



Ass #	229
Bull #	500
State #	150

WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED (PURSUANT TO THE
PROVISIONS OF THE ENVIRONMENTAL PROTECTION ACT 1986)

EGLINTON BEACH RESORT(229)

OCEAN DUNES PTY LTD

This proposal may be implemented subject to the following conditions

1 Proponent Commitments

In implementing the proposal the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Public Environmental Review. A copy of the commitments is attached.

2. Implementation

Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical materials in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

3. Foreshore Reserve

The Public is to have ownership of and thereby adequate access to all foreshores of the developed site.

Prior to the commencement of any site works, the proponent shall prepare a plan indicating that all foreshores be included in a Crown Reserve and showing the location and dimensions of the Reserve. The plan is to be acceptable to the Minister for the Environment, the Minister for Planning, the Minister for Lands and the Minister for Transport.

4. Environmentally significant areas

The environmental values of the current foreshore reserve, nearshore environment and System Six Recommendation M2 which will be lost through the development are to be replaced by areas with equivalent environmental values.

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- 4-1 Prior to the commencement of any site works, the proponent shall prepare a plan in consultation with the Environmental Protection Authority, indicating the location and dimensions of areas from within its private lands at the site to be transferred to the Crown. The plan shall delineate areas with equivalent environmental values to those associated with the current foreshore reserve, nearshore environment and System Six Recommendation M2 which will be lost through the development. The plan is to be acceptable to the Minister for the Environment on advice from the Environmental Protection Authority.
- 4-2 Subsequent to Condition 4-1 and prior to applying for the clearance of survey documents for any residential lots, the proponent shall transfer the approved areas to the Crown to the satisfaction of the Minister for the Environment on advice from the Environmental Protection Authority.

5. Public access

The Public is to have adequate access to the foreshore Crown Reserve throughout the site.

- 5-1 Prior to the commencement of any site works, the proponent shall prepare a plan in consultation with the Environmental Protection Authority, proposing access ways to the foreshore Crown Reserve throughout the site and the means to secure them for public use in perpetuity. The plan is to be acceptable to the Minister for the Environment on advice from the Environmental Protection Authority, the Department of Planning and Urban Development, the Department of Land Administration and the City of Wanneroo
- 5-2 Subsequent to Condition 5-1 and prior to applying for the clearance of survey documents for any residential lots, the proponent shall define the access ways for public use as approved on diagrams or plans of survey, to the satisfaction of the Environmental Protection Authority.

6 Dune System

The dune systems within the proposed golf course are to be protected during construction.

- 6-1 Prior to the commencement of any site works, the proponent shall prepare a plan for protecting the dune system during the development of the golf course. The plan is to be satisfactory to the Minister for the Environment on advice from the Environmental Protection Authority and is to include but not necessarily be limited to
 - 1 procedures for protecting flora and fauna
 - 2 details of soil stabilisation measures
 - 3 proposals for revegetation and rehabilitation
 - 4 a commitment to modify development procedures to the satisfaction of the Environmental Protection Authority if impacts are detected which are deemed unacceptable by the Environmental Protection Authority.
- 6-2 Subsequent to Condition 6-1, the proponent shall implement the approved plan during construction of the golf course to the satisfaction of the Environmental Protection Authority.

7 Coastal Management

The coastal dune systems throughout the site must be maintained.

- 7-1 Prior to the completion of construction of the golf course, the proponent shall prepare a coastal management plan which is to be satisfactory to the Environmental Protection Authority, on the advice of the Department of Planning and Urban Development, the City of Wanneroo and the Department of Marine and Harbours. The plan is to include but not necessarily be limited to

- 1 maintenance of the dune systems within the golf course and the residential precincts, and the foreshore
- 2 procedures for protecting flora and fauna
- 3 a programme to monitor the dune systems and the foreshore for any impacts
- 4 reports on the monitoring programme
- 5 a contingency plan for managing sediment bypassing
- 6 a commitment to modify use of the site to the satisfaction of the Environmental Protection Authority if impacts are detected which are deemed unacceptable by the Environmental Protection Authority.

- 7-2 Subsequent to Condition 7-1, the proponent shall implement the approved coastal management plan to the satisfaction of the Environmental Protection Authority, on the advice of the Department of Planning and Urban Development, the City of Wanneroo and the Department of Marine and Harbours.

8 Marina water Quality

The quality of water in the Marina must be maintained.

- 8-1 Prior to completing the construction of the Marina, the proponent shall prepare a plan to manage water quality in the Marina to the satisfaction of the Environmental Protection Authority, on the advice of the Department of Marine and Harbours. The plan is to include but not necessarily be limited to

- 1 monitoring of physical, biological and chemical parameters within and outside the Marina to ensure that the Environmental Protection Authority's water criteria are met for Beneficial Use No1 for the purpose of direct contact recreation, and Beneficial Use No16 for the purpose of navigation and shipping (Department of Conservation and Environment, 1981)
- 2 management strategies developed for implementation in the event of criteria not being met, particularly in the case of accidental spillage
- 3 monitoring and management of oil and fuel, waste from boats, anti-fouling paints, rubbish, suspended solids and nutrients
- 4 reporting on the monitoring programme
- 5 a commitment to modify use of the site to the satisfaction of the Environmental Protection Authority if impacts are detected which are deemed unacceptable by the Environmental Protection Authority.

- 8-2 Subsequent to Condition 8-1, the proponent shall implement the plan to the satisfaction of the Environmental Protection Authority on advice from the Department of Marine and Harbours.

9 Environmental Management Programme

A comprehensive management plan for the development should be prepared to integrate the various components

Prior to completing the construction of the marina, the proponent shall prepare a comprehensive environmental management programme to the satisfaction of the Environmental Protection Authority. The programme shall include but not necessarily be limited to

- 1 the plan for protecting the dune system required by Condition 6
- 2 the plan for coastal management required by Condition 7
- 3 the plan to maintain marina water quality required by Condition 8
- 4 a plan for controlling fauna on the site especially feral and domestic animals
- 5 a plan detailing assistance to be provided to the relevant authorities in the monitoring and management of the reef system in the vicinity of the site

10 Proponent

No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

11 Time limit on approval

If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiry of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only follow a new referral to the Environmental Protection Authority).

Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

8 JUL 1991

7 COMMITMENTS

The proponent undertakes to abide by all of the commitments made in this PER and in all cases will fulfil those commitments to the satisfaction of the appropriate statutory authority(s). Specifically this refers to the undertaking by the proponent of all construction and management and monitoring tasks as identified in Sections 4 and 6 of this report, and summarised below, over the lifetime of the project. This will include responsibility for the management, maintenance and monitoring of the resort and marina, the foreshores and all open space within the development. Where changes to the proposal have been made subsequent to the submission of the PER commitments have been amended accordingly.

7.1 LEGAL AGREEMENT

Legal agreements will be entered into between the Proponent and the City of Wanneroo, and between the Proponent and the State. Said agreements will define the commitments made by each of the signatories to this project and specifically detail the Proponent's commitment to the ongoing maintenance and management of the project.

7.2 PROJECT COMPLETION

The proponent will be responsible for the completion of the golf course and clubhouse, hotel, marina complex and all associated servicing and all public facilities including foreshore areas and pocket beaches, boat ramp and carparking facilities.

7.3 GENERAL CONSTRUCTION MANAGEMENT

- The resort will be constructed so as to minimise disturbance to the coastal dunes and dune landforms wherever possible.
- Safety - The development site will be fenced and appropriate signs posted to protect the public during the construction phase.
- Noise - Vehicle movements will be restricted to times approved by the City of Wanneroo.
- Dust - Water trucks will be on site throughout the earth works programme to damp down all exposed sand surfaces until temporary irrigation is installed or the surface is physically stabilised.

7.5 MARINA

- The main breakwater will be constructed to a level designed to prevent overtopping and the entrance configuration will be designed to minimise wave penetration. The submerged breakwater will be designed to attenuate storm wave action.
- An allowance for a 30 cm rise in sea level due to the Greenhouse Effect has been made in the design and siting of all buildings and structures.
- The harbour will be over natural sea-bed with a minimum water depth of approximately 2.5 m below AHD.
- Harbour walling will be constructed to standards approved by the Department of Marine and Harbours (DMH).
- All marina and berthing structures will be designed and licensed in accordance with the requirements of the DMH.
- Navigation aids will be provided in accordance with the requirements of the DMH.
- Jetty structures, designed to accommodate up to 220 boats, will be designed and licensed in accordance with the requirements of DMH.
- The proponent will monitor and maintain the structural integrity of the breakwaters, groynes, internal walls and jetties.
- Water depth in the harbour and entrance will be maintained at the designed navigable depth.
- Sediment bypassing operations will be undertaken as required.
- Water quality within the marina harbour and bay will be monitored and in the event of a decline in water quality to unacceptable levels, the proponent's Harbour Manager will take whatever steps are necessary to alleviate the problem.
- Marina harbour sediments will be monitored for a range of heavy metals associated with boating activities.
- Seagrass and algal wrack will be removed from the marina waters and breakwaters by the marina manager in the event that it is in sufficient quantity to cause odour problems.
- The proponent will co-operate with the Fisheries Department in education programmes designed to assist in the management of the marine fishery.

- *Phytophthora* - All sand and other materials used on site will be obtained from *Phytophthora*-free areas or will be fumigated before being brought on site. This requirement will also apply to plant and machinery.
- All earthworks resulting from road construction will be stabilised to conform with acceptable erosion control guidelines.

7.4 GOLF COURSE

- Natural vegetation will be retained, and where necessary rehabilitated, throughout the golf course area.
- Cleared vegetation will be used as brush covering to protect exposed surfaces or chipped and used as mulch and seed source in areas being revegetated.
- A turf management plan will be designed to achieve suitable turf coverage to meet stress, appearance and low nutrient and water usage requirements.
- Fertiliser application will be minimised as identified in the proposed Nutrient Input Management Plan.
- Soil nutrient levels will be monitored to determine appropriate fertiliser application rates.
- Groundwater bores will be established to monitor leaching of nutrients from the golf course.
- Volumes of water abstracted from irrigation bores will be recorded, as will rates and distribution of irrigated water throughout the resort complex. Levels in the storage lakes will also be monitored.
- An annual sample from each production bore will be collected and analysed to monitor water quality.
- Pesticide use will be limited to turfed areas of the golf course.
- The use of fungicides will be limited to putting greens, if required.
- Herbicide use will be limited to turfed areas using approved chemicals.

7.6 FORESHORE AND DUNE MANAGEMENT

- The beaches to the south of the hotel promontory will be stabilised by construction of a groyne field in the event that on-going investigations coastal dynamics show that they are required. If required, sand buffer zone in the form of small vegetated foredunes will be constructed at the base of the primary dune south of the hotel promontory to provide protection against severe storms.
- All foreshores adjacent to the proponent's land will be maintained by the proponent.
- Sediment accumulation or loss will be monitored and managed as required by sediment bypassing.
- Stability of the coastline affecting the marina, coastal dunes, golf course and beach areas will be monitored.
- The beach and foredune will be restored in the event of damage due to severe storms, where damage has been exacerbated by the presence of marine structures or where such damage puts at risk resort facilities.
- Existing degraded parts of the dune system will be rehabilitated.
- Access to the dune system will be managed to prevent damage to vegetation and erosion of the dunes.

7.7 RESORT

- Public facilities provided within the resort will include:
 - boat launching ramps;
 - car and trailer parking;
 - beach access;
 - board-walk around the marina; and
 - public recreation areas.
- The management of the areas of Public Open Space provided in the marina and resort complex will be the responsibility of the proponent.

7.8 SERVICING

- All services within the resort will be underground.
- All roads servicing the development will be constructed by the proponent. Major access roads will be constructed to designated City of Wanneroo standards.
- The water levels in all water supply bores and in Pipidinny Swamp will be monitored on a regular basis.
- A local water supply for domestic requirements will be developed to WAWA-approved standards.
- Stormwater from the majority of the development (including roads) will be discharged to ground via silt and oil traps wherever possible to enhance recharge of the aquifer.
- Where necessary stormwater from the lower levels of the development, i.e. roads and carparking areas of the hotel, marina harbour and condominium sites will be discharged to the marina harbour or the ocean via an outfall in the marina breakwater.
- In the event that WAWA's proposed wastewater treatment plant at Alkimos is not immediately available a temporary on-site sewage treatment plant to service the resort will be constructed by the proponent and will be operated and maintained to WAWA standards.
- Should a temporary on-site sewage treatment plant be required, the effluent will be treated to Health Department's requirements for disposal, and disposed of by low pressure irrigation.
- Groundwater use and quality will be monitored by a series of monitoring bores.
- Annual reviews of borefield performance will be undertaken to the satisfaction of the Water Authority of Western Australia.

7.9 LAND TRANSFER

- That part of the proponent's land within System 6 M3 (Pipidinny Swamp) will be transferred to the Crown as part of the proposed land exchange.

Attachment 1 to Statement 150 – Change to Proposal

Proposal: Eglinton Beach Resort

Proponent: Eglinton Estates Pty Ltd

Change:

This attachment authorises the following changes to the marina component of the Eglinton Beach Resort proposal:

- Modification of the approved marina design described in Figure 1 and Table 1, to the changed design described in Figure 2 and Table 2 of this Attachment.

Table 1. Description of marina components of approved of proposal

Element	Quantities/Description
Marina Breakwater(s)	Comprised of traditional above water level breakwater (approximately 500 metres in length) and submerged breakwater (approximately 250 metres in length)
Causeway breakwater	A reclaimed land causeway
Enclosed waterbodies	Two separate enclosed waterbodies (separated by causeway)

Table 2. Description of marina components of changed proposal

Element	Quantities/Description
Marina Breakwater(s)	Comprised of traditional above water level breakwater (approximately 750 metres in length)
Causeway breakwater	Deletion of causeway – replacement with pier (using open-pile construction)
Enclosed waterbodies	One single enclosed waterbody

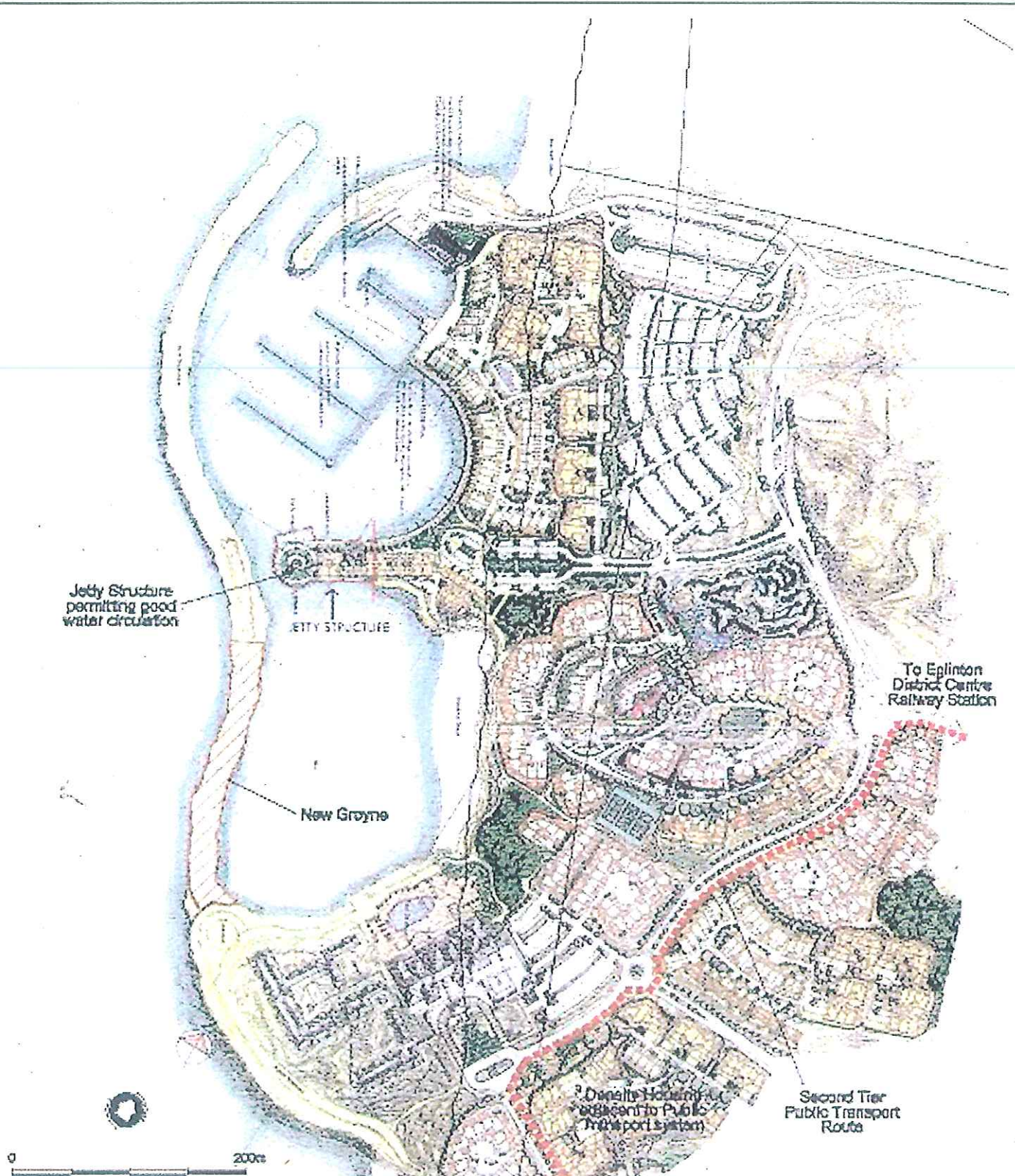
**Approved under delegation
from Minister for the Environment:**
Delegation under section 18 of
the Environmental Protection Act
Dated 24 November 2004

S45C Approval Date: 5.9.08



Figure 1

Conceptual Diagram of
Approved Marina Layout



Ref: NYGAE249.dgn Scale 1:3000 @ A3
 ORIGINAL CONCEPT PLAN PREPARED BY
 I. CHRISTER & ASSOCIATES [1990]
 MODIFIED BY D.R.S. (2007)

EGLINTON MARINA VILLAGE

Figure 2

Conceptual Diagram of
 Proposed Marina with Amendments

Attachment 2 to Ministerial Statement 150

Change to Proposal under section 45C of the *Environmental Protection Act 1986*

Proposal: Eglinton Beach Proposal

Proponent: Eglinton Estates Pty Ltd

Changes: 1) Removal of golf course and associated recreational resort complex and replacement with urban development.

2) Increase in and change to location of areas to be set aside for Conservation through Foreshore reserves, Regional Open Space and Public Open Space.

Key Characteristics Table:

<u>Element</u>	<u>Description of authorised proposal</u>	<u>Description of approved change to proposal</u>	<u>Location</u>
Clearing and Disturbance for: <ul style="list-style-type: none">• Urban/Commercial development• Drainage• Active Public Open Space	106.8 hectares (ha)	Clearing no more than 234.8 ha within development envelope	Figure 1 in Terrestrial Development Envelope
Areas to be set aside for Conservation through: <ul style="list-style-type: none">• Foreshore reserves• Regional Open Space• Public Open Space	33.1 ha	47 ha	Figure 1 in areas A, B, C, D, and FR2
Golf Course	86.1 ha	0 ha	N/A

Note: Text in **bold** in the Key Characteristics Table, indicates change/s to the proposal.

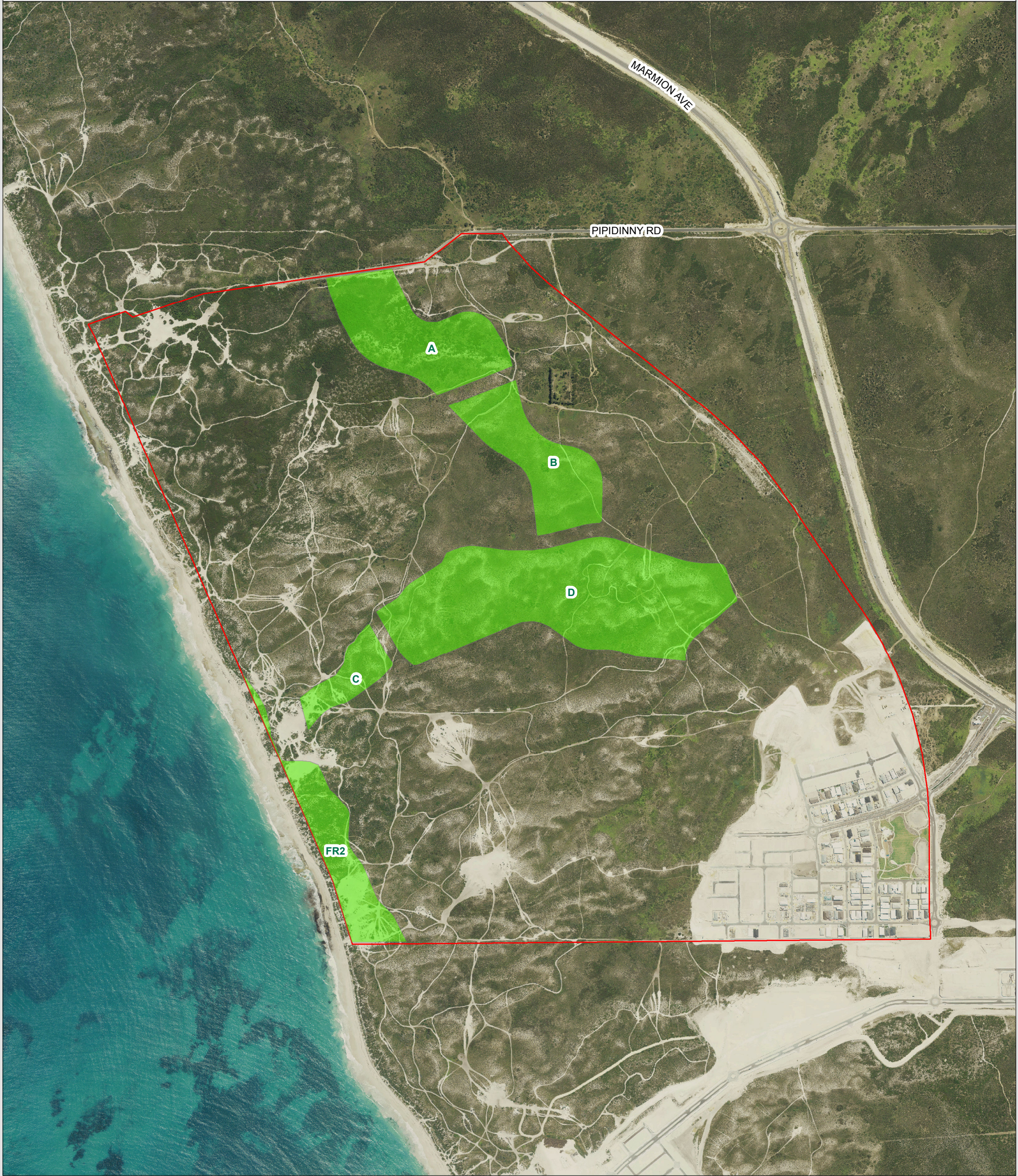
List of Figures: Figure 1: Terrestrial Development envelope and Conservation Areas

[Signed 12 February 2014]

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Figure 1: Terrestrial Development Envelope and Conservation Areas

Map Version: 1.12
Date: 07/02/2014
OEPA GIS Section



LEGEND

- Conservation Areas
- Terrestrial Development Envelope

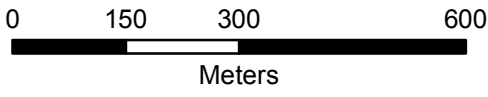
SOURCE DATA
PGV: Site Boundary, Conservation Areas, Regional Open Space
Aerial: Metro North Sept 2013 Mosaic

File No: ST13-2013-0002
Location Path: I:\Projects\epas\minor_projects\gis\20140129_Eglinton Beach Resort

SIM Ref. Pt. (Decimal Degrees):
115.65, -31.59

Disclaimer:
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Projection: Map Grid of Australia Zone 50
Datum: Geocentric Datum of Australia, 1994
Scale: 1:10,000 at A3

LOCALITY MAP

