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Published on: 23 April 2020

Statement No. 1131

**STATEMENT TO CHANGE THE IMPLEMENTATION CONDITIONS
APPLYING TO A PROPOSAL
(Section 46 of the *Environmental Protection Act 1986*)**

**WHEATSTONE DEVELOPMENT – SHIPPING CHANNEL, MATERIALS
OFFLOADING FACILITY, AND ACCESS ROAD
SHIRE OF ASHBURTON**

Proposal: The proposal is for the on-going operation of the following onshore, nearshore, and offshore facilities located within the Port of Ashburton approximately 12 kilometres south-west of the town of Onslow. The proposal includes a shipping channel, materials offloading facility and access road, and is further documented in Schedule 1 of this Statement.

Proponent: Chevron Australia Pty Ltd
Australian Company Number: 086 197 757

Proponent Address: 250 St Georges Terrace
PERTH WA 6000

Report of the Environmental Protection Authority: 1653

Preceding Statement/s Relating to this Proposal: 873, 903, 922, and 931

This Statement authorises the implementation of the proposal described and documented in Tables 1 and 2 of Schedule 1. The implementation of the proposal is subject to the following implementation conditions and procedures and details definitions of terms and phrases used in the implementation conditions and procedures.

1 Proposal Implementation

When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.

2 Contact Details

- 2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

3 Compliance Reporting

- 3-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 3-6, or prior to implementation, whichever is sooner.
- 3-2 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.
- 3-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 3-2, the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 3-1.
- 3-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 3-1 and shall make those reports available when requested by the CEO.
- 3-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 3-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer'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 3-1.

4 Public Availability of Plans and Reports

4-1 Subject to condition 4-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved in writing by the CEO, all environmental plans and reports required under this Statement.

4-2 If any parts of the plans and reports referred to in condition 4-1 contain particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make those parts of the plans and reports publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

5 Coastal Processes

5-1 The proponent shall ensure that operation of the nearshore marine facilities (as defined in Schedule 1) achieves the following outcomes as far as is practicable as measured under the Coastal Processes Monitoring and Management Plan as approved by the CEO:

- (1) minimise change to littoral sediment transport;
- (2) minimise an erosion trend under non-cyclonic conditions in the position of the mean sea level shoreline and dune vegetation line between the nearshore marine facilities and Beadon Creek;
- (3) maintain the functionality of Hooley Creek;

- (4) maintain the functionality of the Ashburton Delta and avoid destabilisation of the chenier that impounds the coastal lagoon east of Entrance Point;
- (5) minimise the impacts on the recreational value of beaches between the nearshore marine facilities and Beadon Creek;
- (6) minimise the reduction in the integrity and performance of the Onslow seawall; and
- (7) minimise the reduction in the integrity and values of heritage sites between the Ashburton Delta and Beadon Creek.

5-2 The proponent shall implement the approved Coastal Processes Monitoring and Management Plan as approved by the CEO. The plan shall include:

- (1) site inspection of beach, entrance bar and seawall condition between the Ashburton Delta and Beadon Creek;
- (2) beach, chenier and spit/entrance bar width using a combination of topographic surveys and aerial photography/satellite imagery;
- (3) beach profile using on-ground photography;
- (4) mangrove habitat monitoring;
- (5) hydrographic survey of the near-shore area;
- (6) community liaison strategy to obtain feedback on impacts on recreational values;
- (7) site inspection of heritage locations to assess the condition and potential threats to European heritage locations;
- (8) a table showing the type of monitoring and monitoring frequency for each of the coastal features to be protected under condition 5-1;
- (9) management triggers relevant to achieving the outcomes specified in condition 5-1; and
- (10) management actions that will be implemented in the event that management triggers are likely to be exceeded.

5-3 The proponent shall report any non-achievement of the management trigger referred to in condition 5-2, along with measures taken and/or proposed to be taken, and strategies to be implemented in response to the non-achievement, to the CEO within twenty-one (21) days of the non-achievement being identified.

5-4 The proponent shall make the Coastal Processes Monitoring and Management Plan required under condition 5-2 publicly available in a manner approved by the CEO.

6 Introduced Marine Pests

6-1 The proponent shall manage non-trading vessel activities and immersible equipment activities whilst engaged for the implementation of the proposal with the objective of preventing the introduction of marine pests into State waters. For the purpose of this condition, Introduced Marine Pests are those species known to be introduced marine pests, or any other species demonstrating invasive characteristics.

6-2 Prior to the departure of any non-trading vessels and associated immersible equipment engaged for the implementation of the proposal (including dredges and pile driving barges), from any port into State waters, the proponent shall:

- (1) undertake a risk assessment for Introduced Marine Pests. The risk assessment will be undertaken in accordance with a risk assessment procedure approved by the Department of Primary Industries and Regional Development (Fisheries); and
- (2) submit the risk assessment, including all inputted data and results to the Department of Primary Industries and Regional Development (Fisheries) for a determination of the risk level (high, or low) to be assigned to the vessels or associated immersible equipment.

6-3 The proponent shall ensure that any non-trading vessel or immersible equipment assessed in accordance with conditions 6-2(1) and 6-2(2) and determined by the Department of Primary Industries and Regional Development (Fisheries) to be of high risk of Introducing Marine Pests, do not enter State waters unless and until:

- (1) the non-trading vessel or immersible equipment has been inspected by an Officer of the Department of Primary Industries and Regional Development (Fisheries), or a suitably qualified invasive marine pest expert approved by the Department of Primary Industries and Regional Development (Fisheries); and
- (2) the proponent has provided evidence to the Department of Primary Industries and Regional Development (Fisheries), certifying that:
 - a. there is no sediment on or within the non-trading vessel and immersible equipment;

- b. ballast water (if any) has been, or will be, managed according to the Commonwealth Department of Agriculture ballast water requirements as amended or replaced from time to time;
 - c. no Introduced Marine Pests have been identified on or within any vessel or immersible equipment inspected or;
 - d. where an Introduced Marine Pest has been identified on or within any vessel or immersible equipment then:
 - i. the vessel has been subsequently cleaned and the cleaned vessel has been inspected by an Officer of the Department of Primary Industries and Regional Development (Fisheries) or a suitably qualified invasive marine pest expert approved by the Department of Primary Industries and Regional Development (Fisheries),
 - ii. any cleaning or treatment activities undertaken to address Introduced Marine Pests risk, has been undertaken to an extent that the non-trading vessel or associated immersible equipment is determined by the Department of Primary Industries and Regional Development (Fisheries) to represent a low risk to the Western Australian marine environment; and
- (3) vessel and immersible equipment inspections have been conducted no more than seven (7) days prior to the vessel or immersible equipment departure for Ashburton North; or
- (4) if a vessel is determined by the Department of Primary Industries and Regional Development (Fisheries) to be of a high risk and has entered State waters, without meeting the requirements of conditions 6-3(1), 6-3(2) and 6-3(3), then it must be inspected within forty-eight (48) hours of arrival in State waters by an Officer of the Department of Primary Industries and Regional Development (Fisheries) or a suitably qualified invasive marine pest expert approved by the Department of Primary Industries and Regional Development (Fisheries).

Note: Arrangements for inspection within the Port of Onslow shall be carried out in consultation with the Harbour Master.

6-4 If non-trading vessels and associated immersible equipment are to be transferred without exemption (condition 6-5) from Ashburton North to other locations within State waters, the proponent shall, at least fourteen (14) days prior to departure from the Port of Onslow, undertake an inspection or submit a demobilisation risk assessment report to the Department of Primary Industries and Regional Development (Fisheries) that is informed by the Introduced

Marine Pests monitoring of Ashburton North. Introduced Marine Pests monitoring shall:

- (1) be consistent with monitoring design, implementation and reporting standards set out as part of the National Monitoring Network for the Prevention and Management of Marine Pest Incursions, as approved by the Monitoring Design Assessment Panel of the Marine Pest Sectoral Committee (MPSC), or as otherwise approved by the Department of Primary Industries and Regional Development (Fisheries);
- (2) include a review of target priority Introduced Marine Pest species prior to each monitoring survey;
- (3) include a range of sample sites focusing on habitats considered most capable of facilitating the establishment of priority target species throughout all areas of port activities including anchorages, wharves, jetties, slipways, harbours and natural substrates, within the waters of the marine leases held by the proponent;
- (4) be undertaken a minimum of once each year for the life of the proposal; and
- (5) include suitable targeted sampling and analysis of specimens removed during port and vessel maintenance activities.

6-5 Specified vessels and immersible equipment and vessels used to undertake single or multiple bunkering or other routine operational activities at neighbouring ports such as Exmouth, Dampier and Port Hedland will be exempt from the Introduced Marine Pests risk mitigation measures referred to in condition 6-4 if, prior to arriving or departing from the Port of Onslow, the Department of Primary Industries and Regional Development (Fisheries), has issued a written exemption for that specified vessel and immersible equipment to enter and or leave the Port of Onslow prior to an identified date, based on comprehensive information submitted by the proponent that includes a risk assessment supported by documentation demonstrating biofouling management actions and a vessel activity profile since the most recent drydock cleaning.

6-6 The proponent shall, throughout the life of the proposal notify the Department of Primary Industries and Regional Development (Fisheries), the Port of Onslow Harbour Master and the CEO of any known or suspected Introduced Marine Pests detected in the waters within the marine leases held by the proponent at or adjacent to Ashburton North within twenty-four (24) hours following detection, or following subsequent sample analysis undertaken as part of inspection or monitoring activities.

- 6-7 In the event that Introduced Marine Pests are detected during either the inspection of non-trading vessels and immersible equipment required by condition 6-3, or during monitoring surveys required by condition 6-4, and the introduction is a result of proposal related activities, the proponent shall, in consultation with the Department of Primary Industries and Regional Development (Fisheries) and the CEO, develop and implement an Introduced Marine Pests 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.
- 6-8 The proponent is to submit a report detailing the outcomes of the implementation of the Introduced Marine Pests Management Strategy to the Department of Primary Industries and Regional Development (Fisheries) and the CEO within a month of the commencement of the implementation of the Introduced Marine Pests Management Strategy and thereafter as required by the CEO.

[signed on 22 April 2020]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

Table 1: Summary of the Proposal

Proposal Title	Wheatstone Development – Shipping Channel, Materials Offloading Facility, and Access Road.
Short Description	<p>The Proposal is for the on-going operation of the following onshore, nearshore, and offshore facilities located within the Port of Ashburton approximately 12 kilometres (km) south-west of the town of Onslow:</p> <ul style="list-style-type: none"> • Shipping Channel; • Materials Offloading Facility; and • Access Road.

Table 2: Location and authorised extent of physical and operational elements

Element	Location	Authorised Extent
Nearshore Facilities		
Shipping Channel	Figure 1	Up to 18 km long navigation channel and turning basin for access to the Product Loading Facility (nearshore component of the shipping channel is shown in Figure 1).
Materials Offloading Facility	Figure 1	Includes the associated breakwater, access channel, turning circle and basin, roll on, roll off facilities and tug berths. Onshore disturbance area of up to 30 hectares.
Offshore Facilities		
Shipping Channel	Figure 1	Up to 18 km long navigation channel and turning basin for access to the Product Loading Facility (offshore component of the shipping channel is shown in inset section of Figure 1).
Onshore Facilities		
Access Road	Figure 1	Disturbance area of up to 53 hectares.

Table 3: Definition of Acronyms, Abbreviations and Terms

Acronym, Abbreviation or Term	Definition
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EP Act	<i>Environmental Protection Act 1986</i> .

Acronym, Abbreviation or Term	Definition
Management actions	<p>Management activities, measures, actions, strategies, undertakings or directives which may, depending on the context in which the term is used in these conditions:</p> <ol style="list-style-type: none"> 1. Correct or improve upon management actions which have been ineffective; 2. Attenuate, minimise, mitigate impacts the proposal would otherwise have on the environment if the action were not taken; or 3. Ensure compliance with conditions, or any monitoring or management triggers established by those conditions.
Non-trading vessel	<p>Those vessels included in the definition of non-trading vessels outlined in the <i>National System for the Prevention and Management of Marine Pest Incursions, National Biofouling Management Guidance for Non-Trading Vessels</i>.</p>

Figures (attached)

Figure 1: Shipping Channel, Materials Offloading Facility, and Access Road

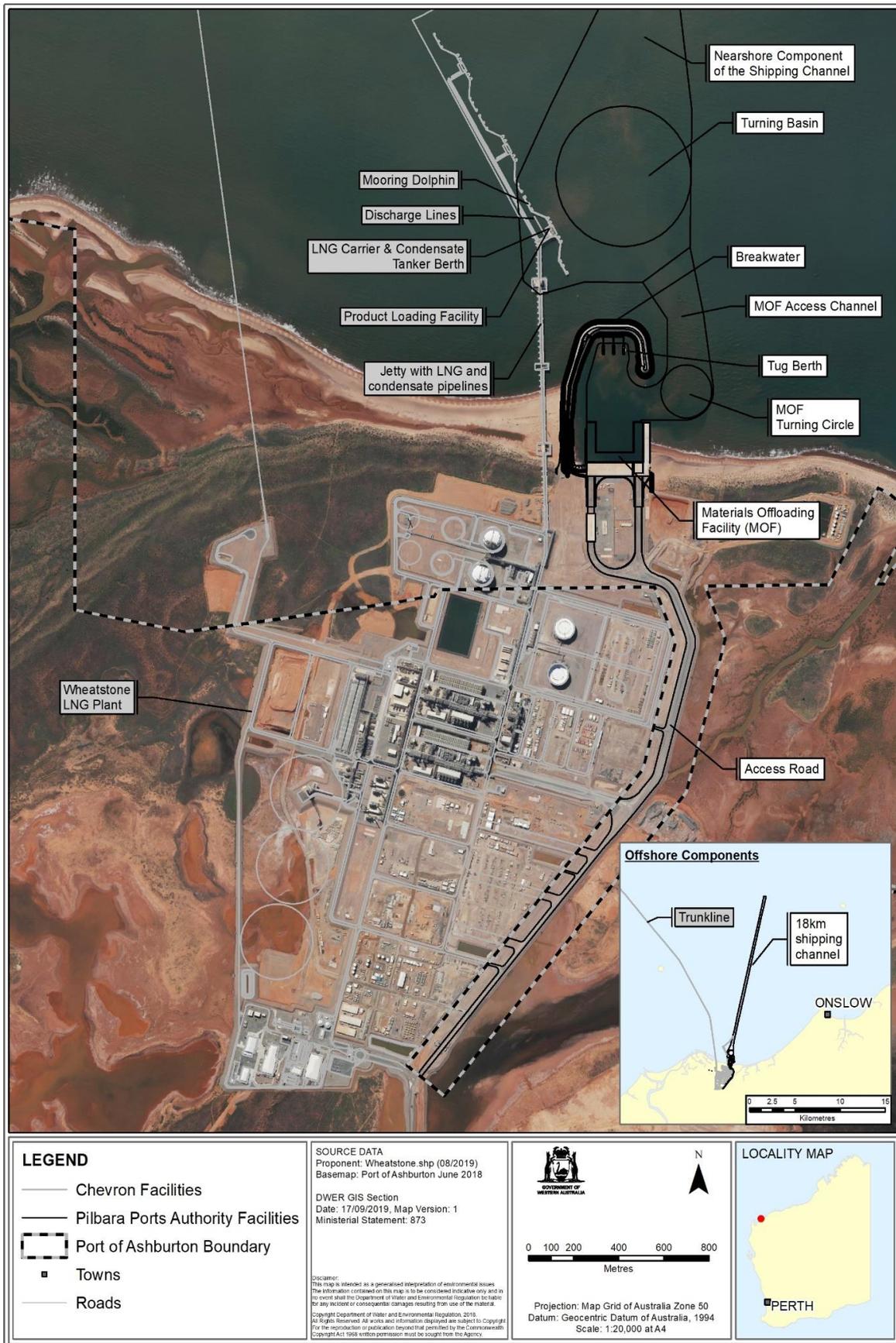


Figure 1: Shipping Channel, Materials Offloading Facility, and Access Road

Geographic spatial data coordinates

Coordinates defining the following are held by EPA Services of the Department of Water and Environmental Regulation:

- the onshore, nearshore, and offshore facilities that are owned and operated by Chevron Australia Pty Ltd as depicted in Figure 1 – Document reference number (DWERDT222080), dated 8 November 2019
- the onshore, nearshore, and offshore facilities that are owned and operated by the Pilbara Ports Authority as depicted in Figure 1 – Document reference number (DWERDT222082), dated 8 November 2019.