



APPENDIX 3

3. LETTER CONFIRMATION - STATUS OF SECTION 45C APPLICATION

DevelopmentWA

(SITE doc ref: 201103 DWER Basic_Summary_Of_Records64547_Lot 804 and 200918 DWER Basic_Summary_Of_Records64544_BAE Seabed)

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
23-Mar-2021	SDAU-037-21

Our Ref: A1911365
Enquiries: 08 9482 7833
Date: 11 January 2021

State Development Assessment Unit
Department of Planning Lands and Heritage
140 William St,
PERTH WA 6000

Attention: Paola Di Perna

Dear Paola,

**AMC 1 WHARF EXTENSION & FINGER WHARF- SDAU FORM 17B
S45C APPLICATION - CHANGE TO PROPOSAL (MINISTERIAL STATEMENT No.490)
AUSTRALIAN MARINE COMPLEX COMMON USER FACILITY, 124 QUILL WAY,
HENDERSON, WA 6166**

DevelopmentWA (Western Australian Land Authority) and the Department of Jobs, Tourism, Innovation and Science (JTSI) are seeking approval for amendments to the original Ministerial Statement (MS490) by way of a Section 45C, in accordance with the *Environmental Protection Act 1986 (WA)*.

Advisian Pty Ltd. have been engaged by DevelopmentWA to prepare the S45C submission to the Environmental Protection Authority, to determine if the proposed works have an significant additional or different environmental effects compared to the original proposal. As part of the submission, the following investigations have been undertaken:

- **Sediment sampling-** A sediment sampling program was undertaken covering 9 sampling locations to confirm the presence of contaminants within the proposed dredge footprint. The 95% upper confidence limits for all samples are within National Assessment Guidelines for dredging (NAGD) requirements.
- **Impact assessment-** Study into the potential impact of dredging, piling and construction activities on water quality, marine fauna and flora within proximity to the works.
- **Consolidated Construction and Dredging Management Plan-** Review of construction and operational management plans approved under the previous Ministerial Statement (MS490) and subsequent S45C (2006 & 2008) to confirm previous measures are appropriate to works associated with the proposed changes.

In addition to the above, a meeting was held on 8th September, 2020, with Leanne Thompson (Principal Environmental Officer) and Hans Jacob (Executive Director) of the EPA

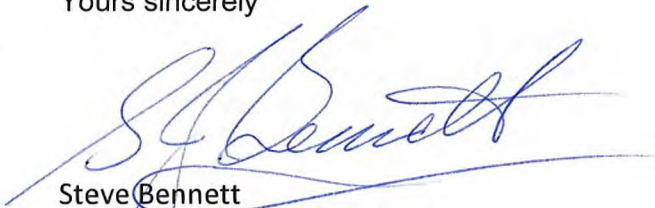
to discuss the S45C submission and confirm requirements prior to lodgement. Subsequently, as per EPA's request, JTSI have commenced early engagement with the State Solicitors Office (SSO) to provide legal advice on the S45C.

In response to your query, relating to the management of contaminated material within BAE's seabed, please accept this as confirmation that the above mentioned, CDMP, will be implemented by the selected contractor, in which water quality monitoring will be undertaken at two locations during the dredge campaign to ensure water quality is maintained and there are no impacts to sediments within the Southern Harbour.

The S45C application was submitted to the EPA on 23/12/20 with approval is anticipated by early February, 2021.

Should you require any further information, please do not hesitate to contact Mark Eral of Proven Project Management by phone on 0411 517 686, or at mark.eral@provenpm.com.au

Yours sincerely



Steve Bennett
Senior Development Manager