



Environmental Protection Authority

Mr Brad Adams
Chief Executive Officer
Ocean Grown Abalone Pty Ltd
PO Box 108
AUGUSTA WA 6290

Our Ref 13-309259
Enquiries Michael Christensen
Phone 6145 0830

Dear Mr Adams

NOTICE UNDER SECTION 39A(3)
Environmental Protection Act 1986

PROPOSAL: Aquaculture of Greenlip Abalone, Flinders Bay, Shire of Augusta-Margaret River
PROPONENT: Ocean Grown Abalone Pty Ltd
DECISION: Not Assessed – Public Advice Given

The Environmental Protection Authority (EPA) understands that you wish to undertake the above proposal which has been referred to the Authority for consideration of its potential environmental impact.

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). Nevertheless, the EPA provides the attached advice to you as the proponent, and other relevant authorities on the environmental aspects of the proposal.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 9 December 2013. Information on the appeals process is available through the Office of the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190.

Yours sincerely

Anthony Sutton
Director
Assessment and Compliance Division

25 November 2013

Encl

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**PUBLIC ADVICE UNDER SECTION 39A(7)
ENVIRONMENTAL PROTECTION ACT 1986**

AQUACULTURE OF GREENLIP ABALONE, FLINDERS BAY

Ocean Grown Abalone Pty Ltd (OGA) is proposing to lease two 40 hectares (ha) areas within Flinders Bay, Augusta (Attachment 1) for the aquaculture of Greenlip Abalone (*Haliotis laevis*). The proposal involves the establishment of artificial structures on the seabed within the lease areas for the purposes of abalone habitat. OGA currently have an existing lease and licence with the Department of Fisheries (DoF) for 40 ha adjacent to these proposed sites and the DoF is currently assessing an amendment to the existing aquaculture licence and the establishment of the two new lease areas through the *Fish Resources Management Act 1994* (FRMA). The proposed sites are located within the *Ngari Capes Marine Park*.

1. Environmental Factors

The Environmental Protection Authority (EPA) gave consideration to the significance of the impacts to the following preliminary environmental factors:

- a. Benthic communities and habitat; and
- b. Marine fauna – marine pests and disease

There were no factors that were determined to be key environmental factors that would require assessment under Part IV of the *Environmental Protection Act 1986* (EP Act). The EPA considers that based on the information provided by the proponent in its referral information, it does not warrant formal assessment under the EP Act as the proposal is unlikely to have a significant effect on the environment. Further, potential impacts can be managed under the FRMA to meet the EPA's objectives.

2. Advice and Recommendation regarding Environmental Issues

In determining whether the proposal is likely to have a significant effect on the environment the EPA has applied the 10 aspects of the significance test as set out in clause 7 of the *Environmental Impact Assessment Administrative Procedures 2012*. The EPA has considered the high values of the Ngari Capes Marine Park and the extent of the potential impacts from the proposal (principles (a) and (b)), however a key consideration was the extent to which other decision-making processes can regulate the mitigation of the potential effects on the environment to meet the EPA's objectives and principles for environmental impact assessment (principle (i)).

The proposed lease areas are within the General Use zone of the *Ngari Capes Marine Park*, in which aquaculture is permitted. The EPA understands that the proposal is currently being assessed by the DoF with regard to the ecological and social values of the Marine Park as detailed in the *Ngari Capes Marine Parks Management Plan 2013-2023*.

a. Benthic communities and habitat

The EPA has considered the values and benthic communities and habitat within the proposed lease areas in the Marine Park.

The EPA notes that the proposal would have the potential to impact seagrass by the placement and presence of artificial habitat structures. However, based on the advice received from the DoF, it is understood that no artificial habitat structures are to be located on seagrass and the structures are only to use about 1% of the sandy seabed within the proposed lease areas.

Through the DoF assessment process management and mitigation of the key potential environmental impacts including impacts to seagrass will be addressed in a Management and Environmental Monitoring Plan (MEMP). The MEMP is required through provisions of the FRMA.

The EPA recommends that the MEMP is established with advice from the Department of Parks and Wildlife and the Marine Parks and Reserves Authority.

b. Marine fauna – marine pests and disease

The EPA has considered the high values of the *Ngari Capes Marine Park* and the disease risk associated with the movement of abalone from a land based hatchery to the proposed lease areas.

The DoF has advised as part of considering this application the *Abalone Aquaculture in Western Australia Policy* will be implemented, which will minimise the risk of introducing disease and pest organisms into the Marine Park. The Policy provides for the effective management of risk to allow for an appropriate level of protection. The EPA note that a project specific biosecurity management plan would require to be developed and approved by the DoF, which would include contemporary biosecurity management practices and measures based on international principles, including controls on the movement of live abalone and comprehensive health testing.

The EPA recommends the proponent work closely in consultation with the relevant decision making authorities prior to the implementation of the proposal. The EPA expects the relevant decision-making authorities to consider and implement this advice through the approvals process.

ATTACHMENT 1

Proposed Lease areas – Aquaculture Greenlip Abalone, Flinders Bay

Sea Based Culture of Greenlip Abalone Flinders Bay, Shire of Augusta Margaret River

Map Version: 1.10
Date: 26/09/2013
Created By: S.Pashby



Legend

DPaW Marine Areas

Aquaculture Licenses

STATUS

- Application
- Licensed

SOURCE DATA

DoF: Aquaculture Licenses (2013)
DPaW: Marine Areas (2013)
SLIP: Leeuwin 1929 Mar 2013 Mosaic

File No: 2013_0000309259, EA03-2013-0019
Location Path: I:\Projects\epas\minor_projects\
eia\20130925_2013_0000309259_Abalone_
Flinders_Bay_Augusta_Margaret_River

Disclaimer:
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The information contained on this map is to be considered indicative only
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N



0 650 1,300 2,600
Metres

Projection: Map Grid of Australia Zone 50
Datum: Geocentric Datum of Australia, 1994
Scale: 1:50,000

LOCALITY MAP

PERTH

MARGARET RIVER



