



WESTERN AUSTRALIA

Statement No.

**MINISTER FOR THE ENVIRONMENT; SCIENCE**

000703

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

**EXPANSION OF THE MONKEY MIA DOLPHIN RESORT  
MONKEY MIA, SHARK BAY**

**Proposal:** 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 schedule 1 of this statement.

**Proponent:** Monkey Mia Dolphin Resort Pty Ltd

**Proponent Address:** 262 Stirling Highway, CLAREMONT WA 6010

**Assessment Number:** 1455

**Report of the Environmental Protection Authority:** Bulletin 1165

The proposal referred to above may be implemented by the proponent subject to the following conditions and procedures:

**1 Implementation**

1-1 The proponent shall implement the proposal as documented in schedule 1 of this statement subject to the conditions and procedures of this statement.

**2 Proponent Commitments**

2-1 The proponent shall implement the environmental management commitments documented in schedule 2 of this statement.

Published on

28 DEC 2015

### **3 Proponent Nomination and Contact Details**

- 3-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person as the proponent for the proposal.
- 3-2 If the proponent wishes to relinquish the nomination, the proponent shall apply for the transfer of proponent and provide a letter with a copy of this statement endorsed by the proposed replacement proponent that the proposal will be carried out in accordance with this statement. Contact details and appropriate documentation on the capability of the proposed replacement proponent to carry out the proposal shall also be provided.
- 3-3 The nominated proponent shall notify the Department of Environment of any change of contact name and address within 60 days of such change.

### **4 Commencement and Time Limit of Approval**

- 4-1 The proponent shall substantially commence the proposal within five years of the date of this statement or the approval granted in this statement shall lapse and be void.

Note: The Minister for the Environment will determine any dispute as to whether the proposal has been substantially commenced.

- 4-2 The proponent shall make application for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement to the Minister for the Environment, prior to the expiration of the five-year period referred to in condition 4-1.

The application shall demonstrate that:

- 1. the environmental factors of the proposal have not changed significantly;
- 2. new, significant, environmental issues have not arisen; and
- 3. all relevant government authorities have been consulted.

Note: The Minister for the Environment may consider the grant of an extension of the time limit of approval not exceeding five years for the substantial commencement of the proposal.

### **5 Compliance Audit**

- 5-1 The proponent shall prepare an audit program and submit compliance reports to the Department of Environment which address:

1. the status of implementation of the proposal as defined in schedule 1 of this statement;
2. evidence of compliance with the conditions and commitments; and
3. the performance of the environmental management plans and programs.

Note: Under sections 48(1) and 47(2) of the *Environmental Protection Act 1986*, the Chief Executive Officer of the Department of Environment is empowered to monitor the compliance of the proponent with the statement and should directly receive the compliance documentation, including environmental management plans, related to the conditions, procedures and commitments contained in this statement.

- 5-2 The proponent may submit a report prepared by an independent auditor to the Chief Executive Officer of the Department of Environment on each condition/commitment of this statement which requires the preparation of a management plan, programme, strategy or system, stating whether the requirements of each condition/commitment have been fulfilled within the timeframe stated within each condition/commitment.

## **6 Thick-billed Grasswren (*Amytornis textilis textilis*) Habitat**

- 6-1 To allow for the protection of part of a territory of the Thick-billed Grasswren, the proponent shall retain a buffer area of *Acacia* sp. along the southern side of the Denham-Monkey Mia Road, for the length of the resort, including the resort expansion area and staff accommodation area, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

This buffer area shall be approximately 600 metres in length and not less than 15 metres wide.

- 6-2 Prior to commencement of construction within the white coastal sandplain area, the proponent shall undertake a survey during the nesting season to determine the presence of Thick-billed Grasswren nests in the area proposed to be cleared, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.
- 6-3 Prior to commencement of clearing where a particular area is to be cleared in the following 12 months, the proponent shall repeat the survey referred to in condition 6-2, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.
- 6-4 The proponent shall only undertake clearing of vegetation within the white coastal sandplain area after the Thick-billed Grasswren fledglings have left their nests.
- 6-5 The proponent shall retain local native vegetation within the white coastal sandplain development area, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

## **7 Drainage Management Plan**

- 7-1 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.

This plan shall address:

1. management of stormwater quality and quantity;
2. potential for erosion, local flooding and contaminant discharge;
3. minimising pollutants at their source; and
4. pollutant removal.

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:

- Department of Conservation and Land Management; and
- Shire of Shark Bay.

- 7-2 The proponent shall implement the Drainage Management Plan required by condition 7-1.
- 7-3 The proponent shall make the Drainage Management Plan required by condition 7-1 publicly available.

## **8 Nutrient and Irrigation Management Plan**

- 8-1 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:

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.

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:

- Department of Conservation and Land Management; and
- Shire of Shark Bay.

- 8-2 The proponent shall implement the Nutrient and Irrigation Management Plan required by condition 8-1.

8-3 The proponent shall make the Nutrient and Irrigation Management Plan required by condition 8-1 publicly available.

## **9 Foreshore Management Plan**

9-1 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.

This plan shall address:

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.

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:

- Department of Conservation and Land Management.

9-2 The proponent shall implement the Foreshore Management Plan required by condition 9-1.

9-3 The proponent shall make the Foreshore Management Plan required by condition 9-1 publicly available.

## **Procedures**

- 1 Where a condition states “to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority”, the Environmental Protection Authority will provide that advice to the Department of Environment for the preparation of written notice to the proponent.
- 2 The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment.
- 3 Where a condition lists advisory bodies, it is expected that the proponent will obtain the advice of those listed as part of its compliance reporting to the Department of Environment.

## Notes

- 1 The Minister for the Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment over the fulfilment of the requirements of the conditions.
- 2 The proponent is required to apply for a Works Approval and Licence for the wastewater treatment plant component of this project under the provisions of Part V of the *Environmental Protection Act 1986*.
- 3 Within this statement, to “have in place” means to “prepare, document, implement and maintain for the duration of the proposal”.

Dr Judy Edwards MLA  
MINISTER FOR THE ENVIRONMENT; SCIENCE

28 DEC 2005

## Schedule 1

### The Proposal (Assessment No. 1455)

The expansion (construction and operation) of the Monkey Mia Dolphin Resort, incorporating the expansion of the existing resort area through provision of additional guest accommodation facilities, provision of staff accommodation facilities and an upgrading of the wastewater treatment plant.

The resort expansion area is within Reserve 40727, described as Lot 104 on DP28250. The staff accommodation area is within proposed Lot 105 on plan 19786 and the wastewater treatment plant expansion area is adjacent to the existing wastewater treatment plant within proposed Lot 103 on plan 19786. See figures 1 and 2 (attached).

**Table 1 – Key Proposal Characteristics**

Element	Description
Major components	<ul style="list-style-type: none"> <li>• expansion of existing resort area</li> <li>• provision of staff accommodation facilities</li> <li>• upgrading of the existing wastewater treatment plant using a Membrane Bioreactor Package Plant</li> </ul>
Resort Expansion Area	Up to 3.1 hectares
Staff Accommodation Area	Up to 2.3 hectares
Wastewater Treatment Plant Area	Up to 0.36 hectares (total area)
<b><i>Resort Expansion</i></b>	
Function Rooms	one
Two storey development	Approximately one third of the resort
Hotel Suites	Up to 100 (total)
Bungalows	Up to 30 (total)
Budget Accommodation	Up to 120 bed (total)
Motel units	Up to 70 (total)
Caravan Lots	Up to 71 (total)
Camping Area	Up to 4400 square metres (total) (accommodating approximately 260 people)
Tennis Courts	three (total)
Swimming Pool	6 metre pool and spa (self-contained)
Manager's Residence	one
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.
Vegetation Clearing	Up to 3.1 hectares of White Coastal Sandplain vegetation
Construction	No pindan sand will be transported to the beach area adjacent to the resort and expansion area.

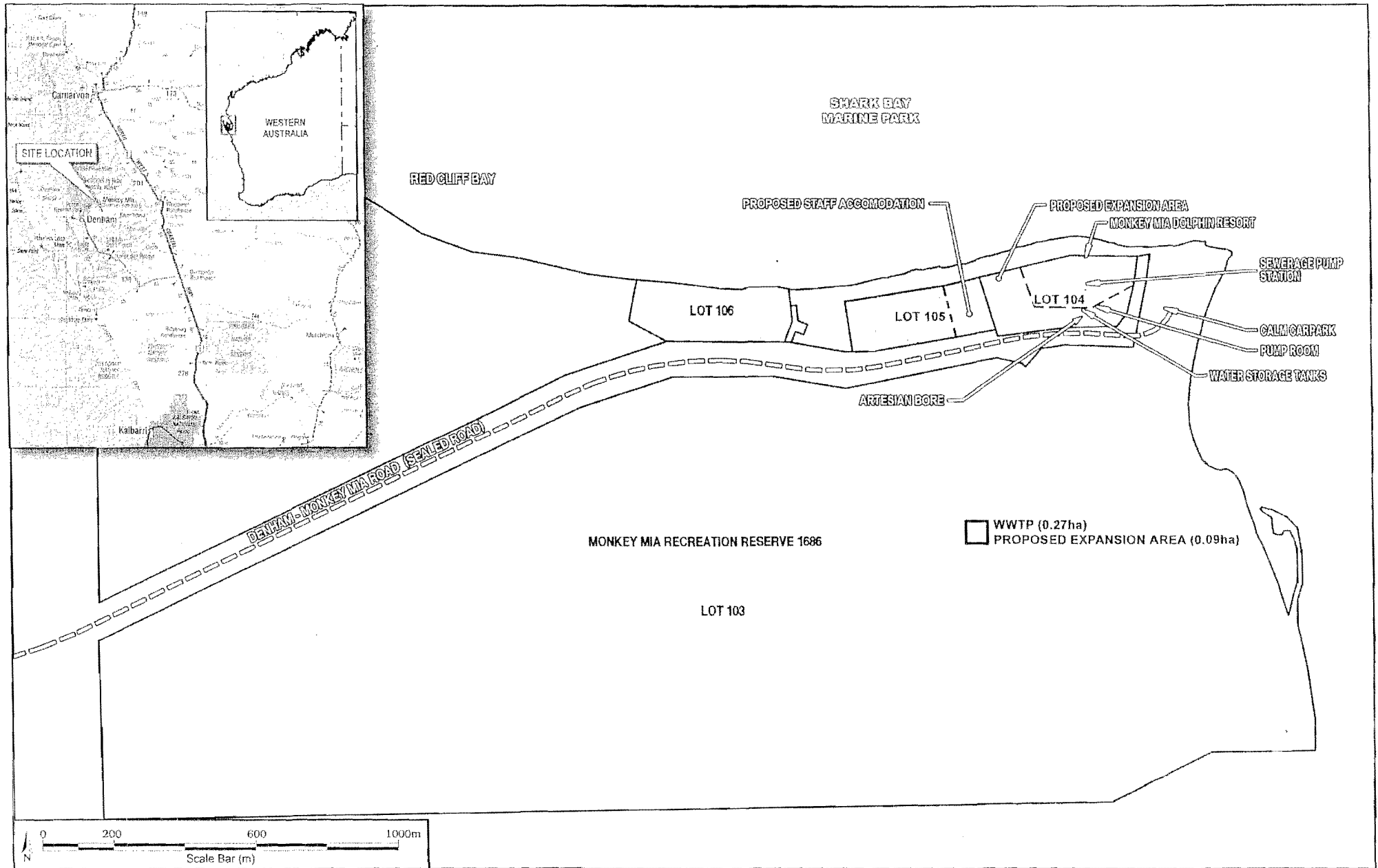
<b>Staff Accommodation Facilities</b>	
Suites	Up to 36
Caravan park sites	Up to 24
Swimming Pool	Up to 100 square metre pool (self-contained)
Vegetation clearing	Up to 2.3 hectares of White Coastal Sandplain vegetation
<b>Wastewater Treatment Plant</b>	
Membrane bioreactor package plant	Up to 0.36 hectares (total area). Existing ponds used for storing treated effluent and sludge.
Vegetation clearing	Up to 0.09 hectares of Red Coastal Sandplain vegetation, adjacent to cleared area for the existing wastewater treatment plant.

**Figures (attached)**

Figure 1: Monkey Mia Dolphin Resort location and expansion areas for the resort, staff accommodation and wastewater treatment plant.

Figure 2: Layout of the resort expansion area and staff accommodation area.





Source: Wood and Grieve Engineers  
 Note: Boundaries are indicative only

Figure 1 : Monkey Mia Dolphin Resort location, noting expansion areas for the resort.

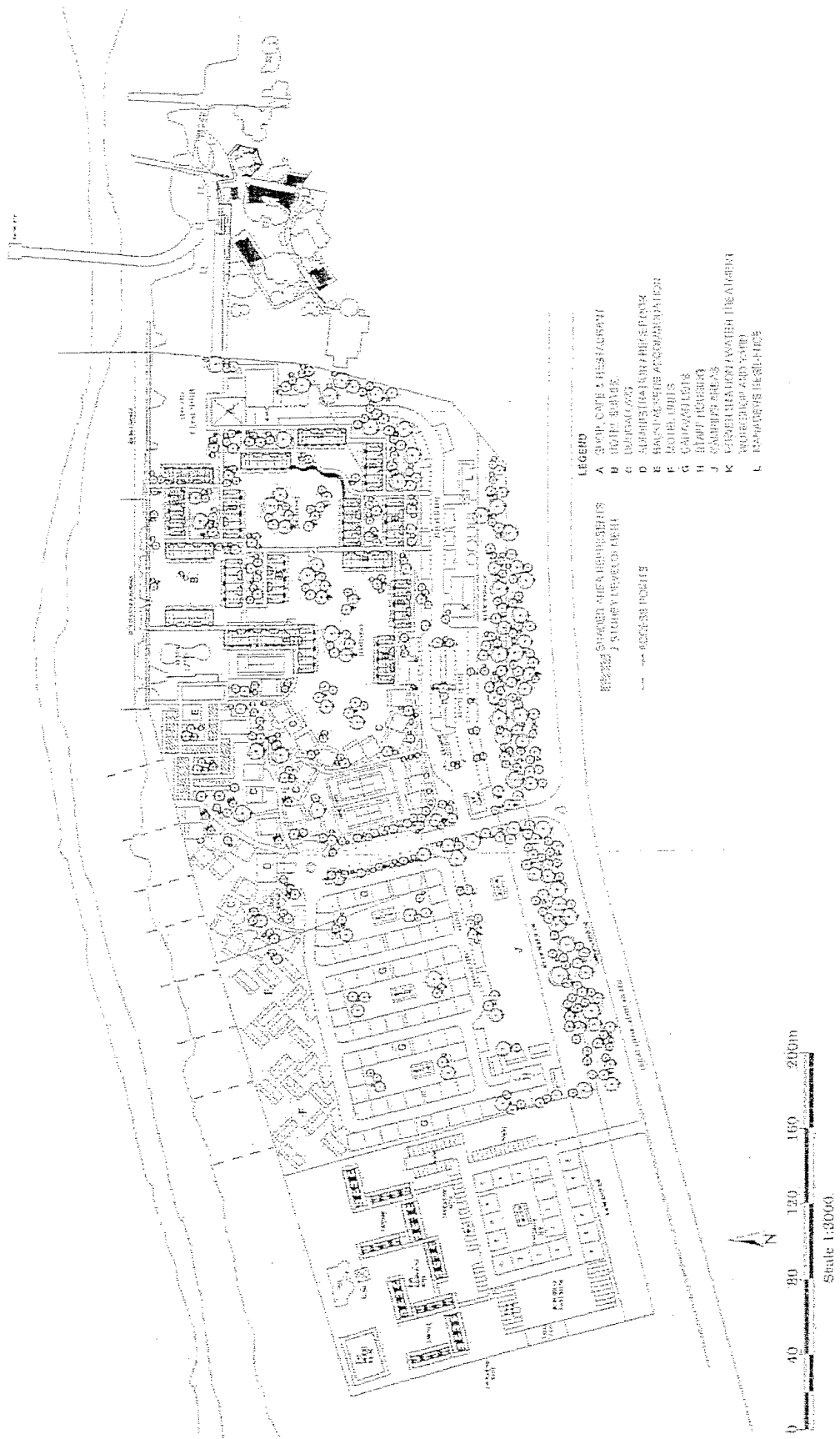


Figure 2: Layout of the expansion and redevelopment of the resort and staff accommodation areas.

**Proponent's Environmental Management Commitments**

April 2005

**EXPANSION OF THE MONKEY MIA DOLPHIN RESORT  
MONKEY MIA, SHARK BAY**

(Assessment No. 1455)

Monkey Mia Dolphin Resort Pty Ltd

## Proponent's Environmental Management Commitments – April 2005

### EXPANSION OF THE MONKEY MIA DOLPHIN RESORT, MONKEY MIA, SHARK BAY (Assessment No. 1455)

**Note:** The term “commitment” as used in this schedule includes the entire row of the table and its six separate parts as follows:

- a commitment number;
- a commitment topic;
- the objective of the commitment;
- the ‘action’ to be undertaken by the proponent;
- the timing requirements of the commitment; and
- the body/agency to provide technical advice to the Department of Environment.

No	Topic	Objective	Action	Timing	Advice
1.	Environmental Management System	<p>To ensure environmental best practice in accordance with EPA's Guidance Statement Number 43.</p> <p>The aim of the EMS is to ensure the operations of the Monkey Mia Dolphin Resort are in accordance with the commitments outlined in this statement.</p>	<p>Have in place, and make publicly available an Environmental Management System (EMS) for this project, which will include:</p> <p>(a) Environmental policies specific to the proposed resort and wastewater treatment plant facilities and corporate commitment to it.</p> <p>(a) Environmental Management Program with specific Management Plans to address the environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• Foreshore Management Plan;</li> <li>• Nutrient and Irrigation Management Plan; and</li> <li>• Wastewater Treatment Management Plan.</li> </ul> <p>(b) Setting of appropriate objectives and targets, to meet environmental requirements.</p> <p>(c) Implementation and operation of actions to meet environmental performance.</p> <p>(d) Measurement and evaluation of environmental performance.</p> <p>(e) Creation of appropriate management structures and responsibilities including human, equipment and financial resources.</p>	Prior to construction and post-construction	CALM

No	Topic	Objective	Action	Timing	Advice
			(f) Training, including induction, in environmental management procedures. (g) Development of communication procedures to staff, visitors, members of the community and government officers, and communicating relevant procedures and requirements to suppliers and contractors. (h) Development of performance monitoring and measurement procedures on the key features of the proposal which may impact on the environment. (i) Development of corrective and preventative procedures. (j) Development of management review and feedback procedures.		
2.	Construction Activities	To manage and minimise the potential impacts of construction activities upon the surrounding environment and visual amenity.	Prepare a Construction Management Plan, which will include: (a) management of noise and dust impacts; (b) minimising visual impacts; (c) provision of fencing, appropriate storage facilities and locations; and (d) containment of all earthworks to avoid affecting the beach.	Prior to construction	SoSB and CALM
3.	Construction Activities	As for commitment 2.	Implement the Construction Management Plan.	During construction.	SoSB and CALM
4.	Aboriginal Heritage and Culture	To fulfil the requirements stipulated on the Section 18 clearance of the <i>Aboriginal Heritage Act 1972</i> .	(a) Undertake an ethnographic and archaeological survey of the proposed wastewater treatment plant site before construction occurs. (b) 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. (c) 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.	Prior to construction	DIA

**Abbreviations:**

CALM: Department of Conservation and Land Management  
 DIA: Department of Indigenous Affairs  
 EMS: Environmental Management System

EPA: Environmental Protection Authority  
 SoSB: Shire of Shark Bay

## Attachment 1 to Ministerial Statement 709

### Change to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces Schedule 1 of Ministerial Statement 709

**Proposal:** Expansion of the Monkey Mia Dolphin Resort

**Proponent:** RAC Tourism Assets Pty Ltd

#### Changes:

- Increase the wastewater treatment plant area requiring an additional 2.9 hectares (ha) of vegetation clearing;
- Development and use of temporary borrow pits requiring 3.14 ha of vegetation clearing, that will then be rehabilitated after construction;
- Administrative changes to Schedule 1 of Ministerial Statement 709 to describe the proposal in terms of a 'development envelope', simplify the description of the resort expansion, and remove elements relating to the design of the resort that are not relevant to the environment.

**Table 1: Summary of the Proposal**

Proposal Title	Expansion of the Monkey Mia Dolphin Resort
Short Description	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.

**Table 2: Location and authorised extent of physical and operational elements**

Element	Location	Previously Authorised Extent	Authorised Extent
<b>Proposal Development Envelope</b>	<b>Figure 1</b>	<b>[new element]</b>	<b>18.2 ha</b>
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).
<b>Wastewater Treatment Plant Area</b>	<b>Figure 1</b>	Up to 0.36 hectares (total area). Existing ponds used for storing treated effluent and sludge.	<b>Up to 4.39 ha within the Proposal Development Envelope (includes existing infrastructure).</b>
<b>Temporary Borrow Pits for Construction</b>	<b>Figure 1</b>	<b>[new element]</b>	<b>Up to 3.14 ha within the Proposal Development Envelope.</b>
<b>Resort Capacity</b>		<b>[new element]</b>	<b>Overnight guest accommodation for 1200 people</b>

Element	Location	Previously Authorised Extent	Authorised Extent
<b>Vegetation Clearing</b>	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. <b>Up to 6.13 ha Red Coastal Sandplain (Pindan) Vegetation.</b>
<b>Major components</b>		<ul style="list-style-type: none"> <li>• expansion of the existing resort area</li> <li>• provision of staff accommodation facilities</li> <li>• upgrading of the existing wastewater treatment plant using a Membrane Bioreactor Package Plant</li> </ul>	<b>Removed – described in Table 1.</b>
<b>Resort Expansion Area</b>		Up to 3.1 hectares	<b>[consolidated into and 'Resort Accommodation Facilities' element]</b>
<b>Staff Accommodation Area</b>		Up to 2.3 hectares	<b>[consolidated into and 'Resort Accommodation Facilities' element]</b>
<b>Function Rooms</b>		one	<b>[consolidated into and 'Resort Accommodation Facilities' element]</b>
<b>Two storey development</b>		Approximately one third of the resort	<b>[consolidated into and 'Resort Accommodation Facilities' element]</b>
<b>Hotel Suites</b>		Up to 100 (total)	<b>[consolidated into 'Resort Capacity' element]</b>

Element	Location	Previously Authorised Extent	Authorised Extent
<b>Bungalows</b>		Up to 30 (total)	[consolidated into 'Resort Capacity' element]
<b>Budget Accommodation</b>		Up to 120 bed (total)	[consolidated into 'Resort Capacity' element]
<b>Motel units</b>		Up to 70 (total)	[consolidated into 'Resort Capacity' element]
<b>Caravan Lots</b>		Up to 71 (total)	[consolidated into 'Resort Capacity' element]
<b>Camping Area</b>		Up to 4400 square meters (total) (accommodating approximately 260 people)	[consolidated into 'Resort Capacity' element and area included in 'Resort and Accommodation Facilities' element]
<b>Tennis Courts</b>		Three (total)	Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element.
<b>Swimming Pool</b>		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.
<b>Manager's Residence</b>		one	Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element.
<b>Parking</b>		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.



Element	Location	Previously Authorised Extent	Authorised Extent
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.
<b>Suites</b>		Up to 36	<b>[consolidated into 'Resort Capacity' element]</b>
<b>Caravan park sites</b>		Up to 24	<b>[consolidated into 'Resort Capacity' element]</b>
<b>Swimming Pool</b>		Up to 100 square metre pool (self-contained)	<b>Removed as not a significant key characteristic relevant to the environment, and area included in 'Resort and Accommodation Facilities' element.</b>
<b>Membrane bioreactor package plant</b>		Up to 0.36 hectares (total area). Existing ponds used for storing treated effluent and sludge.	<b>[consolidated into 'Wastewater Treatment Plant Area' element]</b>

Note: Text in **bold** in Table 2 indicates a change to the proposal.

### Table 3: Abbreviations

Abbreviation	Term
ha	hectare

### Figures (attached)

Figure 1 Development Envelope for the Expansion of the Monkey Mia Dolphin Resort

Coordinates defining the Development Envelope are held by the Office of the Environmental Protection Authority (Document Reference Number: 2017-1498017739892).

[Signed 29 June 2017]

**Mr Robert Harvey**  
DEPUTY CHAIRMAN  
Environmental Protection Authority  
under delegated authority



Figure 1. Development Envelope for the Expansion of the Monkey Mia Dolphin Resort