

NOTICE OF DECISION AND STATEMENT OF REASONS

Section 55 of the *Environment Protection Act 2019* (EP Act)

Regulations 57(2)(b) and 63 of the *Environment Protection Regulations 2020* (EP Regulations)

Name of proposed action	NCIS-5-HMAS Coonawarra Dredging and Dredged Material Management																						
Proponent	Australian Government Department of Defence																						
NT EPA reference	EP2022/015																						
Description of proposed action	<p>Dredging works to upgrade the HMAS Coonawarra harbour basin as the homeport facility for new, deeper draft Australian naval vessels. HMAS Coonawarra is located on the eastern shore of Darwin Harbour, within the Port of Darwin.</p> <p>The proposal is in three phases (Table 1), and the material that is able to be removed by the cutter suction dredge method is proposed to be discharged at a depth of about approximately 5 m into the water column about 300 m southwest of the existing western breakwater.</p> <p>Table 1: Dredging phases</p> <table border="1"> <thead> <tr> <th>Phase</th> <th>Capital - 1st phase</th> <th>Capital - 2nd phase</th> <th>Maintenance</th> </tr> </thead> <tbody> <tr> <td>Purpose</td> <td>Deepen existing harbour and berthing pockets</td> <td>Excavation for new eastern wharf facility</td> <td>Ongoing maintenance of navigability</td> </tr> <tr> <td>Timing</td> <td>October to December 2022</td> <td>2 to 3 years after 1st phase</td> <td>Ongoing, every 5 to 7 years if required</td> </tr> <tr> <td>Dredge volume</td> <td>101,000 m³</td> <td>116,000 m³</td> <td>10,000 - 15,000 m³</td> </tr> <tr> <td>Duration</td> <td>Daylight hours, 6 days per week, 2 to 3 months</td> <td>1 to 3 months</td> <td>As required</td> </tr> </tbody> </table> <p>The action would be undertaken within Commonwealth land which is not subject to Northern Territory (NT) law under section 52(2) of the Australian Constitution. The proposed action was referred to the Northern Territory Environment Protection Authority (NT EPA) under the EP Act due to the potential for the action to have a significant environmental impact beyond Commonwealth land, within the limits of the NT.</p>			Phase	Capital - 1 st phase	Capital - 2 nd phase	Maintenance	Purpose	Deepen existing harbour and berthing pockets	Excavation for new eastern wharf facility	Ongoing maintenance of navigability	Timing	October to December 2022	2 to 3 years after 1 st phase	Ongoing, every 5 to 7 years if required	Dredge volume	101,000 m ³	116,000 m ³	10,000 - 15,000 m ³	Duration	Daylight hours, 6 days per week, 2 to 3 months	1 to 3 months	As required
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Nature of proposed action	Coastal and marine																						
Decision	<p>A standard assessment is required in accordance with section 55 of the EP Act and regulation 57(2)(b)(i) of the EP Regulations.</p> <p>The required method of environmental impact assessment under regulation 57(2)(b)(ii) is assessment by supplementary environmental report (SER).</p>																						

Person authorised to make decision

Northern Territory Environment Protection Authority (NT EPA)

Signature



Date of decision

12 July 2022

Matters considered under EP Regulation 56

The NT EPA has considered the following:

- the accepted referral (including the referral form, referral report and appendices)
 - submissions received in relation to accepted referral during the consultation period from 13 April 2022 to 16 May 2022.
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Consultation

Submissions received:

- government authority submissions: 7
- public submissions: 0

Submissions identified potential impacts on:

- water quality due to sediment plume generation, increased turbidity, suspended solids and release of contaminants;
 - benthic habitat and communities due to sediment deposition, resuspension and reduced light intensity for marine biota;
 - marine fauna due to habitat loss, vessel interaction and reduced water quality; and
 - an underwater cultural heritage site that could be damaged during dredging activities.
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Statement of Reasons

Overview

The NT EPA considers that the proposed action has the potential to have a significant impact on environmental values associated with three environmental factors: Marine environmental quality, Marine ecosystems and Culture and heritage¹ (Table 2). The NT EPA is of the view that it requires additional information to assess the potential significant impacts on the marine environment.

¹ [NT EPA Environmental factors and objectives](#)

Table 2 – Environmental factor assessment

SEA	<p>Marine environmental quality - The proposed action has the potential to result in significant marine water and sediment quality impacts including increases in turbidity and suspended sediment in the water column, and increased sediment deposition on the sea floor during dredging and spoil disposal.</p>
	<p>Marine ecosystems - The proposed action has the potential to significantly impact marine flora and fauna and benthic habitats. Changes in light availability, turbidity and total suspended solids can adversely affect sensitive receptors such as benthic primary producer habitats, corals and seagrass habitats, and can result in potential loss of ecosystem function. There is currently insufficient information to assess the direct, indirect and cumulative impacts of the proposal's phased dredging activities on the marine environment of Darwin Harbour.</p>
PEOPLE	<p>Culture and heritage - The proposed action has the potential to significantly impact a declared heritage place known as the WWII Degaussing Range within the restricted waters of the Larrakeyah Naval Base, about 300 m to the southeast of the proposed dredge area. The NT EPA considers that potential significant impacts to cultural heritage can be appropriately avoided through statutory provisions under the <i>Heritage Act 2011</i>.</p>

The NT EPA considered other environmental factors during its consideration of the referral; however, the impact on those factors was not considered to be significant.

Justification

A standard assessment by SER is required having regard to:

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|-------------------|---|
| Regulation 59 (a) | The significance of the potential impacts of the proposed action as described above. |
| Regulation 59 (b) | <p>The NT EPA's level of confidence in relation to the prediction of potential significant direct, indirect and cumulative impacts of the proposed action taking into account the extent and currency of existing knowledge, particularly in relation to:</p> <ul style="list-style-type: none"> • water quality associated with increased turbidity and suspended sediment during dredging, release of contaminants and sea floor sediment deposition and resuspension • the extent and distribution of benthic habitats and communities in the modelled zone of influence due to the abovementioned potential water quality impacts and sediment deposition • use of best practice modelling techniques to increase certainty about the potential significant direct and indirect impacts on benthic habitats and communities. |
| Regulation 59 (c) | <p>The NT EPA's level of confidence in the effectiveness of proposed measures identified in the referral to avoid, mitigate or manage potential significant direct, indirect and cumulative impacts of the proposed action, with respect to:</p> <ul style="list-style-type: none"> • marine water quality and the proposed management triggers for turbidity and suspended sediment concentrations during dredging • benthic habitats and communities from water quality impacts and sediment deposition |

- the declared heritage place known as the WWII Degaussing Range within the restricted waters of the Larrakeyah Naval Base.

Regulation 59
(d) & (e)

The extent of community engagement that has occurred in relation to the proposed action and the capacity for individuals and the community to access information and understand the impacts of the action.

Conclusion

The NT EPA considers that the proposed action has potential for significant impacts on three environmental factors, and that environmental impact assessment is required. The method of assessment will be SER.

In making its decisions under EP Regulation 57, the NT EPA has considered:

- the objects of the Act in section 3 of the EP Act
- the purpose of the environmental impact assessment process in section 42 of the EP Act
- the matters under regulation 56 of the EP Regulations

the matters relevant to a consideration of the method of environmental impact assessment in regulation 59 of the EP Regulations.
