



Australian Government

Department of the Environment, Water, Heritage and the Arts

Our reference: EPBC 2007/3259

Mr Andrew Baker
Principal Environmental Scientist
Water Corporation of Western Australia
PO Box 100
LEEDERVILLE WA 6009

Dear Mr Baker

Thank you for your email of 2 September 2008 providing further detail on the Alkimos wastewater pipeline.

This project was determined a non controlled action under the *Environment Protection and Biodiversity Conservation Act, 1999* (EPBC Act) on 26 February 2007. I note that the project was also referred to the Western Australia Government, and the regulatory approvals from the Department of Environment and Conservation are in the final stages.

A permit is required under the Sea Dumping Act to authorise the dumping, and the loading for the purposes of dumping, of any wastes or other matter into Australian waters. Sediment is considered "loaded" once it has been removed from the seabed and has been taken up into the dredging mechanism. Dumping includes all ocean disposal activities, but does not refer to the placement of material for a purpose other than disposal (e.g. construction purposes).

The Sea Dumping Act applies within all Australian waters (other than waters within the limits of a State or the Northern Territory, such as harbours and river estuaries) from the low water mark out to the edge of the EEZ. This is illustrated in Figure A1, p.105 of the National Ocean Disposal Guidelines for Dredged Materials (NODGDM), and I understand you have a copy of these guidelines.

I note that the project methodology includes using the sidecast material for the purposes of backfilling and rock armouring the pipeline. Backfilling and rock armouring will be achieved through both active (mechanical placement by the backhoe dredge) and passive methods (relying on currents and sea state).

Based on the above, it appears that the sidecast material is being used for construction purposes. As such, a permit under the *Environment Protection (Sea Dumping) Act 1981* (the Sea Dumping Act) is not required.

If you have any further questions please contact Meredith Hutchison at
Meredith.Hutchison@environment.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Matt Johnston', with a long horizontal line extending to the right.

Matt Johnston
Director
Ports and Marine Section

5 September 2008