

KOOMBANA BAY MARINE STRUCTURES

MANAGEMENT POLICY

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1 FOREWORD

1.1 Introduction

The South West Development Commission (SWDC) is the proponent of the Koombana Bay Marine Structures (KBMS) proposal. The construction of marine structures, and resultant increased marine-based activity (e.g. powered and sailing craft) in Koombana Bay, has the potential to impact the environmental values of the Bay. The SWDC referred the KBMS proposal to the Western Australia Environmental Protection Authority (EPA) under Part IV of *the Environmental Protection Act 1986* (EP Act), which determined the proposal is to be assessed as a **strategic proposal** at the Public Environment Review level (SPER).

The EPA approved an Environmental Scoping Document for the SPER, which identifies the following three **future proposals** for assessment:

1. Casuarina Boat Harbour that includes a dredging and dredge spoil disposal component, a piling component, land reclamation and construction of a breakwater and revetment walls. The marine infrastructure includes the construction and operation of floating jetties, boat ramps and boat pens.
2. Koombana Bay Sailing Club Marina that includes a dredging component, a piling component, land reclamation (including onshore dredge spoil disposal) and construction of breakwaters. The marine infrastructure includes the construction and operation of floating jetties, boat ramps and boat pens.
3. Dolphin Discovery Centre finger jetty that includes a finger jetty, a piling component and a temporary onshore construction laydown area.

The purpose of the strategic assessment is to allow for the early consideration of the identified potential environmental impacts and additional cumulative impacts associated with the future proposals, and of the relevant management measures designed to control these impacts.

The EPA identified a requirement to develop a Management Framework (the Framework) between the key stakeholders in Koombana Bay in regard to ongoing marine environmental quality, maintenance dredging, wrack management, coastal processes and marine fauna.

The KBMS strategic proposal is shown in Figure 1.



Figure 1: KBMS strategic proposal

2 POLICY STATEMENT AND PURPOSE

2.1 The Management Framework

The SWDC will oversee the environmental aspects of the KBMS within an integrated management framework, as chair of the Technical Group (Environment). Figure 2 provides details of the Framework, its main elements and their interrelationships.

The Framework comprises this management policy, the key management plans, and several associated instruments and documents. Technical Group (TG) members are outlined in the *Terms of Reference: Technical Group — TBW Stage 3 Environment* (Appendix A).

In relation to the KBMS, the purpose of the Framework is to:

- Establish an overarching, integrated structure for managing marine environmental quality, maintenance dredging, wrack management, coastal processes monitoring and marine fauna during the construction and operation of the KBMS.
- Provide clear, efficient and effective processes for monitoring, evaluating and reporting.
- Continuously improve the approach being used to manage the KBMS.
- Ensure adaptive management occurs as part of a process of continuous improvement.

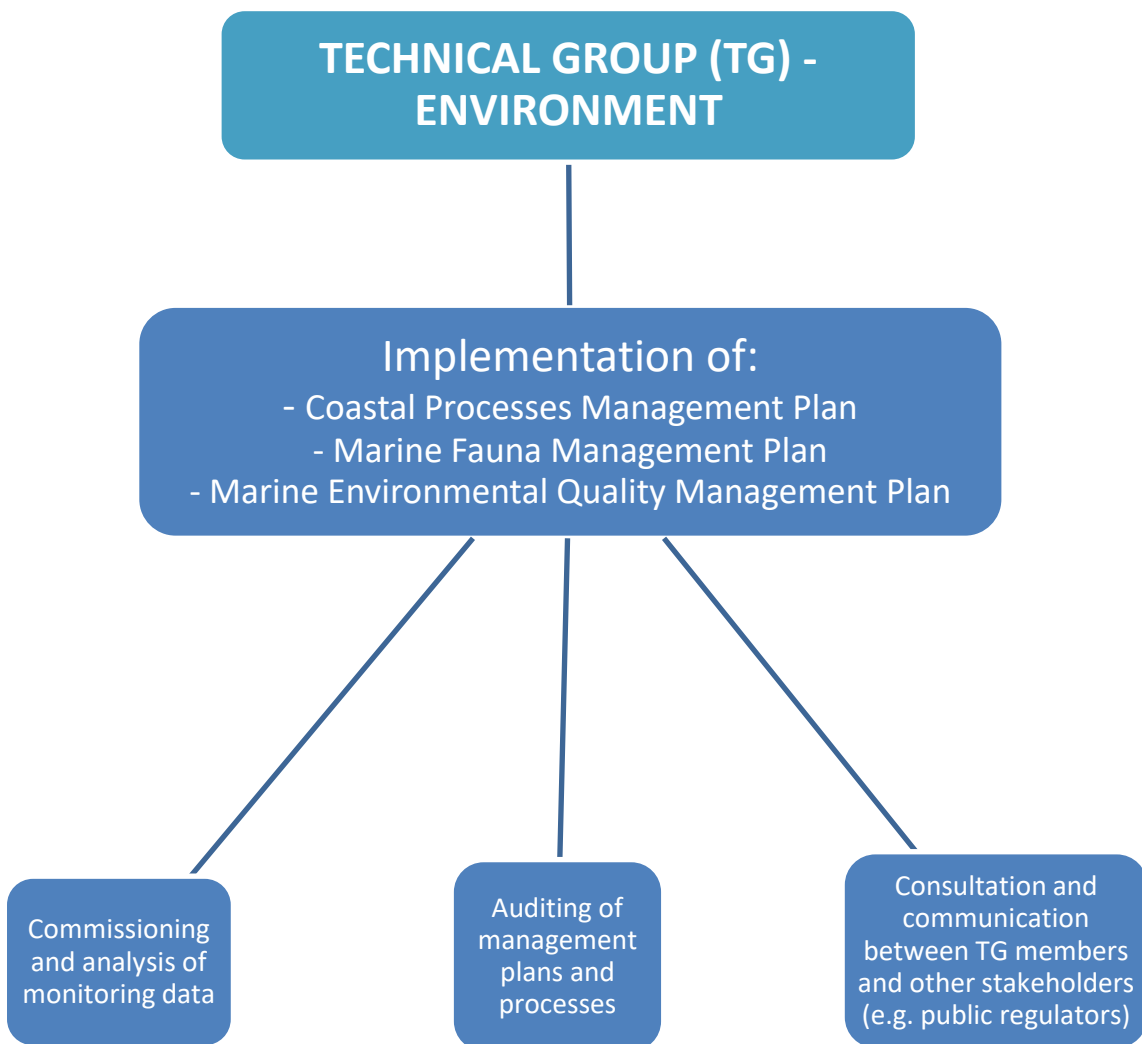


Figure 1: The Management Framework

2.2 The Management Policy

The management policy ('the policy') fits within, and comprises the core of, the Framework for the KBMS. The policy deals with strategic issues likely to remain unchanged in the medium term. Other instruments and documents associated with the policy are more suitable for providing for adaptive management in the shorter term.

This adaptive management approach provides a structured, iterative process for decision making where uncertainties may exist. It also provides the opportunity to take advantage of emerging or new knowledge as it becomes available. The aim is to reduce the level of uncertainty over time through a continuous cycle of system monitoring, reporting, evaluating and implementing any necessary enhancements. In this way, decision making simultaneously meets both current resource management objectives and actively accrues information needed to improve future management.

The policy is designed to be generic, non-prescriptive and provide broad principles for management of the KBMS. It is integrated with, and supported by, a separate set of companion documents and instruments, which provide greater detail on the legislative, regulatory, monitoring and reporting requirements.

These associated documents and instruments are the:

- **Ministerial Statement** issued under Part IV of the EP Act approving the construction of the KBMS as a strategic proposal under that Act
- **Marine Construction Monitoring and Management Plan (MCMMP)**
- **Marine Environmental Quality Management Plan (MEQMP)**
- **Coastal Processes Management Plan (CPMP)**
- **Marine Fauna Management Plan (MFMP)**
- **Notice(s)** (issued under section 45A of the EP Act approving the implementation of derived proposals).

The responsibility for the implementation of the MCMMP lies solely with the respective proponents for the future proposals. Post construction, in acknowledgement of the different users of Koombana Bay, the responsibility for maintaining overall health of the Bay will be the responsibility of multiple stakeholders as identified in the Terms of Reference. The management plans are represented in Figure 3.

Collectively, these documents and instruments guide specific approaches to management, monitoring and evaluation that are within the broader bounds of the policy. Of necessity, there is some overlap between these various documents. However, they are designed to be consistent with each other and to provide capacity for adaptive management.

The principles contained within the policy, together with a comprehensive environmental management and monitoring program, have been developed to ensure environmental values of Koombana Bay are protected.

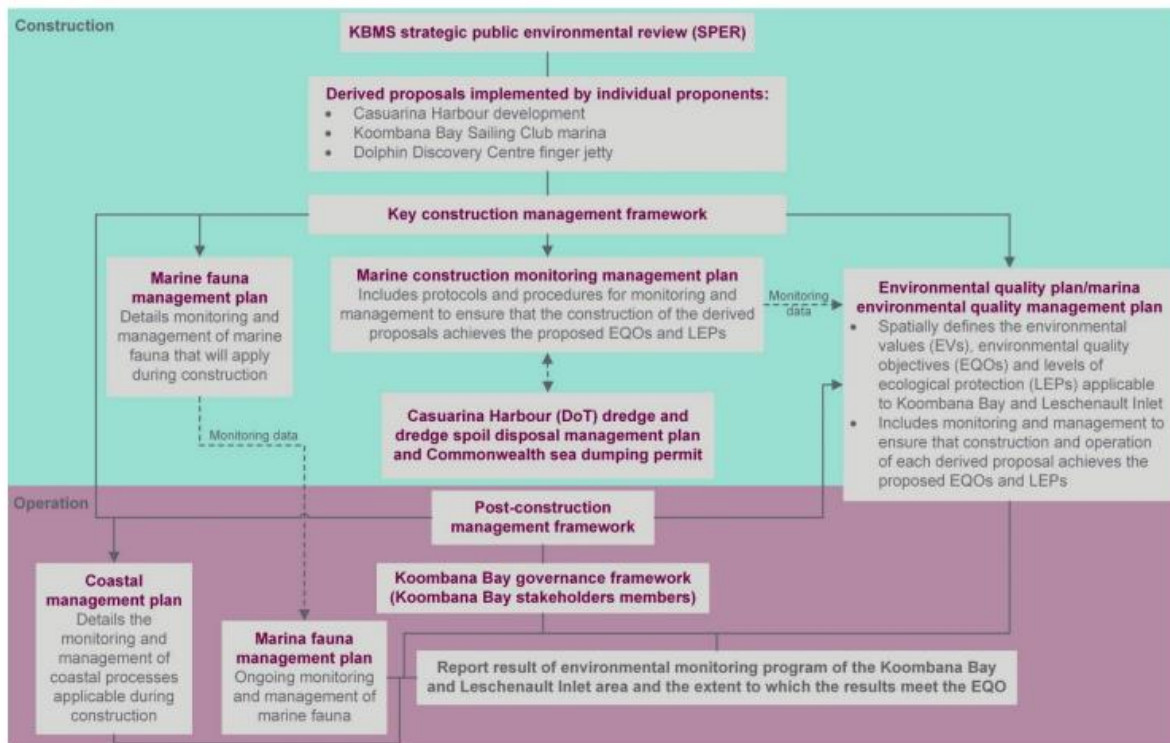


Figure 2: KBMS governance framework

3 LEGISLATIVE FRAMEWORK

The EPA is assessing the KBMS as a strategic proposal under Part IV of the EP Act. The following documents are considered for the purposes of finalising this assessment:

- **SPER** document;
- **MCMMP**;
- **MEQMP**;
- **CPMP**;
- **MFMP**; and
- Management Policy (i.e. this policy).

The EPA forwards its assessment of the proposal in the form of a report to the Minister for Environment. In turn, that Minister confers with other relevant decision-making authorities before issuing a statement (Ministerial Statement) in relation to the implementation of future proposals identified in the strategic proposal.

This Statement includes conditions which apply to the implementation of those future proposals if referred to, and declared by, the EPA to be a derived proposal. The Statement identifies the proposals which may be implemented under the strategic proposal, and the conditions that will apply to those proposals.

Proponents wanting to implement the identified future proposals in the KBMS SPER will need to refer that proposal to the EPA, along with a request that the proposal be declared a derived proposal. Information submitted with a request that the EPA declare a derived proposal will need to demonstrate how the proposal will meet the environmental outcomes defined through the assessment of the strategic proposal including any conditions in the Ministerial Statement. The EPA requires proponents of future proposals to consult with relevant stakeholders and provide evidence of this in the documentation provided with the derived proposal referral.

Upon receipt of this referral and request, the EPA considers whether to declare the referred proposal a derived proposal, having regard to the provisions in section 39B of the EP Act. Applicants should use EPA's Procedures Manual for guidance when referring a proposal and request to the EPA.

If the EPA recommends to the Minister for Environment that a referred proposal be a derived proposal that Minister issues a notice (under section 45A of the EP Act) declaring the proposal is a derived proposal. The Minister may also specify which of the conditions of the strategic proposal (i.e. the KBMS) will apply to implementing the declared derived proposal. It is an offence under the EP Act to fail to implement a proposal other than in accordance with the implementation conditions.

There will also be a requirement for the Casuarina Boat Harbour future proposal to dispose of dredge material in Commonwealth waters. The Department of Transport (Casuarina Boat Harbour future proposal proponent) has undertaken an assessment of the disposal of dredge material under the Commonwealth *Environment Protection (Sea Dumping) Act 1981* and will be responsible for obtaining the Commonwealth Sea dumping permit to facilitate the disposal of dredge material in Commonwealth waters.

4 ENVIRONMENTAL MONITORING AND MANAGEMENT

Environmental impacts are principally managed through implementing the requirements of the key management plans and supported by the requirements outlined in the policy.

In addition to compliance with the conditions of any notice issued under the EP Act (see above), proponents must comply with the environmental monitoring requirements specified in the management plans.

It is the responsibility of each proponent to manage their future proposal within the environmental quality guidelines and standards outlined in the management plans. The SWDC (supported by the TG) will manage the environmental compliance aspects of the KBMS.

5 COMPLIANCE AND REPORTING

Future proposal proponents must comply with the arrangements outlined in the policy, the key management plans and any other management controls imposed by any relevant statutory or government authority in relation to their activities in Koombana Bay. This includes the relevant requirements specified in those instruments and documents provided for under the EP Act (e.g. Ministerial Statement and Section 45A Notice/s).

The SWDC (supported by the TG) will manage the environmental compliance and reporting aspects of the KBMS through the Framework. In the event of any breaches of Ministerial Statement conditions or management controls in relation to the KBMS, the TG will determine appropriate management actions.

Importantly, it is the future proposal proponent and not the SWDC that is liable for any of the abovementioned breaches. The SWDC's role is one of administrator and coordinator of the Framework.

6 AUDITS AND REVIEWS

Proponents should have their internal audit mechanisms documented and conduct regular internal audits to ensure compliance with the requirements of this policy. Independent audits are more robust and are the recommended approach.

The SWDC and TG will periodically review the policy to ensure it meets regulatory requirements and community expectations. The initial review period will be three years following commencement of implementation of the SPER.

7 REFERENCES

- i. *AS/NZS ISO 9001:2008 Quality Management Systems* [Standards Australia]
- ii. *Environment Protection (Sea Dumping) Act 1981 Environmental Protection Act 1986*
- iii. *Environmental Protection Bulletin No. 17 "Strategic and derived proposals"* [Environmental Protection Authority]

8 APPENDIX A



TERMS OF REFERENCE

Technical Group — TBW Stage 3 Environment

Purpose

The Technical Group ('the Group') will execute the process for achieving various key environmental approvals, including a Strategic Public Environmental Review (SPER) and Commonwealth sea dumping permit, for Stage 3 Phase 1 of the Transforming Bunbury's Waterfront (TBW) project [TBW 3.1].

Membership

Membership of the Group has been approved by the TBW Steering Committee. The Group is chaired by the South West Development Commission with input from the Department of Transport, Koombana Bay Sailing Club, Southern Ports Authority and City of Bunbury.

Activities

The Group will be responsible for achieving the required environmental approvals for the TBW 3.1 project.

Deliverables	Milestone (Target) Date
State environmental approvals (SPER)	2022
Commonwealth environmental approvals (Sea dumping permit)	2022

Project Governance & Reporting

The Group will report to the TBW Steering Committee on their actions, to support the timely progress and achievement of deliverables and milestones. The TBW Steering Committee will oversee the actions of the Group, as well as note and/or endorse their key findings and recommendations.

Timing

Meetings will be held monthly, at a minimum, or as required.

Location of Meetings

Meetings to be held at the South West Development Commission or at other agreed locations.