

THIS DOCUMENT

This document has been produced by the Office of the Appeals Convenor as an electronic version of the original Statement for the proposal listed below as signed by the Minister and held by this Office. Whilst every effort is made to ensure its accuracy, no warranty is given as to the accuracy or completeness of this document.

The State of Western Australia and its agents and employees disclaim liability, whether in negligence or otherwise, for any loss or damage resulting from reliance on the accuracy or completeness of this document. Copyright in this document is reserved to the Crown in right of the State of Western Australia. Reproduction except in accordance with copyright law is prohibited.

Published on: 22 October 2015

Statement No. 1019

STATEMENT TO CHANGE THE IMPLEMENTATION CONDITIONS APPLYING TO A PROPOSAL

(Section 46 of the *Environmental Protection Act 1986*)

PORT KENNEDY REGIONAL RECREATION CENTRE, BECHER POINT STAGE 1

Proposal: The proposal is to develop a public recreation area and conservation park at Port Kennedy. Stage 1 of the proposal includes a hotel, holiday accommodation, one golf course and conservation areas.

Proponent: Western Australian Beach and Golf Resort Pty Ltd
Australian Company Number 097 109 067

Proponent Address: Level 1, 38 Richardson Street
West Perth, WA 6005

Report of the Environmental Protection Authority: 1556

Previous Report of the Environmental Protection Authority: 398 and 734

Preceding Statements Relating to this Proposal: 105 and 359

Pursuant to section 45 of the *Environmental Protection Act 1986* (EP Act), as applied by s46(8), it has been agreed that implementation conditions set out in Ministerial Statements Nos. 105 and 359, be changed as specified in this Statement.

This Statement authorises the implementation of the proposal described and documented in Table 1 and Table 2 of Schedule 1, and Schedule 2. The implementation of the proposal is subject to the following implementation conditions and procedures which replace and supersede all previous conditions and procedures of Statements 105 and 359.

1 Proposal Implementation

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the *Environmental Protection Act 1986*.

2 Contact Details

2-1 The proponent shall notify the Chief Executive Officer (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 of the principal office in the State.

3 Compliance Reporting

3-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 3-6.

3-2 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.

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

3-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 3-1 and shall make those reports available when requested by the CEO.

3-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.

3-6 The proponent shall submit to the CEO Compliance Assessment Reports addressing compliance in the previous calendar year. The first Compliance Assessment Report shall be submitted six (6) months from the date of issue of this Statement 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 Managing Director/ General Manager/Chief Executive Officer or a person delegated to sign on the Managing Director's/ General Manager's/ Chief Executive Officer'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 3-1.

4 Public Availability of Plans and Reports

4-1 Subject to condition 4-2, 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 by the CEO, all environmental plans and reports relevant to the assessment of this proposal and implementation of this Statement.

4-2 If any plan or report referred to in condition 4-1 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 or 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.

5 Geomorphological Site Management Plan

5-1 The objective of the Geomorphological Site Management Plan is to ensure the protection of the international scientific value of the site (e.g. Holocene dune assemblage and its accumulated scientific knowledge; potential for yielding information and predicting effects on coastal processes) and to provide for access (through planning and design of facilities) to the majority of the site for scientific research purposes, in perpetuity.

5-2 The proponent shall update the Geomorphological Site Management Plan, to the requirements of the CEO within six months of the date of issue of this Statement, or

as agreed in writing by the CEO, to demonstrate the requirements of condition 5-1 have been met.

- 5-3 The proponent shall retain the services of an expert coastal geomorphologist, for the commencement and duration of the construction where they may impact coastal processes, with terms of reference to include, amongst other things:
- (1) Assistance with implementation of the Geomorphological Site Management Plan;
 - (2) Retrieval and analysis of data from construction areas to investigate impacts on areas of geomorphological significance in areas to be significantly modified by construction; and
 - (3) Providing recommendations to improve management of areas of geomorphological significance, for inclusion in subsequent updates of the Geomorphological Site Management Plan.
- 5-4 The Geomorphological Site Management Plans referred to in Condition 5-1 shall be updated and submitted to the CEO when a plan significantly changes or when required by the CEO.
- 5-5 The proponent shall implement the most recent revision of the Geomorphological Site Management Plan referred to in Condition 5-1 and continue implementation until otherwise agreed by the CEO.

6 Sand Dune Stabilisation and Management Plan

- 6-1 The objective of the Sand Dune Stabilisation and Management Plan is to ensure appropriate dune stabilisation and rehabilitation occurs in areas of the site which are degraded or disturbed during construction to reduce erosion risk and degradation.
- 6-2 The Sand Dune Stabilisation and Management Plan referred to in Condition 6-1 shall be updated for each stage of development which will provide the specific details relevant to the stages and works proposed. At each stage, development design details and environmental implications will be addressed. Plans which propose significant changes to design details are to be submitted to the CEO.
- 6-3 The proponent shall implement the most recent revision of the Sand Dune Stabilisation Management Plan referred to in Condition 6-1, and continue implementation until otherwise agreed by the CEO.

[Signed 21 October 2015]

Albert Jacob MLA
MINISTER FOR ENVIRONMENT; HERITAGE

Table 1: Summary of the Proposal

Proposal Title	Port Kennedy Regional Recreation Centre – Becher Point, Stage 1
Short Description	The proposal is for the creation of a major public recreation area and conservation park at Port Kennedy. Stage 1 of the proposal includes a hotel, holiday accommodation, golf course and conservation areas.

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

Element	Location	Authorised Extent
Development Envelope	Figure 1	341.9 ha
Land based development area	Figure 1	84.3 ha
Boat ramp, car park and public open space	Figure 1	2.0 ha
Port Kennedy Drive and overflow carpark	Figure 1	10.0 ha
Golf course area	Figure 1	80.3 ha
Conservation and Recreation reserve areas	Figure 1	165.4 ha
Coastal Setback distance	Figure 1	Minimum distance of 110 m outside proposed town centre and Longbeach estate.

Table 3: Abbreviations and Definitions

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
OEPA	Office of the Environmental Protection Authority
ha	Hectare

Figures (attached)

Figure 1 Port Kennedy Regional Recreation Centre, Becher Point, Stage 1 Development Envelope



Figure 1 Port Kennedy Regional Recreation Centre, Becher Point, Stage 1 Development Envelope

Schedule 2

Project Coordinates (MGA Zone 50)

Coordinates that define the Development Envelope.

All coordinates are in whole metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 1994 (GDA94).

Coordinate No.	Easting	Northing
1	382109	6418637
2	381987	6418633
3	382004	6417175
4	381804	6417182
5	381750	6417187
6	381697	6417199
7	381645	6417217
8	381596	6417242
9	381550	6417272
10	381509	6417309
11	381473	6417349
12	381316	6417548
13	381023	6417921
14	380997	6417949
15	380984	6417959
16	380970	6417970
17	380949	6417983
18	380935	6417991
19	380900	6418001
20	380858	6418002
21	380819	6417999
22	380729	6417984
23	380690	6417977
24	380662	6417976
25	380636	6417978
26	380499	6417995
27	380469	6417997
28	380439	6417995
29	380410	6417989
30	380381	6417980
31	380355	6417966
32	379889	6417697
33	379864	6417629
34	379846	6417627
35	379831	6417633
36	379773	6417669

Coordinate No.	Easting	Northing
37	379755	6417663
38	379735	6417650
39	379715	6417659
40	379666	6417770
41	379640	6417852
42	379637	6417918
43	379636	6417935
44	379709	6417951
45	379761	6417967
46	379811	6417985
47	379860	6418007
48	379911	6418034
49	380010	6418091
50	380061	6418124
51	380110	6418161
52	380159	6418194
53	380207	6418217
54	380257	6418238
55	380306	6418256
56	380357	6418266
57	380456	6418278
58	380508	6418287
59	380555	6418298
60	380601	6418312
61	380613	6418317
62	380616	6418308
63	380625	6418311
64	380629	6418312
65	380635	6418314
66	380644	6418317
67	380656	6418323
68	380662	6418325
69	380669	6418328
70	380676	6418332
71	380679	6418333
72	380685	6418335

Coordinate No.	Easting	Northing
73	380692	6418339
74	380699	6418343
75	380705	6418346
76	380708	6418348
77	380719	6418354
78	380727	6418358
79	380731	6418360
80	380736	6418363
81	380743	6418366
82	380746	6418369
83	380759	6418378
84	380769	6418384
85	380772	6418386
86	380777	6418391
87	380782	6418394
88	380793	6418402
89	380801	6418408
90	380805	6418411
91	380817	6418421
92	380824	6418426
93	380828	6418429
94	380834	6418435
95	380844	6418443
96	380849	6418447
97	380853	6418450
98	380857	6418453
99	380860	6418456
100	380868	6418463
101	380872	6418467
102	380876	6418470
103	380880	6418474
104	380884	6418479
105	380889	6418482
106	380891	6418485
107	380896	6418490
108	380906	6418500
109	380913	6418507
110	380916	6418509
111	380919	6418512
112	380925	6418517
113	380936	6418527
114	380941	6418532
115	380947	6418537
116	380953	6418543

Coordinate No.	Easting	Northing
117	380957	6418547
118	380969	6418559
119	380976	6418568
120	380983	6418575
121	380987	6418580
122	380991	6418585
123	381004	6418597
124	381005	6418598
125	381006	6418599
126	381007	6418600
127	381009	6418601
128	381013	6418607
129	381017	6418612
130	381023	6418620
131	381028	6418627
132	381033	6418633
133	381046	6418649
134	381053	6418655
135	381058	6418662
136	381062	6418666
137	381068	6418674
138	381073	6418681
139	381079	6418688
140	381086	6418697
141	381091	6418703
142	381097	6418710
143	381101	6418715
144	381104	6418720
145	381107	6418722
146	381112	6418728
147	381115	6418732
148	381118	6418736
149	381121	6418740
150	381125	6418744
151	381129	6418750
152	381132	6418755
153	381137	6418760
154	381145	6418771
155	381149	6418776
156	381153	6418781
157	381156	6418785
158	381156	6418787
159	381157	6418788
160	381160	6418792

Coordinate No.	Easting	Northing
161	381163	6418797
162	381169	6418806
163	381173	6418810
164	381178	6418817
165	381181	6418821
166	381183	6418825
167	381185	6418828
168	381188	6418832
169	381192	6418838
170	381195	6418842
171	381198	6418847
172	381199	6418850
173	381201	6418852
174	381208	6418860
175	381212	6418866
176	381219	6418876
177	381222	6418881
178	381225	6418886
179	381233	6418895
180	381239	6418903
181	381243	6418909
182	381245	6418911
183	381250	6418916
184	381251	6418917
185	381252	6418919
186	381253	6418921
187	381254	6418924
188	381254	6418926
189	381256	6418930
190	381262	6418939
191	381265	6418944
192	381267	6418948
193	381271	6418952
194	381273	6418954
195	381274	6418956
196	381278	6418964
197	381280	6418968
198	381283	6418973
199	381285	6418975
200	381289	6418980
201	381292	6418983
202	381293	6418986
203	381297	6418992
204	381299	6418996

Coordinate No.	Easting	Northing
205	381302	6419002
206	381304	6419004
207	381305	6419006
208	381308	6419009
209	381309	6419010
210	381311	6419012
211	381312	6419015
212	381314	6419018
213	381315	6419020
214	381321	6419027
215	381323	6419030
216	381328	6419038
217	381330	6419040
218	381331	6419041
219	381333	6419044
220	381335	6419045
221	381336	6419047
222	381337	6419049
223	381339	6419054
224	381343	6419062
225	381345	6419065
226	381347	6419069
227	381349	6419072
228	381352	6419079
229	381356	6419085
230	381360	6419093
231	381366	6419103
232	381369	6419109
233	381372	6419115
234	381375	6419121
235	381379	6419127
236	381381	6419131
237	381383	6419134
238	381385	6419138
239	381389	6419145
240	381391	6419148
241	381393	6419152
242	381395	6419156
243	381398	6419161
244	381400	6419164
245	381402	6419169
246	381404	6419173
247	381407	6419178
248	381414	6419191

Coordinate No.	Easting	Northing
249	381425	6419211
250	381427	6419216
251	381433	6419229
252	381436	6419237
253	381442	6419248
254	381447	6419256
255	381451	6419265
256	381454	6419271
257	381456	6419276
258	381458	6419280
259	381462	6419287
260	381466	6419298
261	381467	6419300
262	381469	6419304
263	381472	6419309
264	381477	6419320
265	381480	6419328
266	381486	6419341
267	381488	6419345
268	381490	6419349
269	381493	6419355
270	381495	6419361
271	381496	6419364
272	381498	6419368
273	381501	6419374
274	381502	6419377
275	381504	6419382
276	381510	6419399
277	381513	6419406
278	381516	6419412
279	381518	6419417
280	381520	6419422
281	381530	6419444
282	381531	6419447
283	381538	6419467
284	381539	6419470
285	381545	6419486
286	381557	6419522

Coordinate No.	Easting	Northing
287	381560	6419528
288	381562	6419536
289	381567	6419547
290	381571	6419559
291	381575	6419568
292	381577	6419575
293	381598	6419636
294	381605	6419658
295	381608	6419670
296	381611	6419679
297	381612	6419684
298	381616	6419697
299	381620	6419710
300	381622	6419717
301	381623	6419722
302	381624	6419726
303	381625	6419731
304	381627	6419736
305	381628	6419739
306	381630	6419748
307	381630	6419752
308	381631	6419755
309	381633	6419762
310	381635	6419767
311	381638	6419776
312	381639	6419782
313	381641	6419787
314	381642	6419792
315	381645	6419804
316	381648	6419818
317	381649	6419823
318	381652	6419835
319	381676	6419835
320	381745	6419836
321	382096	6419840