



Statement No.

MINISTER FOR THE ENVIRONMENT

000636

**STATEMENT THAT A SCHEME MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF DIVISION 3 OF PART IV OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

**METROPOLITAN REGION SCHEME
AMENDMENT No. 1010/33 – PORT CATHERINE**

Scheme Purpose: To rezone an area in South Coogee from the Industrial zone, and the Parks and Recreation, Railways and Waterways reservations to the Urban and Industrial zone and the Parks and Recreation reservation.

Responsible Authority: Western Australian Planning Commission

Responsible Authority Address: Albert Facey House
469 Wellington Street
PERTH WA 6000

Assessment Number: 1263

Report of the Environmental Protection Authority: Bulletin 1060

Subject to the following conditions, there is no known environmental reason why the Metropolitan Region Scheme Amendment to which the above report of the Environmental Protection Authority relates should not be implemented:

**CONDITIONS TO BE INCORPORATED INTO THE SCHEME BY INSERTION OF
PROVISIONS IN SCHEME TEXT**

1 Management Programs and Management Plan

- 1-1 The following Management Programs and Management Plan are to be prepared in accordance with the specifications set out in Attachment 1 in the Minister for the Environment's "Statement that a Scheme may be Implemented" No. [insert relevant Statement Number] published on [insert date], and shall be subsequently implemented in accordance with the provisions of those Management Programs and the Management Plan:

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- Remedial Works Management Program;
- Construction Management Program;
- Waterways Environmental Management Program; and
- Noise and Vibration Management Plan.

2 Responsibilities for On-going Management

- 2-1 Prior to the finalisation of a Town Planning Scheme Amendment for the land within the Metropolitan Region Scheme amendment area, or the consideration of an application for subdivision or development within the amendment area (other than an application for consolidation or minor modification to existing boundaries), whichever occurs first, the Responsible Authority shall resolve responsibilities for on-going environmental management of the proposed marina, to the satisfaction of the Environmental Protection Authority, such that a suitable entity, or entities, with adequate financial and technical resources and authority, will ensure that the objectives of the Waterways Environmental Management Program, as set out in Attachment 1 in the Minister for the Environment's "Statement that a Scheme may be Implemented" No. [insert relevant Statement Number] published on [insert date], will be achieved.

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT

20 OCT 2003

**ATTACHMENT 1 – OF STATEMENT THAT A SCHEME MAY BE IMPLEMENTED -
METROPOLITAN REGION SCHEME AMENDMENT No. 1010/33: PORT CATHERINE**

SPECIFICATIONS FOR MANAGEMENT PROGRAMS AND PLANS

1 Remedial Works Management Program

- 1-1 Prior to approval of an application for subdivision or development within the amendment area, whichever occurs first, the Responsible Authority shall require the preparation of a Remedial Works Management Program for the amendment area, excluding the government land* assessed by the Environmental Protection Authority and described within Environmental Protection Authority Bulletin 957. Determination of an application, other than an application for consolidation or minor modification to existing boundaries will be subject to receipt of an acceptable Remedial Works Management Program. The Program shall meet the following objective:

- To ensure remediation is consistent with the intended land use and protection of marine water quality.

The Remedial Works Management Program shall be prepared to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection, the Department of Health, the Water and Rivers Commission and the City of Cockburn. The Program shall be prepared in consultation with the community and shall be made publicly available to the requirements of the Environmental Protection Authority.

The Remedial Works Management Program shall include:

1. Site Remediation Integration Plan;
2. Public Safety Plan;
3. Noise and Vibration Management Plan;
4. Groundwater Monitoring and Management Plan;
5. Contaminated Material Transport Management Plan;
6. Dust Management and Monitoring Plan;
7. Contaminated Stormwater Management Plan;
8. Site (soil and groundwater) Remediation Validation Plan; and
9. Detailed staging and planning of works.

The elements of each plan are outlined below.

1-2 Site Remediation Integration Plan

The Site Remediation Integration Plan will describe a procedure to ensure that integration with the site remediation programs for the government land is achieved.

1-3 Public Safety Plan

The Public Safety Plan will describe procedures to prevent, where possible, unauthorised persons or members of the public from entering the site and placing themselves or workers at risk. It will also specify measures to prevent unauthorised removal of materials or equipment from the site. The plan will include details of the following:

- Fences surrounding areas under excavation to prevent unauthorised vehicular and pedestrian access to the pits and contaminated soils;
- Requirement for signage indicating that the sites are dangerous and that contaminated material is being excavated; and
- Immediate reshaping or backfilling of excavations following clean-up and validation, to render them safe.

1-4 Noise and Vibration Management Plan for Remedial Works

A Noise and Vibration Management Plan for remedial works will be prepared and will include the following:

- Noise mitigation measures and monitoring, as appropriate, to comply with the *Environmental Protection (Noise) Regulations 1997*;
- Measures to keep machinery vibration to a minimum and comply with the Australian Standard 2670.2; and
- Monitoring of vibration near residential areas.

1-5 Groundwater Monitoring and Management Plan

The Groundwater Monitoring and Management Plan will be prepared to:

- Determine the distribution and number of groundwater monitoring bores;
- Determine the frequency of sampling events;
- Determine the groundwater quality parameters that will be tested for. It is anticipated these will include trace metals and chemical potability parameters that may affect its beneficial use (eg. salinity, hardness etc);
- Compare monitoring results with Contaminant Transport and Fate Assessment predictions;
- Assess the suitability of the groundwater for potential uses including garden irrigation and filling of swimming pools; and
- Define abstraction control requirements and procedures based on the monitoring results.

1-6 Contaminated Material Transport Management Plan

The Contaminated Material Transport Management Plan will be prepared to prevent inadvertent spreading of contaminated soils during excavation and transport. The plan will contain details of:

- Types and concentrations of contaminated materials to be transported;
- Excavation and loading methods proposed to prevent spread of contaminated material during excavation and transport;
- Vehicle washing systems with facilities for handling the wash water and/or the installation of 'rumble strips' to help dislodge dust and mud, as appropriate;
- Procedures for the monitoring, handling and disposal of potentially contaminated water arising from wheel-washing operations;
- Controls on vehicles for the transport of contaminated material in compliance with the *Environmental Protection (Controlled Waste) Regulations 2001* together with the *Dangerous Goods (Transport) Act 1998* (e.g. sealed tailgates fitted to trucks);
- Types and roadworthiness of vehicles;
- The routes for transport of wastes and the approvals from relevant authorities to use these routes;
- A consignment system with documentation and records to track all contaminated soil transported to landfill. The system will ensure that all materials are delivered to the appropriate landfill;
- A requirement for the truck driver to carry a material data sheet describing soil quality; and
- Emergency Response Plan.

1-7 Dust Management and Monitoring Plan

The Remedial Works Dust Management Plan will be prepared to ensure that dust emissions from the site meet acceptable standards. The plan will detail:

- Dust control measures to prevent transport of contaminated dust;
- Dust monitoring and reporting;
- Dust suppression with water sprays on access roads and operational areas;
- Dust suppression for stockpiles;
- Control of runoff water from contaminated dust suppression;
- Wind fencing as necessary to contain contaminated dust;
- Cleaning of machinery to prevent contaminated dust leaving the site; and
- Collection of contaminated material from machinery during cleaning.

1-8 Contaminated Stormwater Management Plan

The Contaminated Stormwater Management Plan will outline provisions for contaminated stormwater management during remedial works with the objective of preventing the spread of contamination via stormwater. It is unlikely that stormwater management will be necessary due to the permeable nature of sand throughout the site. The plan will outline the following:

- monitoring requirements in the event heavy rainfall occurs during remedial works (i.e. visual inspection for the presence of stormwater runoff); and
- contingency measures to be implemented in the unlikely event that stormwater runoff with the potential to cause contamination is observed.

1-9 Site (soil and groundwater) Remediation Validation Plan

The Site (soil and groundwater) Remediation Validation Plan will be prepared with the objective of demonstrating compliance with site clean-up criteria defined in the Site Contamination Assessment and Management Plan (Volume 3 of the Environmental Review). The plan will be prepared in general accordance with the guideline *Development of Sampling and Analysis Programs* (Department of Environmental Protection Contaminated Sites Assessment Series, 2001). Validation will be achieved using the following data:

- Existing soil contaminant data;
- Records of visual observations collected during the program; and
- A validation soil sampling and analysis program.

The sampling and analysis program will be undertaken to verify that soils remaining at the site comply with the risk-derived soil clean-up criteria. Both residual soils in excavated areas and the soils used for backfill will be tested in accordance with procedures recommended by the guideline *Development of Sampling and Analysis Programs* (Department of Environmental Protection 2001).

Excavation and fill samples will be tested as appropriate for the contaminants of concern associated with each remedied area.

Upon completion of the program, a Site (soil and groundwater) Remediation and Validation Report will be submitted to the Department of Environmental Protection for verification. The report will include:

- Surveyed locations and dimensions of excavations;
- Quantity and fate of excavated soil, including landfill receipts;
- Records of observations of the excavations (including colour photography);
- Results of the validation soil sampling and analysis program; and
- Data confirming that the quality of the imported backfill is acceptable.

The Site (soil and groundwater) Remediation Validation Plan will require preparation of a report summarising validation sampling and analysis program results for submittal to the Department of Environmental Protection.

1-10 Detailed staging and planning of works

This will comprise a program and schedule of specific tasks required to complete the proposed remedial works.

- 1-11 The Remedial Works Management Program shall be implemented to the satisfaction of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice from the Department of Health, the Department of Environmental Protection, the Water and Rivers Commission and the City of Cockburn, prior to the approval of a subdivision diagram or plan of survey.

* The government land includes: lots 2, 3, 4, 13, 51, 78, 1755 and 9474 Cockburn Road; lots 21, 22, 23, 27, 27/2, 31, 33, 34, 35, 36 and 37 Ahoy Road; lot 38 King Street; lot 50 Ocean Road; Reserves 24306, 43701, 11430 and 1945, Town lot 2076; and lot 109.

2 Construction Management Program

- 2-1 Prior to approval of an application for subdivision or development within the amendment area, whichever occurs first, the Responsible Authority shall require the preparation of a Construction Management Program. Determination of an application, other than an application for consolidation or minor modification to existing boundaries, will be subject to receipt of an acceptable Construction Management Program. The Program shall meet the following objectives:

- To protect the amenity of nearby residents from dust, noise and vibration;
- To address the issue of asbestos contamination;
- To minimize and mitigate disturbance to native vegetation and the Beeliar Regional Park; and
- To prevent adverse impacts on marine water quality, flora and fauna and coastal processes.

The Construction Management Program shall be prepared to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice from the City of Cockburn, the Department of Environmental Protection and the Department of Conservation and Land Management (Remnant Vegetation Management Plan only). The Program shall be prepared in consultation with the community and the Program and associated data shall be made publicly available to the requirements of the Environmental Protection Authority.

The Program shall include:

1. Management procedures and a monitoring program for the protection of marine water quality, flora and fauna within the vicinity of the marina, including seagrass meadows;
2. Procedures for blasting (if required) during construction;

3. A Vegetation Management Plan to adequately mitigate the loss of native vegetation and the loss of portions of the Beeliar Regional Park;
4. A Traffic Management Plan;
5. Contingency measures if monitoring reveals unacceptable impacts to marine flora and fauna;
6. Strategies for the management of changes to coastal processes in the vicinity of the marina during the construction phase;
7. Strategies for the management of dust, noise and vibration during construction; and
8. An Asbestos Management Plan (as detailed below).

2-2 The Asbestos Management Plan shall meet the following objectives:

- To prevent inadvertent spreading of asbestos-containing materials during the demolition of onsite buildings;
- To ensure workers, site visitors and the general public are protected from exposure to asbestos-containing materials during demolition and construction;
- To ensure future site residents are protected from exposure to asbestos-containing materials; and
- To ensure appropriate management of asbestos-containing materials.

The Asbestos Management Plan shall be prepared to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice from the Department of Health. A copy of the Plan shall be provided to WorkSafe Western Australia.

The Plan shall include:

1. Identification of areas where asbestos is located;
2. Management procedures for the removal and disposal of asbestos-containing material including asbestos buildings and any asbestos sheeting or pieces thereof;
3. Management procedures for the removal and disposal of any soils containing asbestos fibre;
4. On-site management of asbestos, detailing methods to protect human health;
5. Air monitoring for asbestos during construction activities; and
6. Handling, transport and disposal of asbestos according to occupational health and safety legislation and guidelines.

The Asbestos Management Plan shall be implemented during construction, to the satisfaction of the Responsible Authority on the advice of the Department of Health.

2-3 The Construction Management Program shall be implemented to the satisfaction of the City of Cockburn and the Department of Environmental Protection, on the advice of the Department of Conservation and Land Management (Remnant Vegetation Management Plan only).

3 Waterways Environmental Management Program

3-1 Prior to approval of a Town Planning Scheme Amendment for the land within the Metropolitan Region Scheme amendment area, or the consideration of an application for subdivision approval or development within the amendment area (other than an application for consolidation or minor modification to existing boundaries), whichever occurs first, the Responsible Authority shall require the preparation of a Waterways Environmental Management Program. The Program shall meet the following objectives:

- Ensure that marine water and sediment quality, within the marina waterways, achieves the following Environmental Quality Objectives as defined in the Environmental Protection Authority document *Perth's Coastal Waters: Environmental Values and Objectives* (Environmental Protection Authority, 2000):
 - Maintenance of ecosystem integrity such that a "moderate level" of protection is met within the marina waterways;
 - Maintenance of aquatic life for human consumption;
 - Maintenance of primary contact recreational values;
 - Maintenance of secondary contact recreational values; and
 - Maintenance of aesthetic values;
- To ensure the protection of the coastline and beaches within the area of likely influence of proposals within the amendment area from adverse changes in coastal processes; and
- By using methods consistent with similar monitoring and research programs in adjacent and nearby waters, contribute to the understanding of marine water quality in eastern Owen Anchorage.

The Waterways Environmental Management Program shall be prepared to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice from the City of Cockburn and the Department of Environmental Protection. The Program shall be prepared in consultation with the community and the Program and associated data shall be made publicly available to the requirements of the Environmental Protection Authority.

The Program shall include:

- 1 Identification of existing marine water and sediment quality;
2. Identification of factors affecting marine water and sediment quality;
3. Establishment of the Environmental Quality Criteria that are to be maintained within the marina waterways;
4. Measures to maintain marine water and sediment quality, including:
 - Design specifications for site drainage;
 - Design, maintenance and ongoing management specifications for the proposed groundwater extraction, reuse and re-injection facilities, including contingency measures and management;
 - Provision for regular inspection of the marina waterways;

- Prohibition of boats having antifouling paints containing tributyl tin (TBT); and
 - Prohibition of any discharge of sewage, hydrocarbons or litter from boats.
5. Provisions for ongoing monitoring and management of marine water and sediment quality, including contingency measures to ensure that the Environmental Quality Objectives are achieved and maintained in the event that the relevant Environmental Quality Criteria are exceeded;
 6. The marina water quality monitoring program will use methods consistent with, and where practicable, will be co-ordinated with similar monitoring programs in adjacent and nearby waters, and will thereby contribute to the understanding of marine water quality in eastern Owen Anchorage;
 7. Provisions for ongoing monitoring and management of changes to coastal processes within the vicinity of the marina including contingency measures if monitoring reveals erosion or accretion of shorelines;
 8. An Oil Spill Contingency Management Plan;
 9. A Landscape Management Plan for the Metropolitan Region Scheme Parks and Recreation reserve, immediately east of the amendment area;
 10. Provisions for the management of stormwater disposal such that stormwater is retained and infiltrated on-land and stormwater discharge to the marina waterway or Owen Anchorage is avoided; and
 11. A detailed staging and planning of measures.

3-2 The Waterways Environmental Management Program shall be implemented to the satisfaction of the Department of Environmental Protection in consultation with the Department for Planning and Infrastructure.

4 Noise and Vibration Management Plan

4-1 Prior to the approval of an application for subdivision or development within the Metropolitan Region Scheme amendment area, whichever occurs first, the Responsible Authority shall require the preparation of a Noise and Vibration Management Plan. Determination of an application, other than an application for consolidation or minor modification to existing boundaries will be subject to the receipt of an acceptable Noise and Vibration Management Plan.

The Plan shall meet the following objective:

- To protect the amenity of nearby residents from noise and vibration emissions from the Primary Regional Road and railway.

The Noise and Vibration Management Plan shall be prepared to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice from the Department of Environmental Protection. The Plan shall be prepared in consultation with the community and shall be made publicly available to the requirements of the Environmental Protection Authority.

The Plan shall:

1. Include predictions of noise and vibration levels from trains and road traffic;
2. Identify the appropriate criteria against which noise and vibration impacts in the amendment area should be measured; and
3. Show how noise-sensitive premises can be protected from adverse noise and vibration impacts from the adjacent rail line and vehicle traffic.

4-2 The Noise and Vibration Management Plan shall be implemented progressively at each stage of subdivision and development to the satisfaction of the Responsible Authority on advice from the Department of Environmental Protection.