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Published on: 14 November 2017

Statement No. 1067

**STATEMENT TO CHANGE THE IMPLEMENTATION CONDITIONS APPLYING TO  
A PROPOSAL  
(Section 46 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 Ministerial Statement 709.

**Proponent:** RAC Tourism Assets Pty Ltd  
Australian Company Number 168 253 085

**Proponent Address:** 832 Wellington Street  
West Perth WA 6005

**Report of the Environmental Protection Authority:** 1603

**Preceding Statements Relating to this Proposal:** 709, 919

Pursuant to section 45 of the *Environmental Protection Act 1986*, as applied by section 46(8), it has been agreed that the implementation conditions set out in Ministerial Statement No. 709 dated 28 December 2005 (Statement 709) be changed as specified in this Statement.

**1. Condition 3 replaced**

Condition 3 of Statement 709 is deleted and replaced with:

### **3 Contact Details**

3-1 The proponent shall notify the CEO\* of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or the principal office in the State.

## **2. Condition 4 replaced**

Condition 4 of Statement 709 is deleted and replaced with:

### **4 Compliance Reporting**

4-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO within six (6) months of the date of this Statement, or as agreed in writing by the CEO.

4-2 The Compliance Assessment Plan shall indicate:

- (1) the frequency of compliance reporting;
- (2) the approach and timing of compliance assessments;
- (3) the retention of compliance assessments;
- (4) the method of reporting of potential non-compliances and corrective actions taken;
- (5) the table of contents of Compliance Assessment Reports; and
- (6) public availability of Compliance Assessment Reports.

4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2, the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.

4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.

4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.

- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's CEO or a person delegated to sign on the CEO's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

### **3. Condition 5 replaced**

Condition 5 of Statement 709 is deleted and replaced with:

#### **5 Public Availability of Plans and Reports**

5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved in writing by the CEO, all environmental plans and reports required under this statement and Statement 709.

5-2 If any parts of the plans and reports referred to in condition 5-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make those parts of the plans and reports publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

**4. Condition 6 deleted**

Condition 6 of Statement 709 is deleted.

\* CEO - The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the *Environmental Protection Act 1986*, or his delegate.

[Signed on 14 November 2017]

Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT**