



Environmental Protection Authority

EPA Referral Form

Form for the referral of a proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*

Referrer information			
Who is referring this proposal?		<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party	
Kevin Schellack		Signature 	
Position	Chief Executive Officer	Organisation	Kimberley Ports Authority
Email	ceo@kimberleyports.wa.gov.au		
Address	280	Port Drive	
	Broome	WA	6725
Date	18 January 2018		
Does the referrer request that the EPA treat any part of the proposal information in the referral as confidential? <i>Provide confidential information in a separate attachment.</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Referral declaration for organisations, proponents and decision-making authorities: I, Kevin Schellack declare that I am authorised to refer this proposal on behalf of the Kimberley Ports Authority and further declare that the information contained in this form is true and not misleading.			
Part A: Proponent and proposal description			
Proponent information			
Name of the proponent/s (including Trading Name if relevant)		Kimberley Ports Authority	
Australian Company Number(s) <input type="checkbox"/> OR Australian Business Number(s) <input checked="" type="checkbox"/>		56 780 427 150	
Contact for the proposal (if different from the referrer) <i>Please include: name; physical address; phone; and email.</i>		Adelaide Bevilaqua Senior Consultant, Marine Scientist BMT Level 4, 20 Parkland Road, Osborne Park WA 6017 6163 4900 / 0418 834 089 ben.davis@bmtocanica.com.au	

<p>Does the proponent have the legal access required for the implementation of all aspects of the proposal? <i>If yes, provide details of legal access authorisations / agreements / tenure.</i> <i>If no, what authorisations / agreements / tenure is required and from whom?</i></p>	<p>X Yes <input type="checkbox"/> No</p> <p>The works proposed will be undertaken within waters and seabed vested in KPA under section 24 of the Port Authorities Act 1999 WA.</p> <p>The land title relevant to the works is Lot 600 on Deposited Plan 410010.</p>
Proposal type	
<p>What type of proposal is being referred? For a change to an approved proposal please state the Ministerial Statement number/s (MS No./s) of the approved proposal For a derived proposal please state the Ministerial Statement number (MS No.) of the associated strategic proposal</p>	<p>X significant – new proposal <input type="checkbox"/> significant – change to approved proposal (MS No./s: _____) <input type="checkbox"/> proposal under an assessed planning scheme <input type="checkbox"/> strategic <input type="checkbox"/> derived (Strategic MS No.: _____)</p>
<p>For a significant proposal:</p> <ul style="list-style-type: none"> Why do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA? 	<p>The proposal may have potential impacts on the environmental factors of marine environmental quality, benthic communities and habitats, marine fauna and social surroundings as a result of the channel optimisation project. Other environmental factors were assessed as not likely to be significantly impacted by the proposal.</p> <p>Refer to Section 5 of the attached Dredging Environmental Impact Assessment (DEIA) and supporting documentation for further details.</p>
<p>For a proposal under an assessed planning scheme, provide the following details:</p> <ul style="list-style-type: none"> Scheme name and number <p>For the Responsible Authority:</p> <ul style="list-style-type: none"> What new environmental issues are raised by the proposal that were not assessed during the assessment of the planning scheme? How does the proposal not comply with the assessed scheme and/or the environmental conditions in the assessed planning scheme? 	<p>N/A</p>
Proposal description	
<p>Title of the proposal</p>	<p>Port of Broome Channel Optimisation Project</p>
<p>Name of the Local Government Authority in which the proposal is located.</p>	<p>Shire of Broome</p>
<p>Location:</p> <p>a) street address, lot number, suburb, and nearest road intersection; or</p> <p>b) if remote the nearest town and distance and direction from that town to the proposal site.</p>	<p>401 Port Dr, Broome WA 6725</p>
<p>Proposal description – including the key characteristics of the proposal <i>Provide as an attachment to the form</i></p>	<p>Refer to Section 2 of the attached DEIA</p>

Have you provided electronic spatial data, maps and figure in the appropriate format? <i>Refer to instructions at the front of the form</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the current land use on the property, and the extent (area in hectares) of the property?	Port purposes. Extent of the Property 14,230 Ha
Have you had pre-referral discussions with the OEPA? If so, quote the reference number and/or the OEPA contact.	Pre-referral meetings were held with the Department of Water and Environmental Regulation, Environmental Protection Authority Services (DWER EPAS) on 24 October 2017 and 17 November 2017.

Part B: Environmental impacts

Environmental factors

What are the likely significant environmental factors for this proposal?	<input checked="" type="checkbox"/> Benthic Communities and Habitat <input type="checkbox"/> Coastal Processes <input checked="" type="checkbox"/> Marine Environmental Quality <input checked="" type="checkbox"/> Marine Fauna <input type="checkbox"/> Flora and Vegetation <input type="checkbox"/> Landforms <input type="checkbox"/> Subterranean Fauna <input type="checkbox"/> Terrestrial Environmental Quality <input type="checkbox"/> Terrestrial Fauna <input type="checkbox"/> Hydrological Processes <input type="checkbox"/> Inland Waters Environmental Quality <input type="checkbox"/> Air Quality <input checked="" type="checkbox"/> Social Surroundings <input type="checkbox"/> Human Health
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For the environmental factors identified above, complete the following table, or provide the information in a supplementary report. Please be sure to complete a separate table per factor identified above.

Potential environmental impacts

1	EPA Factor	Benthic Communities and Habitat, see attached DEIA (Section 5.2.1)
2	EPA policy and guidance - What have you considered and how have you applied them in relation to this factor?	See attached DEIA (Section 5)

3	Consultation – Outline the outcomes of consultation in relation to the potential environmental impacts	See attached DEIA (Section 7)
4	Receiving environment - Describe the current condition of the receiving environment in relation to this factor.	See attached DEIA (Section 4.2)
5	Proposal activities – Describe the proposal activities that have the potential to impact the environment	See attached DEIA (Sections 2)
6	Mitigation - Describe the measures proposed to manage and mitigate the potential environmental impacts.	See attached DEIA (Section 6)
7	Impacts - Assess the impacts of the proposal and review the residual impacts against the EPA objective.	See attached DEIA (Section 5.2.1).
8	Assumptions - Describe any assumptions critical to your assessment <i>e.g. particular mitigation measures or regulatory conditions.</i>	See attached DEIA (Section 5.2.1)

Potential environmental impacts

1	EPA Factor	Marine Environmental Quality, see attached DEIA (Section 5.2.2)
2	EPA policy and guidance - What have you considered and how have you applied them in relation to this factor?	See attached DEIA (Section 5)
3	Consultation – Outline the outcomes of consultation in relation to the potential environmental impacts	See attached DEIA (Section 7)
4	Receiving environment - Describe the current condition of the receiving environment in relation to this factor.	See attached DEIA (Section 4.1)
5	Proposal activities – Describe the proposal activities that have the potential to impact the environment	See attached DEIA (Sections 2)
6	Mitigation - Describe the measures proposed to manage and mitigate the potential environmental impacts.	See attached DEIA (Section 6)
7	Impacts - Assess the impacts of the proposal and review the residual impacts against the EPA objective.	See attached DEIA (Section 5.2.2)
8	Assumptions - Describe any assumptions critical to your assessment <i>e.g. particular mitigation measures or regulatory conditions.</i>	See attached DEIA (Section 5)

1	EPA Factor	Marine Fauna, see attached DEIA (Section 5.2.3)
2	EPA policy and guidance - What have you considered and how have you applied them in relation to this factor?	See attached DEIA (Section 5)
3	Consultation – Outline the outcomes of consultation in relation to the potential environmental impacts	See attached DEIA (Section 7)
4	Receiving environment - Describe the current condition of the receiving environment in relation to this factor.	See attached DEIA (Section 4.2.2)
5	Proposal activities – Describe the proposal activities that have the potential to impact the environment	See attached DEIA (Sections 2)
6	Mitigation - Describe the measures proposed to manage and mitigate the potential environmental impacts.	See attached DEIA (Section 6)
7	Impacts - Assess the impacts of the proposal and review the residual impacts against the EPA objective.	See attached DEIA (Section 5.2.3)
8	Assumptions - Describe any assumptions critical to your assessment <i>e.g. particular mitigation measures or regulatory conditions.</i>	See attached DEIA (Section 5)
1	EPA Factor	Social surroundings, see attached DEIA (Section 5.2.4)
2	EPA policy and guidance - What have you considered and how have you applied them in relation to this factor?	See attached DEIA (Section 5)
3	Consultation – Outline the outcomes of consultation in relation to the potential environmental impacts	See attached DEIA (Section 7)
4	Receiving environment - Describe the current condition of the receiving environment in relation to this factor.	See attached DEIA (Section 4.3)
5	Proposal activities – Describe the proposal activities that have the potential to impact the environment	See attached DEIA (Sections 2)
6	Mitigation - Describe the measures proposed to manage and mitigate the potential environmental impacts.	See attached DEIA (Section 6)

7	Impacts - Assess the impacts of the proposal and review the residual impacts against the EPA objective.	See attached DEIA (Section 5.2.4)
8	Assumptions - Describe any assumptions critical to your assessment <i>e.g. particular mitigation measures or regulatory conditions.</i>	See attached DEIA (Section 5)

Part C: Other approvals and regulation

State and Local Government approvals

Is rezoning of any land required before the proposal can be implemented?

Yes No

If yes, please provide details.

If this proposal has been referred by a decision-making authority, what approval(s) are required from you?

N/A

Proposal activities

e.g. clearing, dewatering, mining, processing, dredging,

Land tenure/access

e.g. Crown land – LA Act, Min Act, CALM Act specify type

Type of approval

e.g. Native Vegetation Clearing Permit, licence, mining proposal,

Legislation regulating the activity

e.g. *EP Act 1986 – Part V, RiWI Act 1914, Mining Act 1979*

Commonwealth Government approvals

Does the proposal involve an action that may be or is a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)?

Yes No

Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?

Yes No

Date: 9/02/2018

EPBC No.: *Not yet issued*

If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes', check the appropriate box and provide the decision in an attachment.

Yes No

The decision has not been made yet

Decision – controlled action

Decision – not a controlled action

Do you request that this proposal be assessed under the bilateral agreement or as an accredited assessment?

Yes– Bilateral No

Yes - Accredited

Is approval required from other Commonwealth Government/s for any part of the proposal?

Yes No

Approval:

An application for a sea dumping permit for ocean disposal of dredged material is required under the Commonwealth Environment Protection (Sea Dumping) Act 1981. Application for the sea dumping permit was submitted to Department of Environment and Energy – Queensland South and Sea Dumping Section on 9 February 2018.

