

RAC WA

Compliance Assessment Report
Ministerial Statements 709 and 1067

Monkey Mia Dolphin Resort Expansion,
Monkey Mia, Shark Bay

11 February 2020

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JBS&G Australia Pty Ltd T/A Strategen-JBS&G

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1. Introduction

This Compliance Assessment Report (CAR) addresses compliance of the expansion of the Monkey Mia Dolphin Resort, Shark Bay (the Proposal) with the conditions in Ministerial Statements (MS) 709 and 1067.

The proposal is described in Attachment 1 of MS 709 and in MS 1067 as:

The expansion, incorporating construction and operation of the Monkey Mia Dolphin Resort through expansion of the existing resort area, provision of staff accommodation facilities and upgrading of the wastewater treatment plant, as documented in Ministerial Statement 709.

The expansion of the Monkey Mia Dolphin Resort commenced in October 2012 with the construction of the wastewater treatment plant, one of the three main proposal components as described in Schedule 1 of MS 709. The other key elements of the Proposal, construction of the resort expansion and staff accommodation facilities, were completed in October 2018 and officially opened in November 2018.

1.1 Project approval history

Monkey Mia Dolphin Resort is located within a World Heritage area on a Shire of Shark Bay reserve, adjacent to the Department of Biodiversity, Conservation and Attractions (DBCA) Monkey Mia Visitor Centre.

Approval for the Proposal under the *Environmental Protection Act 1986 (EP Act)* was granted to the former proponent Monkey Mia Dolphin Resort Pty Ltd (MMDR) through issue of MS 709 on 28 December 2005. Subsequent approval extending the period for substantial commencement was granted under MS 919 on 18 December 2012 to the then proponent, Aspen.

Substantial commencement of the proposal occurred in April 2013 with construction of the wastewater treatment plant, a key element of the proposal, which satisfied the requirement of condition 4 in MS 919.

Aspen transferred ownership to RAC Tourism Assets Pty Ltd (RAC) in December 2015.

An application to change conditions and increase the extent of the proposal in MS 709 under section 45C/46 of the EP Act, was submitted in April 2017.

In June 2017, the Deputy Chairman of the Environmental Protection Authority (under delegation authority from the Minister for Environment) approved changes to MS 709 under section 45C of the EP Act. The change to the proposal included:

- an increase in the clearing area for the wastewater treatment plant
- the development and use of borrow pits requiring 3.14 ha of vegetation clearing
- administrative changes to Schedule 1 of MS 709 to describe the Development Envelope
- simplification of the resort expansion and removal of elements to the design that were not relevant to the environment
- Schedule 1 of MS 709 was replaced by Attachment 1 and outlines the authorised extent of the physical and operational elements of the project (Appendix B).

Commencement of earthworks for the other key elements of the proposal, the resort expansion and staff accommodation facilities, commenced in October 2017 and were completed in October 2018.

MS 1067 was subsequently issued on 14 November 2017, changing conditions 3, 4 and 5 and deleting condition 6 of MS 709.

A new Compliance Assessment Plan (CAP) combining compliance requirements for MS 709, 919 and 1067 was prepared and approved by Department of Water and Environmental Regulation (DWER) on 31 May 2018. The CAP effectively supersedes the previously submitted CAPs for MS 709 and 919.

This Compliance Assessment Report (CAR), required by condition 4.4 of MS 1067, covers the period 14 November 2018 to 13 November 2019.

Previous CARs addressing compliance with MS 709 and MS 919 were submitted in:

- May 2016, addressing the audit period 28 December 2005 to 28 December 2015
- April 2017, addressing the audit period 29 December 2015 to 31 December 2016.
- February 2018, addressing the audit period 14 November 2017 to 13 November 2018.

Only two implementation conditions of MS 919 regarding the time limit of authorisation and commencement of implementation of the proposal (919:M4.1 and 919:M4.2), remain valid. These two conditions were assigned a “closed” status by DWER in a letter issued to RAC on 28 November 2017. Therefore, compliance with MS 919 is not assessed in this CAR and will not be assessed in future CARs.

2. Current Status

The project, as described in MS 709 and MS 1067, consists of three separate components as outlined in Schedule 1 of MS 709 and include:

1. Expansion of the existing resort area.
2. Staff accommodation facilities.
3. Upgrading of the wastewater treatment plant.

Construction of the “upgrading of the wastewater treatment plant” using a Membrane Bioreactor Package Plant, commenced in 2013 and was subsequently completed in 2014. The approval of the 45C/46 changes to MS 709 also approved an increase of the area in which the wastewater treatment plant resides.

Construction of the resort expansion and staff accommodation facilities commenced in October 2017 with earthworks and clearing of vegetation. The construction period was timed to take place during the low tourist season to ensure minimal impacts to guests. Completion of these facilities was achieved on 16 September 2018.

The resort is now in operational phase.

3. Audit methodology

3.1 Purpose

This document has been prepared to assess compliance of the Monkey Mia Dolphin Resort with the conditions of MS 709 and 1067 and in doing so, addresses condition 4-6 of MS 1067.

Condition 4-6 of MS 1067 requires the proponent to submit a compliance report to the Chief Executive Officer (CEO) of the DWER, and as per the condition, the CAR must contain the elements in Table 3.1

Table 3.1: CAR requirements

No	CAR requirements	CAR Section
1	Be endorsed by the proponents' CEO or a person delegated to sign on the CEO's behalf	Appendix A
2	Include a statement as to whether the proponent has complied with the conditions	Section 4
3	Identify all potential non-compliances and describe corrective and preventative actions taken	Section 4.1
4	Be made publicly available in accordance with the approved Compliance Assessment Plan	-
5	Indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1	Section 4.7

3.2 Audit period

This CAR assesses compliance with MS 709 and 1067 and associated operational management plans for the audit period between 14 November 2018 to 13 November 2019.

3.3 Methodology

The audit was conducted by Rebecca Mason (Environmental Auditor, Strategen-JBS&G) between October 2019 and January 2020 and included a desktop assessment of compliance. Interviews were conducted both via email and telephone with personnel listed in Table 3.2.

Table 3.2: Persons consulted during audit

Person and position	Organisation
Martin Grenside, Resort Manager	RAC Monkey Mia Dolphin Resort
Chris Peereboom, National Operations Manager	RAC WA
Glenn Rodin, Senior Project Manager	RAC WA

3.4 Audit table

An audit table was prepared to address condition 4 of MS 1067 (Table 4.1). The audit table is based on the table provided in the CAP which was approved by DWER on 31 May 2018. The audit table is a summary of conditions in MS 709 and MS 1067.

3.5 Audit terminology

The 'Status' field of the audit table describes the implementation of the action and compliance with the audit element. While the CEO of the DWER makes the final determination of compliance, it is necessary to update this field each reporting period, as the project progresses. The Post Assessment guidelines (specifically OEPA 2012a) relate to the preparation of compliance audits, including generic expressions that are used to identify the status of each action (Table 3.3).

Table 3.3: Action implementation status

Status	Description
Compliant (Conformant)	Implementation of the proposal has been carried out in accordance with requirements of the audit. (Conformant – as above in relation to actions of management plans / programmes).
Completed/Closed	A requirement with a finite period of application has been satisfactorily completed.
Not required at this stage	The requirements of the audit element were not triggered during the reporting period.

Status	Description
Potentially non-compliant (Potentially non-conformant)	Possible or likely failure to meet the requirements of the audit element. (Potentially non-conformant – as above in relation to actions of management plans / programmes required to be implemented by condition).
In process	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. Note the term 'In process' must only be used for the purpose stated.

Source: adapted from Post Assessment guidance (2012a).

4. Audit results

4.1 Compliance with conditions

The results of the audit of MS 709 and 1067 are shown in the audit table (Table 4.1). A total of 26 conditions and sub-conditions were audited.

Three conditions (709:M7.1, 709:M8.1 and 709:M9.1) were assessed as “potentially non-compliant” regarding the approval of the three operational management plans prior to commencement of construction of the resort expansion. Management plans (required by conditions 709:M7.1, 709:M8.1 and 709:M9.1) were received by DWER in May 2017 and there is no evidence to suggest formal Ministerial approval or denial was achieved prior to construction commencing in October 2017. Acknowledgement of receipt of the management plans by DWER was formalised in a November 2017 compliance audit and an ‘under review’ status applied to each of the plans. However, there has since been no evidence that the management plans were approved (or not approved) as having met the Minister’s requirements prior to construction commencing on October 2017. DWER indicated that the management plans will need some minor revisions (based on a section 45c and section 46 amendment submitted in June and August 2017, respectively) to be undertaken prior to re-submittal, which they will then formally endorse.

The auditor determined that there has been no negative impact on the environment due to the management plans not receiving Ministerial approval, and that it is a technical issue. It is noted that the management plans were developed in consultation and received feedback from DBCA and the Shire of Shark Bay prior to the submission of the management plans to DWER in May 2017.

The final results of the desktop audit conducted by DWER found RAC fully compliant with the conditions of MS 709 in February 2018.

The three management plans were implemented during operation of the Resort and the audit period. Despite not being formally approved, and there was no evidence to suggest that due to the plans not receiving Ministerial approval, that the environment was negatively impacted.

4.2 Conformance with Attachment 1 – Location and authorised extent of project elements

No potential non-conformances with the authorised extent and project elements listed in Attachment 1 of MS 709 (Appendix B) were identified during the audit.

As an additional note: Condition 1-1 of MS 709 requires implementation of the proposal as documented in Schedule 1 of the statement. Schedule 1 has been replaced by Attachment 1 which outlines the key characteristics of the project in Appendix B.

4.3 Conformance with the Drainage Management Plan

Two potential non-conformances were identified with the requirements of the Drainage Management Plan (DMP) (Appendix C) and relate to the lack of information provided to visitors on stormwater protocols.

4.4 Conformance with the Nutrient and Irrigation Management Plan

No potential non-conformances with the requirements of the Nutrient and Irrigation Management Plan (NIMP) (Appendix D) were identified during the audit.

4.5 Conformance with the Foreshore Management Plan

One potential non-conformance was identified with the requirements of the Foreshore Management Plan (FMP) (Appendix E) during the audit, regarding information about waste disposal protocols in visitor educational material.

Waste disposal protocols are stated in the Guest Information sheet in each room, however, the information does not specifically mention individual items of waste or that no dumping on the foreshore areas is allowed.

4.6 Conformance with the Environmental Management System

Four potential non-conformances with the requirements of the Environmental Management System (EMS) (Appendix F) were identified during the audit. The PNCs were generally regarding the lack of project specific environmental training provided to staff and contractors.

The requirement to have in place an EMS and make the EMS available was found to be compliant by the DWER in their audit in February 2018.

4.7 Proposed changes to the Compliance Assessment Plan

There are no proposed changes to the CAP.

Table 4.1: Audit table for MS 709 and 1067

Audit code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further information
709:M1.1	Implementation	The proponent shall implement the proposal as documented in Schedule 1 of this statement subject to the conditions and procedures of this statement.	Implement the Proposal as documented in Schedule 1 of this Statement subject to the conditions and procedures of this Statement.	Evidence is in Appendix B	Overall	Ongoing	Compliant	Schedule 1 of MS 709 was consolidated and replaced by Attachment 1 in June 2017 and contains the physical and operational elements of the project. Conformance with Attachment 1 of MS 709 is in Appendix B.
709:M2.1	Proposal Commitments	The proponent shall implement the environmental management commitments documented in Schedule 2 of this statement.	Implement the Environmental Management Commitments documented in Schedule 2 of this Statement.	Annual CAR	Overall	Ongoing	Compliant	Conformance with Schedule 2 (Proponent Commitments) of MS 709 is at the end of this audit table. Proponent Commitments refer to: the Environmental Management System the Construction Management Plan Aboriginal Heritage and Culture.
709:M3.1	Replaced by MS 1067							
709:M3.2	Replaced by MS 1067							
709:M3.3	Replaced by MS 1067							
1067:M3.1	Change in Name and Address	The proponent shall notify the CEO* of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or the principal office in the State.	Notify CEO of DWER of any change of contact name and/or address within 28 days of such change.	Management advice on 10 February 2020	Overall	Within twenty-eight (28) days of such change. Ongoing	Compliant	The proponent's name or address did not change during the audit period.
709:M4.1 (replaced by 919:M4-1)	Replaced by MS 1067							
709:M4.2 (replaced by 919:M4-2)	Replaced by MS 1067							
1067:M4.1	Compliance Reporting	The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO within six (6) months of the date of this Statement, or as agreed in writing by the CEO.	Prepare and submit a Compliance Assessment Plan (CAP).	R_001_Strategen-JBS&G_MS 709, 919 and 1067 Compliance Assessment plan_01052018 C_001_Strategen-JBS&G_Monkey Mia Dolphin Resort CAP Submission to DWER_01052018	Overall	By 14 May 2018 then Ongoing	Compliant	A CAP (R_001), combining compliance requirements for MS 709 and 1067, was submitted to DWER on 1 May 2018 (C_001). No changes to the CAP have been made since it was approved on 31 May 2018.
1067:M4.2	Compliance Reporting	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 CAP.	C_002_DWER_CAP Approval_31052018	Overall	Ongoing	Compliant	The CAP was approved by DWER on 31 May 2018 (C_002).
1067:M4.3	Compliance Reporting	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2, the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.	Assess compliance according to the CAP.	C_002_DWER_CAP Approval_31052018 R_002_MS 709 and MS 1067 CAR 2019_12022019 R_002_MS 709 and MS 1067 CAR 2019_12022019 C_003_Strategen-JBS&G_CAR for MS 709 and 1067 Submission to DWER_12022019	Overall	Ongoing	Compliant	The CAP was approved by DWER on 31 May 2018 (C_002). The 2019 CAR (R_002) was submitted to DWER on the 12 February 2019 (C_003).

Audit code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further information
1067: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.	Retain annual CARs and make available when requested.	R_002_MS 709 and MS 1067 CAR 2019_12022019 Management advice on 10 February 2020	Overall	Ongoing	Compliant	The auditors have retained a copy of the previous CAR and the Proponent maintain a copy (R_002). There has been no request by the CEO to make the previous CAR available.
1067:M4.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance (PNC) within seven (7) days of that non-compliance being known.	Advise the CEO of DWER of any potential non-compliance with 7 days of becoming aware of that non-compliance.	C_004_DWER_Ltr form DWER Compliance Audit of MS 709 919 1067_20112017 C_005_DWER_From DWER Confirmation of compliance with MS conditions_15022018 C_006_Strategen-JBS&G_RE Ministerial Statement 709 – Management Plan Status Update_17102019	Overall	Within seven (7) days of that non-compliance being known	Compliant	There were no known non-compliances during the last audit period. RAC are awaiting formal correspondence from DWER relating to approval of the operational Management Plans and to therefore confirm the compliance status of 709:M7.1; 709 M8.1; 709:M9.1.
1067:M4.6	Compliance Reporting	The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as agreed in writing by the CEO. The Compliance Assessment Report shall: (1) be endorsed by the proponent's CEO or a person delegated to sign on the CEO'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.	R_002_MS 709 and MS 1067 CAR 2019_12022019 C_003_Strategen-JBS&G_CAR for MS 709 and 1067 Submission to DWER_12022019	Overall	By 14 February 2019 and then annually thereafter	Compliant	The first initial CAR (R_002) was submitted on the 12 February 2019 (C_003) within 15 months from the date of issue of MS 1067.
709:M5.1:1	Replaced by MS 1067:M4.1 and M4.2.							
709:M5.1:2	Replaced by MS 1067:M4.3.							
709:M5.2	Condition deleted.							
1067:M5-1	Public Availability of Plans and Reports	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 in writing by the CEO, all environmental plans and reports required under this statement and Statement 709.	Make environmental plans and reports publicly available in accordance with the CAP.	Environmental plans, CAP and CARs publicly available	Overall	Within a reasonable time period approved by the CEO	Compliant	This CAR and environmental plans, (when approved), will be made publicly available in accordance with the Post Assessment guideline (OEPA 2012b), and in accordance with amendments to that guidance as may occur from time to time.
1067:M5-2	Public Availability of Plans and Reports	If any parts of the plans and reports referred to in condition 5-1 contains particulars of: (1) a secret formula or process; or (2) confidential commercially sensitive information; the proponent may submit a request for approval from the CEO to not make those parts of the plans and reports publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.	If environmental plans or reports contain sensitive information, request the CEO not to make those parts of the documents publicly available.	Written request to CEO of DWER not to make parts of plans or reports publicly available	Overall	Ongoing	N/A	There was no (1) secret information or (2) commercially sensitive information during the audit period, therefore no written requests from the proponent were made to the CEO of the DWER.
709:M6.1	Condition deleted.							
709:M6.2	Condition deleted.							

Audit code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further information
709:M6.3	Condition deleted.							
709:M6.4	Condition deleted.							
709:M6.5	Condition deleted.							
709:M7.1	Drainage Management Plan	<p>Prior to commencement of construction associated with the resort expansion, the proponent shall prepare a Drainage Management Plan, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.</p> <p>This Plan shall address:</p> <ol style="list-style-type: none"> management of stormwater quality and quantity; potential for erosion, local flooding and contaminant discharge; minimising pollutants at their source; and pollutant removal. <p>Note: In preparation of advice to the Minister for the Environment, the Environmental Protection Authority expects that the advice of the following agencies will be obtained:</p> <ul style="list-style-type: none"> Department of Conservation and Land Management; and Shire of Shark Bay. 	Prepare a Drainage Management Plan.	Refer to 1067:M4.5. C_011_Ministerial Statement 709 - Management Plan Status Update	Design	Prior to commencement of construction associated with the resort expansion	Potentially non-compliant	<p>The DMP, NIMP and FMP were submitted to DWER on 8 May 2017, prior to the commencement of construction associated with the resort expansion.</p> <p>Acknowledgement of receipt of the management plans by DWER was formalised in a November 2017 compliance audit and an 'under review' status applied to each of the plans (C_004). However, there has since been no evidence that the management plans were approved (or not approved) as having met the Minister's requirements prior to construction commencing in October 2017.</p> <p>Strategen-JBS&G, on behalf of RAC contacted DWER on the 17 October 2019 (C_006) seeking a status update for each of the plans and ultimately, formal approval from DWER for their implementation.</p> <p>DWER indicated that the management plans will need some minor revisions (based on a section 45c and section 46 amendment submitted in June and August 2017, respectively) to be undertaken prior to re-submittal, which they will then formally endorse. DWER advised that formal correspondence would be sent to confirm the status of these management plans, however, RAC is yet to receive such correspondence from DWER.</p> <p>Based on the timing required by this condition, and the absence of formal approval by DWER for the Management Plans, the auditors have assessed this item as potentially non-compliant.</p> <p>It should be noted however that three management plans were implemented during operation of the Resort and in the previous audit period. Despite not being formally approved, there was no evidence to suggest that due to the plans not receiving Ministerial approval, that the environment was negatively impacted.</p>

Audit code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further information
709:M7.2	Drainage Management Plan	The proponent shall implement the Drainage Management Plan required by condition 7-1.	Implement the Drainage Management Plan required by condition 7.1.	Evidence of implementation is in Appendix C of this compliance report	Overall	Ongoing	Compliant	<p>The key actions of the DMP were assessed during this audit period and it was found that of the 12 key actions identified within the DMP:</p> <ul style="list-style-type: none"> • 10 are conformant • two are potentially non-conformant. <p>The DMP was implemented and objectives of the DMP were met and this requirement has been assessed as compliant.</p> <p>Refer to Appendix C for further detail.</p>
709:M7.3	Drainage Management Plan	The proponent shall make the Drainage Management Plan required by condition 7-1 publicly available.	Make the Drainage Management Plan publicly available.	Management advice on 10 February 2020	Overall	Ongoing	Compliant	<p>There have been no requests from stakeholders for the DMP to be made available during the audit period, in line with the Post Assessment Guideline (OEPA 2012b).</p>
709:M8.1	Nutrient and Irrigation Management Plan	<p>Prior to commencement of construction associated with the resort expansion, the proponent shall prepare a Nutrient and Irrigation Management Plan, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority. This plan shall address:</p> <ol style="list-style-type: none"> 1. method of application of nutrients; 2. irrigation program; 3. water conservation 4. recommendation for low nutrient and water requirement plants and grasses; and 5. prescribed fertiliser applications. <p>Note: In preparation of advice to the Minister for the Environment, the Environmental Protection Authority expects that the advice of the following agencies will be obtained:</p> <ul style="list-style-type: none"> • Department of Conservation and Land Management; and • Shire of Shark Bay. 	Prepare a Nutrient and Irrigation Management Plan.	Refer to 1067:M4.5.	Design	Prior to commencement of construction associated with the resort expansion	Potentially non-compliant	Refer to 709:M7.1
709:M8.2	Implementation of the Nutrient and Irrigation Management Plan	The proponent shall implement the Nutrient and Irrigation Management Plan required by condition 8-1.	Implement the Nutrient and Irrigation Management Plan required by condition 8.1.	Evidence of implementation is in Appendix D of this compliance report.	Overall	Ongoing	Compliant	<p>The key actions of the NIMP were assessed during this audit period and it was found that of the 17 key actions identified within the NIMP:</p> <ul style="list-style-type: none"> • 13 are conformant • one is conformant (complete) • one is potentially non-conformant • two are N/A. <p>The NIMP was implemented and the objectives of the NIMP were met during the audit period and this requirement has been assessed as compliant.</p> <p>Refer to Appendix D for further detail.</p>
709:M8.3	Make Nutrient and Irrigation Plan publicly available	The proponent shall make the Nutrient and Irrigation Management Plan required by condition 8-1 publicly available.	Make Nutrient and Irrigation Plan publicly available by condition 8.1.	Management advice on 10 February 2020	Overall	Ongoing	Compliant	<p>There have been no requests from stakeholders for the NIMP to be made available during the audit</p>

Audit code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further information
								period, in line with the Post Assessment Guideline (OEPA 2012b).
709:M9.1	Foreshore Management Plan	<p>Prior to commencement of construction associated with the resort expansion, the proponent shall prepare a Foreshore Management Plan, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.</p> <p>This plan shall address:</p> <ol style="list-style-type: none"> 1. minimising risk of dune erosion; 2. formalised access points; 3. definition of dune preservation and fencing areas; 4. rehabilitation and restoration of foreshore areas, incorporating stabilisation; 5. identification of species to be planted; and 6. education and signage. <p>Note: In preparation of advice to the Minister for the Environment, the Environmental Protection Authority expects that the advice of the following agency will be obtained:</p> <ul style="list-style-type: none"> • Department of Conservation and Land Management. 	Prepare a Foreshore Management Plan.	Refer to 709:M7.1.	Design	Prior to commencement of construction associated with the resort expansion	Potentially non-compliant	Refer to 709:M7.1.
709:M9.2	Implement Foreshore Management Plan	The proponent shall implement the Foreshore Management Plan required by condition 9-1.	Implement the Foreshore Management Plan.	Evidence of implementation is in Appendix E of this compliance report	Overall	Ongoing	Compliant	<p>The key actions of the FMP were assessed during this audit period and it was found that of the 14 key actions identified within the FMP:</p> <ul style="list-style-type: none"> • 11 were conformant • 1 potentially non-conformant • 2 N/A. <p>The FMP was implemented, and the objectives of the FMP were met during the audit period and this requirement has been assessed as compliant.</p> <p>Refer to Appendix EAppendix E for further detail.</p>
709:M9.3	Make Foreshore Management Plan publicly available	The proponent shall make the Foreshore Management Plan required by condition 9-1 publicly available.	Make the Foreshore Management Plan by condition 9.1 publicly available.	Management advice on 10 February 2020.	Overall	Ongoing	Compliant	There have been no requests from stakeholders for the FMP to be made available during the audit period.
Schedule 2 of MS 709 – Proponent’s Commitments								
709:P1	Environmental Management System	<p>Have in place, and make publicly available an Environmental Management System (EMS) for this project, which will include:</p> <ul style="list-style-type: none"> • Environmental policies specific to the proposed resort and wastewater treatment plant facilities and corporate commitment to it. • Environmental Management Program with specific Management Plans to address the environmental impacts, including: <ul style="list-style-type: none"> ○ Foreshore Management Plan; ○ Nutrient and Irrigation Management Plan; and ○ Wastewater Treatment Management Plan. • Implementation and operation of actions to meet environmental performance. • Setting of appropriate objectives and targets, to meet environmental performance. • Measurement and evaluation of environmental performance. 	Have in place an Environmental Management System and make the Environmental Management System publicly available.	Appendix F	Overall	Prior to construction and post construction Ongoing	Compliant	<p>The EMS for key features of the ongoing operation of the resort, post construction includes the implementation of the:</p> <ul style="list-style-type: none"> • FMP (Appendix E of this report) • NIMP (Appendix D of this report) • DMP (Appendix C of this report) • Overarching EMS document incorporating the CAP. <p>Of the 21 key actions of the operational EMS in Appendix F, the following items were found:</p> <ul style="list-style-type: none"> • 16 were compliant. • Four were potentially non-conformant • one was N/A.

Audit code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further information
		<ul style="list-style-type: none"> Creation of appropriate management structures and responsibilities including human, equipment and financial resources. Training, including induction, in environmental management procedures. Development of communication procedures to staff, visitors, members of the community and government officers, and communicating relevant procedures and requirements to suppliers and contractors. Development of performance monitoring and measurement procedures on the key features of the proposal which may impact on the environment. Development of corrective and preventative procedures. Development of management review and feedback procedures. <p><i>Note: Advice from CALM.</i></p>						
709:P2	Construction Activities	Prepare a Construction Management Plan, which will include: <ol style="list-style-type: none"> management of noise and dust impacts. minimising visual impacts. provision of fencing, appropriate storage facilities and locations. containment of all earth works to avoid affecting the beach. <p><i>Note: Advice from SoSB and CALM.</i></p>	Prepare a Construction Management Plan.	R_002_MS 709 and MS 1067 CAR 2019_12022019	Design	Prior to construction	Compliant (completed)	This item was assessed as Compliant (completed) in the 2019 CAR.
709:P3	Construction Activities	Implement the Construction Management Plan. <i>Note: Advice from SoSB and CALM.</i>	Implement the Construction Management Plan.	N/A	Construction	During construction	N/A	There was no construction during the audit period and therefore the CMP was not assessed.
709:P4	Aboriginal Heritage and Culture	Undertake an ethnographic and archaeological survey of the proposed wastewater treatment plant site before construction occurs. If any Aboriginal material is uncovered as a result of earthmoving activities work will immediately cease in that area and the discovery will be reported to the relevant authorities. Project personnel and construction workers will be informed of the requirement of the <i>Aboriginal Heritage Act 1972</i> with regards to interference with Aboriginal sites. <i>Note: Advice from DIA.</i>	<ol style="list-style-type: none"> Undertake an ethnographic and archaeological survey of the proposed wastewater treatment plant site before construction occurs. If any Aboriginal material is uncovered as a result of earthmoving activities work will immediately cease in that area and the discovery will be reported to the relevant authorities. Project personnel and construction workers will be informed of the requirement of the <i>Aboriginal Heritage Act 1972</i> with regards to interference with Aboriginal sites. 	R_002_MS 709 and MS 1067 CAR 2019_12022019	Design	Prior to construction	Compliant (completed)	In the 2019 CAR it was reported that confirmation of the archaeological and Aboriginal heritage surveys were undertaken near the site of the WWTP and are in reports contained within Compliance verification required for DWER January 2018 Based on the timing required by this condition, the auditor has assessed the item as Compliant (completed).
919:M4.1	Time Limit of Authorisation	The proponent shall not commence implementation of the proposal after the expiration of 5 years from the date of this statement, and any commencement, within this 5 year period, must be substantial.	Substantially commence the Proposal within 5 years of the date of this Statement, or the approval granted in this Statement shall lapse and become void.	R_002_MS 709 and MS 1067 CAR 2019_12022019	Design	By 17 December 2017	Compliant (Completed)	This item was assessed as Compliant (Completed) in the 2019 CAR.
919:M4.2	Time Limit of Authorisation	Any commencement of implementation of the proposal, within 5 years from the date of this statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of 5 years from the date of this statement.	Notify the CEO in writing of substantial commencement prior to the 5 year time limit from the date of this statement.	R_002_MS 709 and MS 1067 CAR 2019_12022019	Design	Prior to 17 December 2017	Compliant (Completed)	This item was assessed as Compliant (Completed) in the 2019 CAR.

*CEO of the Department of the Public Service of the State responsible for the administration of section 48 of the EP Act, or its delegate.

5. Limitations

Scope of services

This report ("the report") has been prepared by Strategen-JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and Strategen-JBS&G. In some circumstances, a range of factors such as time, budget, access and/or site disturbance constraints may have limited the scope of services. This report is strictly limited to the matters stated in it and is not to be read as extending, by implication, to any other matter in connection with the matters addressed in it.

Reliance on data

In preparing the report, Strategen-JBS&G has relied upon data and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ("the data"). Except as otherwise expressly stated in the report, Strategen-JBS&G has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ("conclusions") are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. Strategen-JBS&G has also not attempted to determine whether any material matter has been omitted from the data. Strategen-JBS&G will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to Strategen-JBS&G. The making of any assumption does not imply that Strategen-JBS&G has made any enquiry to verify the correctness of that assumption.

The report is based on conditions encountered and information received at the time of preparation of this report or the time that site investigations were carried out. Strategen-JBS&G disclaims responsibility for any changes that may have occurred after this time. This report and any legal issues arising from it are governed by and construed in accordance with the law of Western Australia as at the date of this report.

Environmental conclusions

Within the limitations imposed by the scope of services, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted environmental consulting practices. No other warranty, whether express or implied, is made.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

Strategen-JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by Strategen-JBS&G, and should not be relied upon by other parties, who should make their own enquiries.

6. References

Office of Environmental Protection Authority (OEPA) 2012a, *Post Assessment Guideline for Preparing an Audit Table*, OEPA, Perth, August 2012.

Office of Environmental Protection Authority (OEPA) 2012b, *Post Assessment Guideline for Making Information Publicly Available*, OEPA, Perth, August 2012.

Appendix A Statement of Compliance

3. Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance 3-1

Which implementation condition or procedure was non-compliant or potentially non-compliant?
709:M7.1, 709:M8.1, 709:M9.1
Was the implementation condition or procedure non-compliant or potentially non-compliant?
Potentially non-compliant
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?
Ongoing

Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally Date _____ <input type="checkbox"/> Reported to DWER in writing Date _____	<input checked="" type="checkbox"/> No

What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?
Three potential non compliances relate to the preparation of a Drainage Management Plan (DMP, M7.1), Nutrient and Irrigation Management Plan (NIMP, M8.1) and Foreshore Management Plan (FMP, M9.1) prior to commencement of construction. The DMP, NIMP and FMP were prepared and submitted to DWER on 8 May 2017, prior to the commencement of construction in October 2017. Receipt of the plans was received from DWER in November 2017; however there was no evidence that the plans were formally approved or not by DWER. The Proponent, via its environmental consultants have attempted to engage with DWER to resolve this matter, which included correspondence with DWER Compliance Division, 17 October 2019, seeking an update of the status of approval for each plan and ultimately, formal approval for their implementation. To date, formal correspondence confirming approval of these management plans has not yet been received from DWER, yet based on the timing these items have been assessed as potentially non-compliant. There was no evidence to suggest that the environment was negatively impacted due to the plans not receiving formal approval.
What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates)
Not applicable
What was the cause(s) of the non-compliance or potential non-compliance?
Implementation of management plans prior to formal approval from DWER and delay in receipt of formal correspondence from DWER regarding the status of the plans.
What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?
It is proposed that formal correspondence from DWER will be followed up and the management plans will be amended (if necessary) and resubmitted as required.
What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?
In future, management plans will be formally approved prior to commencement of activities.
Please provide information/documentation collected and recorded in relation to this implementation condition or procedure:
<ul style="list-style-type: none"> in the reporting period addressed in this Statement of Compliance; and

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
 INITIALS: 

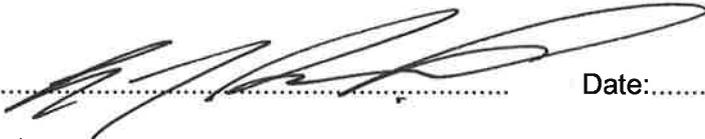
- as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance.
(the above information may be provided as an attachment to this Statement of Compliance)

For additional non-compliance or potential non-compliance, please duplicate this page as required.

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
INITIALS: K

4. Proponent Declaration

I, ANTHONY PICKWORTH, (full name and position title)
 declare that I am authorised on behalf of PAE TOURISM ASSETS Pty Ltd
 (being the person responsible for the proposal) to submit this form and that the information
 contained in this form is true and not misleading.

Signature:  Date: 11/2/20

Please note that:

- it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

5. Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

6. Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

Manager, Compliance (Ministerial Statements)
Department of Water and Environmental Regulation

Postal Address: Locked Bag 10
 EAST PERTH WA 6892
 Phone: (08) 6364 700
 Email: compliance@dwer.wa.gov.au

7. Post Assessment Guidelines and Forms

Post assessment documents can be found at www.epa.wa.gov.au

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
 INITIALS: 

ATTACHMENT 1

Table 1 Compliance Status Terms

Compliance Status Terms	Abbrev	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; and 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 action has been satisfactorily completed; and 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 apply 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.
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 are not "complete" have not been met during the reporting period.
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' may not be used for any purpose other than that stated in the Definition Column. The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan).

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.

INITIALS: 

Appendix B MS 709 Attachment 1: Extent of physical and operational elements

Table B.1: Location and authorised extent of physical and operational elements

Element	Location	Previously Authorised Extent	Authorised Extent	Status	Further Information
Proposal Development Envelope	Figure 1	[new element]	18.2 ha	Conformant	G_002_Strategen-JBS&G_Recent aerial and project boundary_31012020 development area is 15.3 ha
Resort and Accommodation Facilities	Figure 1	Up to 3.1 ha resort expansion area Up to 2.3 ha staff accommodation area	Up to 9.21 ha within the Proposal Development Envelope (includes 3.81 ha existing facilities)	Conformant	G_001_Strategen-JBS&G_Development envelope areas_31012020 Resort expansion and staff accommodation area is 18.15 ha
Wastewater Treatment Plant Area	Figure 1	Up to 0.36 hectares (total area). Existing ponds used for storing treated effluent and sludge.	Up to 4.39 ha within the Proposal Development Envelope (includes existing infrastructure)	Conformant	G_001_Strategen-JBS&G_Development envelope areas_31012020 Wastewater Treatment area is 4.314 ha
Temporary Borrow Pits for Construction	Figure 1	[new element]	Up to 3.14 ha within the Proposal Development Envelope	Conformant	G_001_Strategen-JBS&G_Development envelope areas_31012020 Borrow pit area is 3.11 ha
Resort Capacity		[new element]	Overnight guest accommodation for 1200 people	Conformant	Monkey Mia's accommodation licence is for 1200
Vegetation Clearing	Figure 1 (Within Proposal Development Envelope)	Up to 3.1 hectares of White Coastal Sandplain Vegetation (Resort Expansion) Up to 2.3 hectares of White Coastal Sandplain Vegetation (Staff Accommodation) Up to 0.09 hectares of Red Coastal Sandplain vegetation, adjacent to cleared area for the existing wastewater treatment plant	Up to 5.4 ha White Coastal Sandplain Vegetation Up to 6.13 ha Red Coastal Sandplain (Pindan) Vegetation	Conformant	G_003_Strategen-JBS&G_Vegetation Clearing_31012020 Cleared white coastal sandplain vegetation is 4.61 ha G_003 Vegetation clearing Cleared red coastal sandplain vegetation is 6.12 ha
Major components		<ul style="list-style-type: none"> expansion of the existing resort area provision of staff accommodation facilities upgrading of the existing wastewater treatment plant using a 	Removed – described in Table 1		

Element	Location	Previously Authorised Extent	Authorised Extent	Status	Further Information
		Membrane Bioreactor Package Plant			
Resort Expansion Area		Up to 3.1 hectares	[consolidated into 'Resort and Accommodation Facilities' element above]		
Staff Accommodation Area		Up to 2.3 hectares	[consolidated into 'Resort and Accommodation Facilities' element above]		
Function Rooms		one	[consolidated into 'Resort and Accommodation Facilities' element above]		
Two storey development		Approximately one third of the resort	[consolidated into 'Resort and Accommodation Facilities' element above]		
Hotel Suites		Up to 100 (total)	[consolidated into 'Resort Capacity' element above]		
Bungalows		Up to 30 (total)	[consolidated into 'Resort Capacity' element above]		
Budget Accommodation		Up to 120 bed (total)	[consolidated into 'Resort Capacity' element above]		
Motel units		Up to 70 (total)	[consolidated into 'Resort Capacity' element above]		
Caravan Lots		Up to 71 (total)	[consolidated into 'Resort Capacity' element above]		
Camping Area		Up to 4400 square meters (total) (accommodating approximately 260 people)	[consolidated into 'Resort Capacity' element and area included in 'Resort and Accommodation Facilities' element above]		
Tennis Courts		Three (total)	Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element		
Swimming Pool		6 metre pool and spa (self-contained)	Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element		
Manager's Residence		one	Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element		
Parking		Provision for approximately 200 cars and 2 buses within resort Provision for approximately 55 cars and 24 boat/trailer bays within staff accommodation area	Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element		
Construction		No pindan sand will be transported to the beach adjacent to the resort and expansion area	No pindan sand will be transported to the beach adjacent to the resort and expansion area.	Conformant	Noted.
Suites		Up to 36	[consolidated into 'Resort Capacity' element above]		
Caravan park sites		Up to 24	[consolidated into 'Resort Capacity' element above]		
Swimming Pool		Up to 100 square metre pool (self-contained)	Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element		
Membrane bioreactor package plant		Up to 0.36 hectares (total area) Existing ponds used for storing treated effluent and sludge	[consolidated into 'Wastewater Treatment Plant Area' element above]		

Appendix C Drainage Management Plan audit table

Table C.1: Implementation of Drainage Management Plan

Audit code	Action	Timing	Evidence	Comments	Conformance status
DMP 1	Maintain unsealed areas such as grassed camping areas and unsealed car parks to contain and infiltrate significant stormwater flows.	During operation - post construction phase	C_009_MMDR_RE_Monkey Mia Management Responses_04022020	Management advised that unsealed camping areas were turfed and managed accordingly by the onsite gardener, this includes: <ul style="list-style-type: none"> regular watering monthly moisture readings mowing and general maintenance. Furthermore, carparks and roadways are sealed with a top layer of shell grit, which is topped up as required based on monthly visual inspections and/or prompted after a heavy rainfall event.	Conformant
DMP 2	Direct stormwater flows from roofs, roads, access ways and other impervious surfaces to areas that are unsealed to enable infiltration close to source.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Stormwater drainage built into the infiltration swale landscaped areas.	Conformant
DMP 3	Maintain pollutant removal devices (i.e. oil, sediment and gross pollutant traps) to any outlet and overflow structure.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Pollution removal devices are well maintained and are visually inspections monthly. Bi-annual inspections and operation of equipment also takes place to ensure all is functioning as it should.	Conformant
DMP 4	Ensure chemical and fuel storage areas are bunded.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020R_002_MS 709 and MS 1067 CAR 2019_12022019	Chemical and fuel storage areas/containers are bunded. Chemicals such as barbeque and housekeeping clearers are stored in a shed with hard stand floor.	Conformant
DMP 5	'Cyclone Management Plan' to include protocols to reduce the stormwater impacts from cyclonic rainfall. Protocols will include inspections of the stormwater containment system and the site to prevent discharge.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020 R_002_MS 709 and MS 1067 CAR 2019_12022019	Average rainfall is 200 mm/yr. Stormwater infrastructure, such as earth swales and drainage areas, were installed during construction after a 50-year rainfall event occurred. Inspections during that rainfall event were conducted. The stormwater was retained on site and did not go into the native vegetation adjacent to the beach. Hardstand areas are kept to a minimum to ensure stormwater infiltrates.	Conformant
DMP 6	Remove sediment and debris from manholes/interceptor pits.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	All drains/manholes are well maintained, and monthly inspections are undertaken by the maintenance team. These inspections are managed via the internal task system on the company's intranet system.	Conformant
DMP 7	Induct all visitors to the resort on arrival of the stormwater protocols.	During operation - prior to visitors on site	R_007_Strategen-JBS&G_Monkey Mia Dolphin Resort Environmental Documentation (Rev B)_02092019 R_008_RAC_Guest information and signage_31012020	During the audit period, RAC engaged Strategen-JBS&G to provide suggested amendments to documentation provided to visitors to the Resort. These amendments included the provision of information relating to stormwater management protocols at the Resort. Upon review of visitor information sheets, the amendments have not been included and therefore this item remains potentially non-conformant.	Potentially non-conformant
DMP 8	Provide educational material in each accommodation unit/room outlining the stormwater system.	During operation	Refer to DMP 7	Refer to DMP 7.	Potentially non-conformant
DMP M1	Inspections of the stormwater system demonstrate that sediment and debris is not present.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020 C_009_MMDR_RE_Monkey Mia Management Responses_04022020	Stormwater structures are well maintained. The stormwater swales are inspected on a monthly basis and completion checks are undertaken to check for washouts and to confirm sediment and debris are not present.	Conformant
DMP M2	Inspections of chemical and fuel storage areas demonstrate that no spills/leaks have occurred.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	The Dangerous Goods storage areas are inspected on a bi-annual schedule. There were no incidents of any spills during the audit period.	Conformant

Audit code	Action	Timing	Evidence	Comments	Conformance status
			C_009_MMDR_RE_Monkey Mia Management Responses_04022020		
DMP CA1	Sediment and/or debris present in the stormwater system	During operation	Refer to DMP M1.	Refer to DMP M1.	Conformant
DMP CA2	Spills and/or loss of containment has occurred at the chemical/fuel storage area	During operation	Refer to DMP M2.	Refer to DMP M2.	Conformant

Appendix D Nutrient and Irrigation Management Plan audit table

Table D.1: Implementation of Nutrient and Irrigation Management Plan

Audit code	Action	Timing	Evidence	Comments	Conformance status
NIMP 1	Design, install and test the irrigation system to prevent water logging and erosion.	During construction	N/A	The irrigation system is supplied from the artesian bore and has been designed, installed and tested to prevent water logging and erosion. Based on the timing of this condition, the auditors have assessed this item as 'Not Applicable' to the audit period.	N/A
NIMP 2	Use a probe (or other device) for measuring soil moisture content to ensure over-irrigation does not occur.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Irrigation effectiveness is visually measured to ensure over-irrigation does not occur	Conformant
NIMP 3	Cease irrigation prior to and during forecast high rainfall events and when soil field capacity has been reached.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Irrigation effectiveness is visually measured to ensure over-irrigation does not occur	Conformant
NIMP 4	Schedule irrigation based on soil moisture level, plant requirements (lawn and native plantings), weather conditions, evaporation and transpiration rates.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Irrigation is scheduled and monitored to ensure over-irrigation does not occur	Conformant
NIMP 5	Landscaped areas (open space and streetscapes) to be planted with hardy coastal species needing low nutrients and water, as agreed by the Shire of Shark Bay.	Prior to operation	C_008_MMDR_MMDR Management advice CAR_31012020	No landscaping was undertaken during the audit period.	N/A
NIMP 6	Turfed areas to be planted using a grass species with: <ul style="list-style-type: none"> • high salt tolerance • low water requirements • low nutrient requirements as agreed by the Shire of Shark Bay.	Prior to operation	R_002_MS 709 and MS 1067 CAR 2019_12022019	In the 2019 CAR, it was reported that turfed areas were planted with a mix of Velvetreen and Santa Ana grass, complying with the criteria required. Based on the timing of this action and the report being in an operational phase, the auditors have assessed this item as Conformant (Complete).	Conformant (Complete)
NIMP 7	Fertiliser application loading rates will be determined and provided to the OEPA once master planning for the resort has been finalised and final areas (m ²) of lawn and native planting are known.	After planting	D_001_MMDR_Ministerial Compliance Summary_06012020 C_010_MMDR_Fertiliser Application rates_10022020	Planting of vegetation was not completed during the audit period. Fertiliser application rates will be determined after planting, as required by the timing of this requirement.	N/A
NIMP 8	Slow release fertiliser will be applied in accordance with the nutrient loading rates and manufacturers' instructions.	During operation	D_001_MMDR_Ministerial Compliance Summary_06012020 C_008_MMDR_MMDR Management advice CAR_31012020	Fertiliser application rates will be determined by the manufacturer's instructions after planting, as required by the timing of this requirement.	Conformant
NIMP 9	If required all pesticide and herbicides will be applied according to the manufacturers' specifications.	During operation	C_007_MMDR_Pesticides_31012020	Contractors are engaged to apply pesticides and herbicides of which occurs in accordance with safety data sheets and treatment certificates.	Conformant
NIMP 10	Fertiliser, pesticide and herbicides will not be applied to waterlogged soil.	During operation	D_001_MMDR_Ministerial Compliance Summary_06012020	Evaporation rates in the region are high and waterlogging is unlikely to occur, nevertheless, management has noted the requirement not to apply these chemicals to waterlogged soil	Conformant
NIMP 11	Soil nutrients, pH and EC will be assessed to measure the efficiency of applied nutrients and determine whether deficiencies or toxicities are occurring.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Groundwater bores are monitored as required for the WWTP and measure soil nutrients and pH. EC is being measured as TDS.	Conformant
NIMP 12	Fertiliser, pesticide and herbicides used on-site will be stored in accordance with the Explosives and Dangerous Goods Act 1961 and requirements outlined in the Material Safety Data Sheets for the products.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020 P_001_MMDR_Fertiliser storage_31012020	Roundup and Eco-Prime Purple SF-35 (slow release) fertilizer is being stored on site and are not stored in a volume that is subject to the Explosives and Dangerous Goods Act. If other pesticides and herbicides are required to be used on site, an appropriate contractor will be engaged.	Conformant
NIMP M1	No waterlogging within irrigated areas of the resort	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Evaporation rates on site are high and waterlogging is unlikely to occur. Management advised that there was no incidents of waterlogging during the audit period.	Conformant
NIMP M2	No waterlogging within irrigated areas of the resort	During operation	Refer to NIMP M1	Refer to NIMP M1	Conformant
NIMP M3	No excess application of nutrients from irrigation	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Groundwater bores are monitored for soil nutrients and the results do not show excess nutrients from irrigation	Conformant
NIMP CA1	Waterlogging in the irrigated areas	During operation	Refer to NIMP M1	Refer to NIMP M1	Conformant
NIMP CA2	Increase in nutrient levels above loading rates	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Groundwater bores are monitored for soil nutrients and the results do not show excess nutrients from fertilizers.	Conformant

Appendix E Foreshore Management Plan audit table

Table E.1: Implementation of Foreshore Management Plan

Audit code	Action	Timing	Evidence	Comment	Conformance status
FMP 1	Provide formalised pedestrian access paths to the beach.	Prior to operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 R_008_RAC_Guest information and signage_31012020	Access paths to the beach were formalised prior to operation.	Conformant
FMP 2	If required, undertake revegetation of areas disturbed by Project activities as detailed in the contingency actions in Table 7.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	There were no disturbed areas that required revegetation during the audit period.	N/A
FMP 3	Install signage and fencing to ensure access to the foreshore is via the designated access tracks and boardwalks.	Prior to operation	R_008_RAC_Guest information and signage_31012020	Access paths to the beach were formalised prior to operation.	Conformant
FMP 4	If required, provide limited raised boardwalks at points of entry to the beach (only) that is constructed to specifications agreed by DPaW.	Prior to operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 R_008_RAC_Guest information and signage_31012020	No new raised boardwalks were installed during the recent construction. Raised boardwalks were installed in about 2005 prior to this item being a requirement.	N/A
FMP 5	Induct all visitors to the resort of the necessity to follow only authorised and signed access routes to the beachfront.	Prior to operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 R_008_RAC_Guest information and signage_31012020	Monkey Mia management provide several informative pieces to their visitors about the natural environment, including signs on the raised boardwalks about the local fauna, however, none relate specifically to beach access. Beach access is clearly shown on a site map located near the camping/caravan area. Beach paths are well defined and it is difficult to access the beach without using paths due to beach vegetation. Despite the site map not being a specific item of visitor induction and does not mention that visitors should only follow authorised beach routes, the auditor believes that the method of communication is appropriate for the facility and clientele. Required access and rubbish disposal signs were installed post audit period.	Conformant
FMP 6	Provide educational material in each accommodation unit/room providing clear details and maps showing access routes from the accommodation to the beachfront.	During operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 R_008_RAC_Guest information and signage_31012020	Monkey Mia management provide several informative pieces to their visitors about the natural environment, including signs on the raised boardwalks about the local fauna, however, none relate specifically to beach access. Beach access is clearly shown on a site map located near the camping/caravan area and is mentioned in the room/unit information. Beach paths are well defined, and it is difficult to access the beach without using paths due to beach vegetation. Despite the site map not being a specific item of visitor induction and does not mention that visitors should only follow authorised beach routes, the auditor believes that the method of communication is appropriate for the facility and clientele.	Conformant
FMP 7	Induct all visitors to the resort of the necessity to follow resort waste disposal protocols.	During operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 R_008_RAC_Guest information and signage_31012020	Waste disposal protocols are stated in the Guest Information sheet in each room, and waste facilities are shown on the site map in the camping/caravan area. Despite these information channels not being specific items of the visitor induction, and do not mention that visitors should only follow these protocols, the auditor believes that these methods of communication are appropriate for the facility and clientele. Required access and rubbish disposal signs were installed post audit period.	Conformant
FMP 8	Provide educational material in each accommodation unit/room outlining the waste disposal protocols including: • all rubbish (cans, bottles, plastics, paper) to be returned to the resort for disposal	Prior to operation	R_007_Strategen-JBS&G_Monkey Mia Dolphin Resort Environmental Documentation (Rev B)_02092019	During the audit period, RAC engaged Strategen-JBS&G to provide suggested amendments to documentation provided to visitors to the Resort.	Potentially non-conformant

Audit code	Action	Timing	Evidence	Comment	Conformance status
	<ul style="list-style-type: none"> no rubbish to be dumped or left on the foreshore areas. 		R_008_RAC_Guest information and signage_31012020	<p>These amendments included the provision of information relating to waste disposal protocols as outlined in this action.</p> <p>Upon review of visitor information sheets, the amendments have not been included and therefore this item remains potentially non-conformant.</p>	
FMP M1	No erosional features within the foreshore area adjacent to the resort.	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	No erosional features were evident during audit period.	Conformant
FMP M2	No loss of vegetation within the foreshore area due to impacts from Project activities	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	No loss of vegetation within the foreshore area was evident during the audit period.	Conformant
FMP M3	The beach is free of rubbish	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Weekly housekeeping and rubbish removal tasks are implemented to ensure the beach remains free from rubbish.	Conformant
FMP CA1	Erosion within the foreshore area adjacent to the resort	During operation	Refer to FMP M1	Refer to FMP M1	Conformant
FMP CA2	Loss of terrestrial vegetation within the foreshore area due to impacts from Project activities	During operation	Refer to FMP M2	Refer to FMP M2	Conformant
FMP CA3	Rubbish observed in foreshore areas	During operation	Refer to FMP M3	Refer to FMP M3	Conformant

Appendix F Environmental Management System audit table

Table F.1: Implementation of Environmental Management System

Audit code	Action	Timing	Evidence	Comments	Conformance status
EMS 1	Initial induction before commencement of construction and operational activities	Prior to construction, prior to operation.	R_011_MMDR_Induction Rev 2 R_012_MMDR_Induction mobilisations	A Monkey Mia Dolphin Resort Induction is conducted for all contractors and staff members prior to commencement of construction and/or operational activities.	Conformant
EMS 2	Regular site management meetings where the environment is part of the agenda	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	There is no evidence to demonstrate regular site management meetings are undertaken which include environment as part of the agenda.	Potentially non-conformant
EMS 3	Quarterly progress reports on implementation of environmental management measures	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	There was no evidence of quarterly progress reports -which include details on implementation of environmental management measures.	Potentially non-conformant
EMS 4	Review and implementation of annual environmental reports.	During operation	R_002_MS 709 and MS 1067 CAR_12022019 R_009_Permeate Partners_MonkeyMiaWWTP_Annual Environmental Report REV A_20190603	Previous environmental compliance audit reports and annual environmental reports from the WWTP (dated 06/03/2019).	Conformant
EMS 5	Raising awareness of visitors, guests and the community about important environmental values of Monkey Mia through, for example, educational signage and brochures	During operation	R_008_RAC_Guest information and signage_31012020	Monkey Mia management provide several informative pieces (signs, information sheets etc) to their visitors about the natural environment, including signs on the raised boardwalks and within the reception area about the local fauna.	Conformant
EMS 6	All external communication must be endorsed for release by the RAC GM	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	A procedure regarding external communication outlines that it must be endorsed by the RAC GM or their delegate.	Conformant
EMS 7	A register of documents and records, manuals, information and education packages, registers, forms and external documents relevant to the EMS are to be kept	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	The Monkey Mia Site Manager has a register of documents that covers environmental management	Conformant
EMS 8	In the event of an environmental incident, the person responsible will implement the Environmental Incident Reporting Procedure	During operation	R_010_AMS_QA066 (P&MP) Incident Management Procedure Rev 0_01052016 R_011_MMDR_Induction Rev 2 R_012_MMDR_Induction mobilisations	The site inductions include details on the requirement to report incidents in accordance with the Incident Management Procedure.	Conformant
EMS 9	An Environmental Training Program will be developed and delivered by RAC to all site personnel and construction contractors associated with the Project	During operation	C_008_MMDR_MMDR Management advice CAR_31012020 C_009_MMDR_RE_Monkey Mia Management Responses_04022020	There was no evidence provided to suggest an environmental training element that has a focus on the potential environmental impacts related to the project.	Potentially non-conformant
EMS 10	All employees and contractors will receive environmental training, to ensure they are aware of their responsibilities and are competent to carry out their work in an environmentally acceptable manner	During operation	C_008_MMDR_MMDR Management advice CAR_31012020 C_009_MMDR_RE_Monkey Mia Management Responses_04022020	There is no evidence to suggest that employees and contractors receive specific environmental training to ensure competency and therefore this item has been assessed as potentially non-conformant.	Potentially non-conformant
EMS 11	RAC will ensure all staff and supervisory personnel performing duties required by this EMS are briefed on the environmental impacts and obligations associated with the Project including: • Impacts of clearing • Aboriginal heritage • Maintenance of visual amenity	During operation	R_011_MMDR_Induction Rev 2 R_012_MMDR_Induction mobilisations	All staff are required to complete the site-specific induction which includes details on clearing, heritage and maintenance of visual amenity.	Conformant
EMS 12	RAC will ensure all staff and supervisory personnel performing duties required by this EMS are briefed on the environmental impacts and obligations associated with the Project including: • Direct and indirect impacts from construction activities on adjacent areas including the coastal foreshore; and on groundwater and marine water quality	Prior to construction	N/A	Given the timing of this item, the auditor has assessed this action as 'Not Applicable.'	N/A
EMS 13	Where specific competencies for specific roles have been identified, RAC will ensure that personnel employed for these roles have the appropriate training	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	The Money Mia Dolphin Resort Site Manager has received appropriate environmental training including water monitoring, horticultural and technical laboratory training. Other personnel are reviewed for environmental competencies prior to undertaking environmental roles.	Conformant
EMS 14	RAC will ensure its contractors are aware of all relevant environmental requirements prior to contracting	During operation	R_002_MS 709 and MS 1067 CAR 2019_12022019	Strategen-JBS&G prepared an Environment Procurement Plan for RAC to assist contractors to be aware of their responsibilities relating to MS 709 and MS 919. The Environmental Procurement	Conformant

Audit code	Action	Timing	Evidence	Comments	Conformance status
				Plan assists the management of implementation of environmental obligations through the construction supply chain.	
EMS 15	RAC GM shall review the EMS annually to ensure its continuing suitability, adequacy and effectiveness	During operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 C_008_MMDR_MMDR Management advice CAR_31012020	A delegate of the RAC GM will review this audit report (which contains a summary of the EMS) to ensure its ongoing suitability to the project. This was undertaken as part of the 2019 CAR review.	Conformant
EMS 16	Performance reporting will be implemented to produce systematic, comprehensive and informative reports on the environmental management and monitoring activities during the construction/operation period of the Project	During operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 C_008_MMDR_MMDR Management advice CAR_31012020	This annual audit report (and previous audit reports) will provide a comprehensive review of the adequate environmental management practices of the project.	Conformant
EMS 17	Submit an Annual Environmental Report (AER) that details the monitoring data collected from 1 April to 31 March	During operation	R_009_Permeate Partners_MonkeyMiaWWTP_Annual Environmental Report REV A_20190603	The WWTP monitoring data is in the AER submitted to the DWER.	Conformant
EMS 18	An annual audit will be undertaken of the Project by a suitably qualified auditor	During operation	R_002_MS 709 and MS 1067 CAR 2019_12022019 C_008_MMDR_MMDR Management advice CAR_31012020	The previous annual audit report was prepared by a qualified auditor and submitted prior to the current audit period, as required by the previous ministerial statements.	Conformant
EMS 19	RAC will establish and maintain a system of records (Project Complaints Register) to fully document complaint handling	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	Complaint handling is systematically managed at Monkey Mia Dolphin Resort. There are several forums where visitors can provide feedback to RAC, and RAC can respond.	Conformant
EMS 20	This complaints procedure will be reviewed annually throughout the duration of the construction and operation phases of the Project	During operation	C_008_MMDR_MMDR Management advice CAR_31012020	The complaints procedure is reviewed more frequently than annually.	Conformant
EMS 21	This EMS will be reviewed annually during construction and operation phases of the Project	During operation	R_002_MS 709 and MS 1067 CAR 2019_12022019	This annual audit report will provide an annual review of the EMS.	Conformant

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