



Compliance Assessment Plan - Ministerial Statement No. 906

Point Grey Marina

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1 Introduction

1.1 Background

The proponent for the Point Grey Marina project is the Point Grey Development Company Pty Ltd (PGDC).

On 1st August 2012, the PGDC received formal environmental approval from the Western Australian State Minister for the Environment for the construction of a 300-boat onshore marina (and associated boating infrastructure e.g. boat pens, jetties, navigational aids), entrance channel, protective groynes, public boat ramps (and associated infrastructure), and beach on the western side of the Point Grey peninsula.

The approved proposal also includes the construction of a 2.5 kilometre (km) navigation channel across the Harvey Estuary from the marina to the Dawesville Channel, in effect linking the marina to the Indian Ocean. The purpose of the channel is to allow vessels with a draft deeper than trailer boats to use safe harbour in the onshore marina, and its associated facilities. These larger boats movements will be confined, by water depth, to the marina, channel, and Dawesville Cut.

The approval followed extensive consultation with the community and the relevant decision-making authorities.

The initial approval was valid for a period of 5 years expiring 31 July, 2017, and the PGDC has submitted an application under Section 46 of the *Environmental Protection Act, 1986* to extend the time limit of authorisation for the Point Grey Marina proposal approval for a further 5 year period, until 1st August, 2022.

The State Environment Ministerial conditions (Statement 906) defines the statutory environmental conditions and procedures for the Point Grey Marina. Ministerial Statement 906 requires the Proponent is adherent to the following conditions:

1. Time Limit of Authorisation.
2. Compliance Reporting to the EPA.
3. Public Availability of Data.
4. Protection of Vegetation.
5. Environmental Offsets.
6. Estuarine Water and Sediment Quality (Operational Phase).
7. Dredge Timing.

The design and management principals of the project, as approved at Local, State and Federal levels, have not changed since that time.

The key characteristics of the Point Grey Marina proposal are summarised in Table 1.

Table 1 Key Proposal Characteristics, Schedule 1 of Ministerial Statement 906

| Key Aspect | |
|--|--|
| Onshore Marina | |
| Marina Water Body Area | Not more than 9.8 hectares |
| Excavation Works | Approximately 660,000 cubic metres of spoil. The maximum depth of marina will be -3 m AHD. |
| Internal Jetties | 4–6 |
| Area of Foreshore Disturbance for Marina Entrance | Not more than 1.8 hectares |
| Northern Construction Disturbance Area | Not more than 0.2 hectares |
| Marina Entrance Channel | |
| Channel Dimensions | Approximately 100 m long and 120 m wide. |
| Excavation Works | Approximately 15,000 cubic metres of spoil. The maximum depth of the marina entrance channel will be -3.5 m AHD. |
| Public Beach, Public Car Parking and Boat Ramps | |
| Area of Foreshore Disturbance | Not more than 4.3 hectares |
| Number of Public Boat Ramps (Inside the Marina) | 4 |
| Navigation Channel and Groynes | |
| Navigation Channel Dimensions | Approximately 2.5 km long (Point Grey to Dawesville Channel) and 50 m wide (approximately 10 m wide sloping batters and a 30 m base). |
| Volume of Material to Be Dredged | Approximately 120,000 cubic metres of dredge spoil will be removed (95,000 m ³ removed via dredging and 25,000 cubic metres via a land based excavator). The navigation channel will be dredged to a maximum depth of -3.5 m AHD. |
| Area of Disturbance to Harvey Estuary Bed (Including Groynes) | Not more than 15.8 hectares. |

1.2 Purpose and Scope

The Office of the Environmental Protection Authority (OEPA) Post Assessment Guideline No.2 – Preparing a Compliance Assessment Plan (PAG 2) (OEPA, 2012a) outlines the Chief Executive Officer's (CEO) minimum requirements for a Compliance Assessment Plan (CAP).

This CAP for the Point Grey marina has been prepared in accordance with the guideline and is submitted pursuant to conditions 4-1 and 4-2 of Ministerial Statement 906. Conditions 4-3 to 4-6 are provided for the subsequent reporting requirements described in Sections 2.2 and 2.3.

Condition 4-1 states:

The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.

Condition 4-2 states:

The proponent shall submit to the CEO the compliance assessment plan required by condition 4-1, at least 6 months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner.

The Compliance Assessment Plan shall indicate:

- 1 *The frequency of compliance reporting;*
- 2 *The approach and timing of compliance assessments;*
- 3 *The retention of compliance assessments;*
- 4 *The method of reporting of potential non-compliances and corrective actions taken;*
- 5 *The table of contents of Compliance Assessment Reports;*
- 6 *Public availability of Compliance Assessment Reports.*

Condition 4-3 states:

The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.

Condition 4-4 states:

The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the CEO.

Condition 4-5 states:

The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.

Condition 4-6 states:

The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this statement addressing the twelve month period from the date of issue of this statement and then annually from the date of submission of the first compliance assessment report.

The compliance assessment report shall:

- 1 *be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;*
- 2 *include a statement as to whether the proponent has complied with the conditions;*

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- 3 *identify all potential non-compliances and describe corrective and preventative actions taken;*
- 4 *be made publicly available in accordance with the approved compliance assessment plan; and*
- 5 *indicate any proposed changes to the compliance assessment plan required by condition 4-1.*

2 Assessment and Reporting

2.1 Audit Table

An audit table has been prepared for Ministerial Statement 906 in accordance with the OEPA Post Assessment Guideline No. 1 – Post Assessment Guideline for Preparing an Audit Table (PAG 1) (OEPA, 2012b).

The audit table has been separated into the following elements:

- Audit Code: Ministerial Statement reference number
- Subject: The environmental subject/issue
- Requirement: Wording of the relevant implementation condition, procedure or commitment
- How: The way the proponent intends to achieve the requirement
- Evidence: Information or data collected to verify compliance, i.e. report/letter/site inspection requirements
- Phase: Project phase
- Timeframe: Specific timing and/or location
- Status: Notes about the fulfilment of compliance
- Further Information: Additional details and supporting information to verify compliance status.

The audit table prepared for Statement No. 906 is included as Appendix A.

2.2 Frequency of Compliance Reporting

Condition 4-6 of Ministerial Statement 906 requires that the Point Grey Development Company Pty Ltd submits a compliance assessment report (CAR) annually. The initial CAR will be submitted by 1 November, 2013 and annually on this date thereafter.

Subsequent CARs will be submitted annually from the date of submission of the first CAR.

2.3 Approach and Timing of Compliance Assessments

The PGDC will assess compliance against all conditions of Ministerial Statement 906 on an annual basis.

The CAR will be prepared in accordance with the OEPA Post Assessment Guideline No. 3 – Post Assessment Guideline for Preparing a Compliance Assessment Report (PAG 3) (OEPA, 2012c).

In accordance with PAG 3, the CAR will include the following (OEPA, 2012c):

- status of implementation of the proposal
- statement declaring whether implementation conditions have been, are being, have not or are not being complied with (that is, declare its compliance status)
- documentation which supports/verifies the declared compliance status of the implementation conditions of Ministerial Statement 906
- documentation which supports/verifies whether the requirements in management or monitoring plans have been, are being, have not or are not being fulfilled

- performance of any management plans in achieving environmental outcomes required
- review of the effectiveness of monitoring plans in verifying whether objectives are met or adequately monitoring the relevant factors
- detail of non-compliances and description of the related corrective and preventative actions taken or being taken
- potential non-compliances and evidence of how these are being assessed for corrective action
- the assessment will be summarised in the audit table (Appendix A) and submitted as required by condition 4-6 of Ministerial Statement 906. Compliance will be assessed as detailed in the Audit Table.

2.4 Retention of Compliance Assessments

The PGDC will retain CARs (including all associated compliance assessments) and evidence used to verify compliance for the life of the proposal and then for a minimum of seven years after the end of the life of the proposal.

The PGDC will continue to implement the proposal until the CEO of the Department of Water and Environmental Regulation (DWER) has determined all conditions of Ministerial Statement 906 have been satisfactorily met.

2.5 Reporting of Non-compliances and Corrective Actions

Specific implementation conditions are included in Ministerial Statement 906 regarding notification of environmental exceedances, non-compliance and submission of reports.

The PGDC Project Manager, or their delegated representative, will be responsible for reporting potential non-compliances and corrective actions to the CEO of the DWER. The reporting of these exceedances and the method of notification are described in Table 2.

Table 2 Time Frames and Methodology for Reporting Non-compliances

| Statement 906 Condition | Requirement | Reporting Time Frame | Method |
|-------------------------|--|----------------------|--|
| 4-5 | Advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known. | 7 days | Email followed by written verification |

Implementation conditions 6-5(3) and 8-4(3) include specific requirements for information to be included in a report to the CEO. The reports required by implementation conditions 6-5(3) and 8-4(3) will be submitted to the DWER Compliance Branch as required. The reports will include information required by the conditions. All failures to report environmental exceedances or failure to implement management actions will be reported in the timeframes detailed in Table 2.

Non-compliances or potential non-compliances will be detailed in the annual CAR.

All non-compliance correspondence and incident reports will be retained by the PGDC for the life of the project, and seven (7) years after the life of the project.

2.6 Compliance Status Terms

Compliance status terms for reporting are provided in Table 3 (EPA 2012b).

Table 3 Compliance Status Terms

| Compliance Status terms | Acronym | Definition | Notes |
|----------------------------|---------|---|---|
| Compliant | C | Implementation of the proposal has been carried out in accordance with the requirements of the audit element. | This term applies to audit elements with: <ul style="list-style-type: none"> ongoing requirements that have been met during the reporting period requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'Completed'. |
| Completed | CLD | A requirement with a finite period of application has been satisfactorily completed. | This term may only be used where: <ul style="list-style-type: none"> audit elements have a finite period of application (e.g. construction activities, development of a document) the requirement has been satisfactorily completed the DWER has provided written acceptance of 'Completed' status for the audit element. |
| Not required at this stage | NR | The requirements of the audit element were not triggered during the reporting period. | This should be consistent with the 'Phase' column of the audit table. |
| Potentially Non-compliant | PNC | Possible or likely failure to meet the requirements of the audit element. | This term may only be used where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred. Where this term is used, the proponent should advise when investigations will be finalized and provide follow up advice of the outcome. |
| Non-compliant | NC | Implementation of the proposal has not been carried out in accordance with the requirements of the audit element. | This term applies where the requirements of the audit element have not been met during the reporting period and its status is not 'Completed'. |
| In process | IP | Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending. | The term 'In process' must only be used for the purpose stated in the definition column. 'In process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires ongoing implementation throughout the life of the project (e.g. implementation of a management plan). |

Note the terms NA = Not Audited and VR = Verification Required are for DWER use only.

2.7 Table of Contents

The table of contents of the CAR will at a minimum include:

1. Introduction.
2. Summary of proposal's implementation status.

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3. Statement of compliance.
4. Details of declared compliance status.
5. Supporting/verifying information/documentation.
6. Other information.
7. Appendices:
 - a. Compliance status of key characteristics.
 - b. Audit Table.
 - c. Supporting/verifying information/documentation.

2.8 Public Availability of Reports

The PGDC will make all documentation relating to the proposal publicly available in accordance with the OEPA's Post Assessment Guideline No. 4 – Post Assessment Guideline for Making Information Publicly Available (PAG 4) (OEPA, 2012d).

3 References

- OEPA. 2012a. Post Assessment Guideline for Preparing a Compliance Assessment Plan, Post Assessment Guideline No. 2. Office of the Environmental Protection Authority. Perth, Western Australia.
- OEPA. 2012b. Post Assessment Guideline for Preparing an Audit Table, Post Assessment Guideline No. 1. Office of the Environmental Protection Authority. Perth, Western Australia.
- OEPA. 2012c. Post Assessment Guideline for Preparing a Compliance Assessment Report, Post Assessment Guideline No. 3. Office of the Environmental Protection Authority. Perth, Western Australia.
- OEPA. 2012d. Post Assessment Guideline for Making Information Publicly Available, Post Assessment Guideline No. 4. Office of the Environmental Protection Authority. Perth, Western Australia.

Appendix A

Audit Table for Ministerial Statement 906

AUDIT TABLE

Statement 906 Compliance Section

PROJECT: POINT GREY MARINA

Note:

- Phases that apply in this table = Pre-Construction, Construction, Operation, Decommissioning, Overall (several phases).
- This audit table is a summary and timetable of conditions and commitments applying to this project. Refer to the Minister's Statement for full detail/precise wording of individual elements.
- Code prefixes: M = Minister's condition, P = Proponent's commitment.
- Acronyms list: CEO = Chief Executive Officer of DWER; DBCA = Department of Biodiversity, Conservation and Attractions; DEC = Department of Environment and Conservation; DIA = Department of Indigenous Affairs; DMP = Department of Mining and Petroleum; DWER = Department of Water and Environmental Regulation; EPA = Environmental Protection Authority; DoH = Department of Health; DoW = Department of Water, Minister for Env = Minister for the Environment; OEPA = Office of the Environmental Protection Authority.
- Compliance Status: C = Compliant, CLD = Completed, NA = Not Audited, NC = Non – compliant, NR = Not Required at this stage. Please note the terms VR = Verification Required and IP = In Process are only for OEPA use.

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|---|--|--|--|------------------|--|--------|---------------------|
| 906:M1.1 | Proposal Implementation | The proponent shall implement the proposal as documented and described in schedule 1 of this statement subject to the conditions and procedures of this statement. | Implement proposal as described in Schedule 1. | Compliance Assessment Report (CAR). | Overall | Ongoing. | | |
| 906:M2.1 | Proponent Nomination and Contact Details | The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the <i>Environmental Protection Act 1986</i> is responsible for the implementation of the proposal. | | Annual CAR. | Overall | Ongoing. | | |
| 906:M2.2 | Proponent Nomination and Contact Details | The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority (CEO) of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change. | Submit written notification to CEO of DWER. | Written notification to CEO of DWER. | Overall | Within 30 days of such a change. | | |
| 906:M3.1 | Time Limit of Authorisation | The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of this statement if the proposal to which this statement relates is not substantially commenced. | Commence substantial commencement by 1 August 2017. | Written notification to CEO of DWER. | Overall | On or prior to 1 August 2017. | | |
| 906:M3.2 | Time Limit of Authorisation | The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement. | Submit written notification to CEO of DWER by 1 August 2017. | Written advice to CEO of DWER. | Overall | On or prior to 1 August 2017. | | |
| 906:M4.1 | Compliance Reporting | The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO. | Prepare a Compliance Assessment Plan and submit to the CEO of DWER for approval. | Compliance Assessment Plan (CAP) Approval letter from CEO of DWER. | Pre-construction | Prior to 1 May 2013 or implementation and ongoing. | | |
| 906:M4.2 | Compliance Reporting | The proponent shall submit to the CEO the compliance assessment plan required by condition 4-1 at least six months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner. The compliance assessment plan shall indicate: 1. the frequency of compliance reporting; 2. the approach and timing of compliance assessments; 3. the retention of compliance assessments; 4. the method of reporting of potential non-compliances and corrective actions taken; 5. the table of contents of compliance assessment reports; and 6. public availability of compliance assessment reports. | Prepare a Compliance Assessment Plan and submit to the CEO of DWER for approval. | CAP Approval letter from CEO of DWER. | Pre-construction | Prior to 1 May 2013 or implementation whichever is sooner. | | |
| 906:M4.3 | Compliance Reporting | The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1. | Undertake annual compliance assessments in accordance with the approved CAP. | Annual CAR. | Overall | Ongoing. | | |
| 906:M4.4 | Compliance Reporting | The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the CEO. | Prepare and retain Annual CARs in accordance with the approved CAP. Make CARs available to CEO of DWER on request. | Annual CAR. | Overall | Within 7 days of a request to do so. | | |

AUDIT TABLE

Statement 906 Compliance Section

PROJECT: POINT GREY MARINA

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|------------------------------------|---|---|---|---------|--|--------|---------------------|
| 906:M4.5 | Compliance Reporting | The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known. | Written correspondence to CEO of DWER within 7 days of any potential non-compliance. | Annual CAR. Correspondence to CEO of DWER advising of potential non-compliance | Overall | Within 7 days of the potential non-compliance being known. | | |
| 906:M4.6 | Compliance Reporting | The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this statement addressing the twelve month period from the date of issue of this statement and then annually from the date of submission of the first compliance assessment report. The compliance assessment report shall: 1. be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf; 2. include a statement as to whether the proponent has complied with the conditions; 3. identify all potential non-compliances and describe corrective and preventative actions taken; 4. be made publicly available in accordance with the approved compliance assessment plan; and 5. indicate any proposed changes to the compliance assessment plan required by condition 4-1. | Submit Annual CARs addressing all requirements annually to DWER | Annual CAR. Transmittal documentation of CAR. | Overall | Prior to 1 November 2013 and annually thereafter. | | |
| 906:M5.1 | Public Availability of Data | Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this statement. | Make data relevant to the assessment of this proposal and implementation of this statement publicly available as per <i>Post Assessment Guidance for Making information publicly available (OEPA 2012)</i> | Annual CAR. Transmittal documentation of request for data. | Overall | Within 7 days of a request to do so. | | |
| 906:M5.2 | Public Availability of Data | If any data referred to in condition 5-1 contains particulars of: i. a secret formula or process; or ii. Confidential commercially sensitive information, the proponent may submit a request for approval from the CEO to not make this data publically available. In making such a request the Proponent shall provide the CEO with an explanation and reasons why the data should not be made publically available. | Provide the CEO with an explanation and reasons why data should not be made publicly available. | Correspondence to the CEO of the DWER requesting approval to not make data publicly available, if applicable. | Overall | As required within the timeframe of 5-1. | | |
| 906:M6.1 | Protection of Vegetation | The proponent shall implement the proposal so that it does not adversely affect vegetation outside the disturbance area as shown in Figure 2 of this statement and described in schedule 1. | Undertake monitoring in accordance with conditions 6-3, 6-4 and 6-5. Undertake annual compliance assessments in accordance with the approved CAP. | Annual CAR. | Overall | Ongoing. | | |
| 906:M6.2 | Protection of Vegetation | The proponent shall ensure that the implementation of the proposal does not result in (through either direct or indirect impacts) a loss of more than 7.1 hectares of vegetation. | Site development envelope demarcation. Undertake annual compliance assessments in accordance with the approved CAP. | Annual CAR. | Overall | Ongoing. | | |
| 906:M6.3 | Protection of Vegetation | To verify that the requirements of conditions 6-1 and 6-2 are met the proponent shall: 1. monitor groundwater levels and quality; 2. monitor soil moisture levels; 3. monitor the health, diversity and cover of vegetation; and 4. develop management trigger levels for these parameters to the satisfaction of the CEO. | 1. Monitor groundwater levels and quality; 2. monitor soil moisture levels; 3. monitor the health, diversity and cover of vegetation; and 4. develop management trigger levels for these parameters to the satisfaction of the CEO Undertake annual compliance assessments in accordance with the approved CAP. | Monitoring report. Annual CAR. Approval letter from CEO of DWER. | Overall | Ongoing. | | |
| 906:M6.4 | Protection of Vegetation | Monitoring is to be carried out in accordance with the Marina Dewatering Vegetation Impact Monitoring Program (Rev 1, July 2011). | Implement the Channel and Marina Management Monitoring Plan. Undertake annual compliance assessments in accordance with the approved CAP. | Annual CAR. | Overall | Ongoing. | | |

AUDIT TABLE

Statement 906 Compliance Section

PROJECT: POINT GREY MARINA

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|---|--|--|--|---------|---|--------|---------------------|
| 906:M6.5 | Protection of Vegetation | In the event that monitoring required by condition 6-4 indicates an exceedance of trigger levels determined by condition 6-3: 1. the proponent shall report such findings to CEO within 21 days of the exceedance being identified; 2. the proponent shall provide evidence which allows determination of the cause of the exceedance; 3. if determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall submit actions to be taken to address the exceedance within 21 days of the determination being made to the CEO; and 4. the proponent shall implement actions to address the exceedance and shall continue until such time the CEO determines that the actions may cease. | Written correspondence to CEO of DWER within 21 days of any exceedance and commence mitigation measures when directed by CEO. | Annual CAR. Correspondence to CEO of DWER advising of exceedance. Correspondence from CEO of DWER requiring implementation of contingency actions. | Overall | Within 21 days of an exceedance being identified. Within 21 days of the determination being made by the CEO. Ongoing. | | |
| 906:M6.6 | Protection of Vegetation | Monitoring is to continue until such time as the CEO determines that monitoring and management actions may cease. | Continue monitoring until such time as the CEO determines that monitoring and management actions may cease or monitoring can be reduced in frequency. Undertake annual compliance assessments in accordance with the approved CAP. | Annual CAR. Letter from CEO of DWER advising that monitoring and management may cease. | Overall | As required until the CEO determines that monitoring and management actions may cease. | | |
| 906:M6.7 | Protection of Vegetation | The proponent shall submit annually the results of monitoring required by condition 6-4 to the CEO as part of the compliance assessment report required by condition 4-6. | Prepare and submit monitoring results in the annual CAR in accordance with the approved CAP. | Annual CAR. Transmittal documentation of CAR. | Overall | Submit annually as part of CAR due 1 November annually. | | |
| 906:M7.1 | Environmental Offsets | In order to mitigate for residual impacts to priority ecological communities, foreshore areas of a Ramsar listed site and specially protected or Priority fauna species, the Proponent shall implement the Environmental Offset Strategy Point Grey Marina (RPS, July 2011). | Implement the Environmental Offset Strategy Point Grey Marina (RPS, 2011) | Annual CAR. | Overall | Ongoing. | | |
| 906:M7.2 | Environmental Offsets | In implementing the Environmental Offset Strategy Point Grey Marina (RPS, July 2011) required by condition 7-1, the proponent shall: 1. Prior to commencement of any ground disturbing activities, transfer 10.6 hectares of rural zoned remnant foreshore vegetation (as shown in Figure 4) in private ownership to the Crown for the purposes of conservation and recreation. 2. Within three years of completion of construction, rehabilitate and revegetate at least 4.7 hectares of Point Grey foreshore across three sites: 3.5 hectares at Site 1 including 2.1 hectares of FCT 21C (as shown in Figure 5); 0.2 hectares of FCT 24 at Site 2 (as shown in Figure 5); and one hectare of FCT 25 at Site 3 (as shown in Figure 5). The rehabilitation methodology, monitoring and maintenance will be as described in the Vegetation Management Plan (Tranen Revegetation Systems, July 2011). 3. Prior to any subdivision or the commencement of ground disturbing activities, whichever is sooner, develop and submit a land purchase offset strategy to the CEO for approval on advice from the Department of Environment and Conservation. The strategy will comprise a land acquisition component of not less than 22 hectares. 4. Implement the approved land purchase offset strategy referred to in condition 7-2-3. | Implement the Environmental Offset Strategy Point Grey Marina (RPS, 2011) in liaison with the DBCA. Develop and submit a land purchase offset strategy. Implement the Vegetation Management Plan (Tranen Revegetation Systems, July 2011). | Land purchase offset strategy. DBCA advice. Approval letter from CEO of DWER. Annual CAR. | Overall | 1: Prior to the commencement of any ground disturbing activities. 2: Within three years of completion of construction. 3: Prior to the subdivision or the commencement of ground disturbing activities whichever is sooner. | | |
| 906:M8.1 | Estuarine Water and Sediment Quality (Operational Phase) | The proponent shall ensure that the operation of the proposal does not cause an unacceptable decline in estuary water and sediment quality compared to reference sites as described in condition 8-2. | Implement Channel and Marina Management Monitoring Plan. Undertake annual compliance assessments in accordance with the approved CAP. | Annual CAR. | Overall | Ongoing. | | |

AUDIT TABLE

Statement 906 Compliance Section

PROJECT: POINT GREY MARINA

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|---|---|--|--|------------------|--|--------|---------------------|
| 906:M8.2 | Estuarine Water and Sediment Quality (Operational Phase) | To verify that the requirements of condition 8-1 have been met, the proponent shall prepare a Channel and Marina Management Monitoring Plan for estuary water and sediment quality to the satisfaction of the CEO prior to the commencement of construction. The management plan shall include: 1. a. monitoring of the rate of accumulation of sulfidic silty sediments within the access channel; b. development of a management plan for the long-term onshore treatment and disposal of sulfidic sediments dredged from the access channel and marina development. The sulfidic dredge spoil should be managed as acid sulphate soils in accordance with the requirements of the Department of Environment and Conservation; c. one water quality impact monitoring site 50 to 150 metres from the marina entrance; d. two sediment impact monitoring sites - one 150 metres from the marina entrance in the navigation channel (this site can be the same as water quality impact monitoring site as described in 1a) and the other approximately halfway along the navigation channel; and e. reference monitoring sites (one per impact monitoring site) at locations 200 to 400 metres south of the marina channel. The sites should be chosen to avoid locations where other activities may affect water and sediment quality; 2. the protocols and procedures for monitoring water and sediment quality at the impact and reference monitoring sites referred to in condition 8-2-1; 3. monthly monitoring of water and sediment quality; 4. a risk-based tiered monitoring and management program which includes monitoring against: i. primary investigation and management trigger levels for relevant water and sediment quality indicators; and ii. secondary contingency action trigger levels for relevant water and sediment quality indicators in the event the primary management trigger levels in i., are exceeded, 5. a framework for the development of further investigations, management and contingency actions in the event that the trigger levels referred to in condition 8-2-4 i. and ii. are exceeded; and 6. the reporting procedures, including the format, timing and frequency for the reporting of monitoring data against the trigger levels in 8-2-4. | Prepare and implement a Channel and Marina Management Monitoring Plan. | Channel and Marina Management Monitoring Plan. DWER advice. Approval letter from CEO of DWER. Annual CAR | Pre-construction | Prior to the commencement of construction. | | |
| 906:M8.3 | Estuarine Water and Sediment Quality (Operational Phase) | The Proponent shall implement the Channel and Marina Management and Monitoring Plan required by condition 8-2 to the satisfaction of the CEO. | Implement the Channel and Marina Management Monitoring Plan. Undertake annual compliance assessments in accordance with the approved CAP. | Monitoring Report. Annual CAR | Overall | Ongoing. | | |
| 906:M8.4 | Estuarine Water and Sediment Quality (Operational Phase) | In the event that monitoring required by condition 8-3 indicates an exceedance of contingency action trigger levels referred to in condition 8-2-4 ii.:1. the proponent shall report such findings to the CEO within 7 days of the exceedance being identified; 2. the proponent shall provide evidence which allows determination of the cause of the exceedance; 3. If determined by the CEO to be a result of activities undertaken in implementing the proposal, the proponent shall submit actions to be taken to address the exceedance within 21 days of the determination being made to the CEO; and 4. the proponent shall implement actions to address the exceedance and shall continue until such time the CEO determines that the actions may cease. | Report to CEO within 7 days of the exceedance being known. Within 21 days of the CEO determining the exceedance is project attributable, submit contingency actions to address exceedance. | Annual CAR. Correspondence to CEO of DWER advising of exceedance. Correspondence from CEO of DWER requiring implementation of contingency actions. | Overall | In the event of 8-4 being triggered submit actions within 21 days of the determination being made. Implementing actions to address the exceedance until the CEO determines they may cease. | | |
| 906:M8.5 | Estuarine Water and Sediment Quality (Operational Phase) | Monitoring is to continue until such time as the CEO determines that monitoring and management actions may cease or monitoring can be reduced in frequency. | Continue monitoring until such time as the CEO determines that monitoring and management actions may cease or monitoring can be reduced in frequency. Undertake annual compliance assessments in accordance with the approved CAP. | Annual CAR. Approval letter from CEO of DWER | Overall | Until the CEO determines that actions may cease or be reduced in frequency. | | |

AUDIT TABLE

Statement 906 Compliance Section

PROJECT: POINT GREY MARINA

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|---|--|--|--|---------|--|--------|---------------------|
| 906:M8.6 | Estuarine Water and Sediment Quality (Operational Phase) | The proponent shall submit annually the results of monitoring required by condition 8-2, exceedance of any water and sediment quality management trigger levels and effectiveness of the contingency management measures to the CEO as part of the compliance assessment report required by condition 4-6. | Prepare and submit monitoring results in the annual CAR in accordance with the approved CAP. | Annual CAR. Transmittal documentation of CAR. | Overall | Annually as part of the CAR due 1 November annually. | | |
| 906:M9.1 | Dredge Timing | The proponent shall not undertake dredging of the navigation and entrance channel as described in Schedule 1 of this statement between 1 November and 30 April in any year. | No dredging of navigation and entrance channel between 1 November and 30 April. Prepare and submit annual CAR in accordance with the approved CAP. | Annual CAR. | Overall | No dredging of the area between 1 November and 30 April in any year. | | |