marine Species

7-1 The proponent shall ensure that all non-trading vessels and associated immersible equipment, that are either owned by the proponent, or contracted for construction of the DMSF Project, (including dredges and pile driving barges) are appropriately cleaned and maintained, that the same are inspected by a Department of Fisheries Officer or a suitably qualified marine pest expert approved by the Department of Fisheries, and evidence is provided to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Fisheries, certifying that:

1. there is no sediment on or within the non-trading vessel and equipment;

2. ballast water (if any) has been, or will be, managed according to the Australian Quarantine Inspection Service ballast water requirements; and

3. no invasive marine species (as listed within the Revised Consultative Committee on Introduced Marine Pest Emergencies (CCIMPE) Trigger List – refer to condition 7-4) or any other species demonstrating invasive characteristics, have been identified on or within any vessel or immersible equipment inspected; and
4. any cleaning or treatment activities are undertaken to address invasive marine species risk, has been undertaken to an extent that the non-trading vessel or associated immersible equipment is considered to represent a low risk to the West Australian marine environment.

5. Vessel and immersible equipment inspections shall be conducted either:

- immediately (no more than 48 hours) prior to vessel or immersible equipment departure for Port of Dampier; or
- within 48 hours following arrival of vessel or immersible equipment within Port of Dampier;

and

vessels that have spent more than seven continuous days in Australian coastal waters (less than 50 metre depth) between inspection and their arrival at Dampier Port shall also be inspected during the sixth week after arrival in Port of Dampier.

7-2 Specified vessels and equipment will be exempt from the invasive marine species risk mitigation measures referred to in condition 7-1 if, prior to arriving at Port of Dampier, the Chief Executive Officer of the Office of the Environmental Protection Authority, on advice from the Department of Fisheries, has issued a written exemption for that specified vessel and/or equipment.

7-3 The proponent shall, throughout the life of the construction project notify the Chief Executive Officer of the Office of the Environmental Protection Authority and the Department of Fisheries of any known invasive or suspected invasive marine species (refer to condition 7-4) are detected either:

(a) in the waters at, or adjacent to, the Port of Dampier, or;
(b) on a vessel or piece of immersible equipment associated with the project, within 48 hours following confirmation of detection.

7-4 In the event that any known invasive marine species are detected during the inspection of non-trading vessels and immersible equipment, or during monitoring surveys, the proponent shall, in consultation with the Chief Executive Officer of the Office of the Environmental Protection Authority and the Department of Fisheries develop and implement an agreed Invasive Marine Species Management Strategy to prevent wherever practicable, the establishment and proliferation of that organism, aiming to control and potentially eradicating that organism, and to minimise the risk of that organism being transferred to other locations within Western Australia.

For the purpose of condition 7, the term 'non-trading vessel' refers to those vessels included in the definition of non-trading vessels outlined in the National System for the Prevention and Management of Marine Pest Incursions, National Biofouling Management Guidance for Non-Trading Vessels; and known invasive marine species are considered to be those
species listed by the Consultative Committee on Introduced Marine Pest Emergencies (CCIMPE) within the Revised CCIMPE Trigger List.

**Note:** The Dampier Port local assessment unit is shown in Figure 3.

[signed 27 June 2011]

**HON BILL MARMION MLA**  
**MINISTER FOR ENVIRONMENT; WATER**
Dampier Marine Services Facility (Assessment No. 1780)

The project is the expansion of the Dampier Port facility to increase port capacity, cater for larger ship sizes, and provide expanded laydown/storage areas. Components of the expansion include:

- the dredging of not more than 2.2 million cubic metres of material.
- reclamation of a 22 hectare area to create a new land-backed wharf.
- a jetty which will extend approximately 300 metres from the land-backed wharf.
- a laydown/storage area.
- an access road.

The main characteristics of the proposal are summarised in Table 1 below. A detailed description of the proposal is provided in sections 2.1 to 2.5 of the project referral document, *Dampier Marine Services Facility*, prepared by Worley Parsons, Perth, Western Australia (March 2011).

**Table 1: Summary of key proposal characteristics**

<table>
<thead>
<tr>
<th>Element</th>
<th>Description</th>
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<tbody>
<tr>
<td>Dredging area:</td>
<td>up to 47 hectares.</td>
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<tr>
<td>Reclamation area:</td>
<td>up to 22 hectares.</td>
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<tr>
<td>Land disturbance area:</td>
<td>up to 5 hectares.</td>
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<tr>
<td>Area of native vegetation to be cleared:</td>
<td>up to 2 hectares.</td>
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<tr>
<td>Loss of coral:</td>
<td>direct removal of up to 5 hectares of reef, possible indirect impact on up to a further 3.6 hectares.</td>
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<tr>
<td>Constructed facilities and infrastructure:</td>
<td>land-backed wharf including roll-on roll-off facility, barge ramp, small vessel mooring area, outer bund wall, lay down areas and an access road.</td>
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</tbody>
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**Figures**

- Figure 1 - Regional Location
- Figure 2 - Location of the various project components
- Figure 3 - The Dampier Port local assessment unit
- Figure 4 - The zones of impact
Figure 3: Local assessment unit