



WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

Ass #	617
Bull #	692
State #	351

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

REDEVELOPMENT OF MANDURAH MARINA, LOT 11, OLD COAST ROAD
MANDURAH (617)

NORMAN HOPE NOMINEES PTY LTD

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 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 Consultative Environmental Review and in response to issues raised following public submissions. These commitments are consolidated in Environmental Protection Authority Bulletin 692 as Appendix 1. (A copy of the commitments is attached.)

2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 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 material 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 Management

Remnant samphire vegetation growing along the Mandurah Channel is considered to be of local and regional importance and must be protected.

- 3-1 Prior to commencement of construction of the waterway, the proponent shall prepare a plan for the rehabilitation and protection of the foreshore reserve (Reserves 37153 and 37161), including its remnant samphire vegetation, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Peel Inlet Management Authority.
- 3-2 Prior to commencement of construction of the waterway, the proponent shall initiate implementation of the plan required by condition 3-1, and shall substantially complete

Published on

28 MAR 1994

implementation of the plan within two years of completion of construction of the waterway, to the requirements of the Environmental Protection Authority on advice of the Peel Inlet Management Authority.

4 Environmental Management

A practical programme is needed for sound environmental management of the redevelopment.

- 4-1 Prior to construction of the waterway and following consultation with the Peel Inlet Management Authority and the City of Mandurah, the proponent shall submit to the Environmental Protection Authority an Environmental Management Programme which addresses management of the waterway and foreshore reserve areas, and describes how acceptable water quality will be maintained in the canal system.

This programme shall include consideration of, but not necessarily be limited to:

- 1 water quality;
- 2 nutrient and irrigation management;
- 3 sillage pump-out facilities for the house-boat hire service operating from the marina;
- 4 sediments and sedimentation;
- 5 dredge spoil disposal;
- 6 structural soundness and condition of entrance and waterway walls;
- 7 management and rehabilitation of the foreshore reserve (see condition 3-1); and
- 8 a schedule for interpretation and reporting of monitoring results.

- 4-2 During construction, and for five years following completion of construction, the proponent shall implement the Environmental Management Programme required by condition 4-1.

- 4-3 Prior to preliminary approval of the subdivision and the issue of titles, the proponent shall finalise an agreement with the City of Mandurah to the requirements of the Minister for the Environment and the Minister for Planning regarding responsibility for implementation of the Environmental Management Programme required by condition 4-1 beyond the five years following completion of construction.

5 Proponent

These conditions legally apply to the nominated proponent.

- 5-1 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.

6 Time Limit on Approval

The environmental approval for the proposal is limited.

- 6-1 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 expiration 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 occur following a new referral to the Environmental Protection Authority.)

7 Compliance Auditing

In order to ensure that environmental conditions and commitments are met, an audit system is required.

- 7-1 The proponent shall prepare periodic "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

- 1 The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.
- 2 If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

24 MAR 1994

Proponent's Environmental Management Commitments

**REDEVELOPMENT OF MANDURAH MARINA
LOT 11, OLD COAST ROAD, MANDURAH (617)**

NORMAN HOPE NOMINEES PTY LTD

Norman Hope Nominees Pty Ltd's list of environmental management commitments

The proponent has made the following environmental commitments:

Preconstruction

1. A Foreshore Management Plan will be prepared to the satisfaction of the EPA, PIMA and DPUD. This plan will detail:
 - 1.1 Nutrient application and monitoring.
 - 1.2 Areas at the canal entrance which will be hardwalled to prevent erosion.
 - 1.3 The location and maintenance of retaining walls between the foreshore and areas which have been infilled.
 - 1.4 Rehabilitation of the foreshore reserves.
 - 1.5 Retention of the southern tidal samphire wetland.
 - 1.6 Location and design of public accessways to the northern foreshore reserve.
 - 1.7 Restriction of public access to the southern foreshore reserve.
 - 1.8 The location of exclusion barriers to limit vehicle access to foreshore reserves.
 - 1.9 The integration of the samphire area into the City of Mandurah's mosquito control programme.
 - 1.10 Maintenance of retaining walls bordering the foreshore reserves. Maintenance will be the responsibility of individual lot owners under the supervision of the City of Mandurah.
2. A Waterway Management Plan will be prepared to the satisfaction of PIMA and the EPA. This plan will detail:
 - 2.1 Maintenance of structures and facilities.
 - 2.2 Contingency safeguards for failure of the deep sewerage system.
 - 2.3 An emergency procedures manual incorporating oil and fuel spill contingency plans.
 - 2.4 Responsibilities for the regular removal of macroalgae, debris and litter from the basins.

- 2.5 The regular monitoring and reporting of hydrographic parameters, and water and sediment quality within the basins and the Mandurah Channel (this programme will run for five years from the time of dredging after which the programme will be reviewed in conjunction with the EPA). Ameliorative measures will be proposed in the event that unacceptable deterioration occurs.
3. Formalisation of a long term waterways management agreement with the City of Mandurah.
 4. Waterway construction methods will be finalised to the satisfaction of the Department of Marine and Harbours.
 5. Drainage details and design of the retention basin for the development and for the boat repair area will be finalised to the satisfaction of the EPA and PIMA.
 6. Wall construction materials, including the installation of approved filter cloth, will be finalised with the EPA.
 7. Design of the deep sewerage system will be finalised to the satisfaction of WAWA.
 8. The origin of imported fill will be cleared with the EPA.

During Construction

9. Construction work will be limited to the hours agreed to by the City of Mandurah and the EPA.
10. Dredging activities will be conducted at all times to the satisfaction of the EPA and PIMA.
11. Dust generated during construction will be controlled by the use of water sprays.
12. The soil surface will be compacted, stabilised and revegetated following filling to prevent erosion.
13. Construction waste materials will be disposed of at the Mandurah landfill site.

14. Minimum block levels will be set out at 2.1m AHD subject to review by the Department of Marine and Harbours of tidal range and storm surge within the Peel-Harvey system.
15. A stilling basin will be constructed to receive dewatering effluent prior to its discharge to the channel. Water will be discharged in such a manner so as not to disturb the banks or produce turbid water. The quality of discharge water will be to the satisfaction of the EPA and PIMA.
16. Groundwater levels will be monitored during dewatering activities and ameliorative measures taken if necessary to the satisfaction of the EPA and PIMA.

Post Construction

17. The stormwater retention basin will be regularly cleaned and maintained by the Waterways Manager and nutrient discharge minimised to the satisfaction of the EPA and PIMA.
18. No boat using tributyl-tin based anti-fouling paints will be allowed to moor within the development. Tributyl-tin based paints will not be used on structures or stored within the development. This will be the responsibility of the Waterways Manager.
19. Accumulated debris, litter and algae in the basins will be regularly removed by the proponent and then the Waterways Manager following transfer of responsibility.
20. The navigable entrance and basin walling will be maintained by the proponent for the first five years of operation and then by the Waterways Manager following transfer of responsibility to the satisfaction of the Department of Marine and Harbours and PIMA.-
21. The proponent will be responsible for enactment of the Waterways Management Plan for the first five years following development when management responsibility will transfer to the Waterways Manager.
22. Hydrographic parameters, and water and sediment quality within the basins and Mandurah Channel will be regularly monitored for five years from the time of dredging at which time the programme will be reviewed in conjunction with the EPA and PIMA. Ameliorative measures to the satisfaction of the EPA, proposed in the Waterways Management Plan, will be enacted should unacceptable deterioration occur.
23. All appropriate navigational aids will be incorporated into the development following the advice of the Department of Marine and Harbours.