

Department of Environment and Conservation
South Coast Region



COMPLIANCE ASSESSMENT PLAN (Ministerial Statement 884)

Coastal Walk Trail from Point Ann to
Hamersley Inlet
– Fitzgerald River National Park

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1. INTRODUCTION

This Compliance Assessment Plan has been prepared to meet conditions 4-1 and 4-2 of Ministerial Statement 884 (Statement 884) issued on 22 December 2011 for the Coastal Walk Trail from Point Ann to Hamersley Inlet – Fitzgerald River National Park (the Project). This is one component of the broader Fitzgerald River National Park Improvement Project, a State and Federal Government funded project initiated to enhance tourist access and facilities in the Fitzgerald River National Park and to support economic and social development in the local communities.

2. PURPOSE

In accordance with conditions 4-1 and 4-2 of Statement 884, a Compliance Assessment Plan must be prepared and maintained to the satisfaction of the Chief Executive Officer (CEO) of the Office of the Environmental Protection Authority (OEPA) prior to implementation of the project.

This Compliance Assessment Plan has been prepared by the proponent, the Department of Environment and Conservation (DEC), in accordance with the OEPA's *Draft Guidelines for Proponents – Preparing a Compliance Assessment Plan* (OEPA 2009), and includes the following information:

- frequency of compliance reporting;
- approach and timing of compliance assessments;
- retention of compliance assessments;
- method of reporting potential non-compliances and corrective actions taken;
- table of contents of compliance reports; and
- public availability of compliance reports.

3. FREQUENCY OF COMPLIANCE ASSESSMENT REPORTING

As per the conditions outlined in Statement 884, DEC will submit the first Compliance Assessment Report to the CEO of the OEPA on 22 March 2013 (15 months from Statement 884 issue date) and thereafter annually by 22 March. Documents shall be provided in hard copy and CD format (one copy of each).

The Pre-construction and Construction phases of the Project are due to be completed by mid 2013. The Operational phase of the Project (opening of the walk trail to public use) is planned for early to mid 2013 and will continue indefinitely.

4. APPROACH AND TIMING OF COMPLIANCE ASSESSMENT REPORTS

Compliance with the conditions of Statement 884 will be assessed as outlined in the Approach and Timing Table (Table 1).

Table 1: Approach and Timing Table

Audit Code (refer to Audit Table)	Assessment	Timing
884:M1.1	To be summarised in Current Status section of each Compliance Assessment Report.	Annually.
884:M2.2	Correspondence with OEPA.	Within 30 days.
884:M3.1 & M3.2	Correspondence with OEPA	On or before 22 December 2016.
884:M4.1 & M4.2	Correspondence with OEPA and Compliance Assessment Report.	Submission of Compliance Assessment Plan before implementation of proposal or 22 September 2012.
884:M4.3	Compliance Assessment Report.	Annually.
884:M4.4	Internal audit available at request.	Annually.
884:M4.5	Correspondence with OEPA.	Within 7 days of known non-compliance.
884:M4.6	Compliance Assessment Report	Annually by 22 March
884:M6.1	Walk Trails Environmental Management Plan.	Prior to commencement of construction phase.
884:M6.2	Compliance Assessment Report.	Annually.
884:M6.3	Environmental Management Plan review and Compliance Assessment Report.	Annually.
884:M7.1 & M7.2	Correspondence with OEPA.	Prior to commencement of construction phase
884:M7.3	Walk Trails Environmental Management Plan.	Prior to commencement of construction phase.
884:M7.4	Compliance Assessment Report.	Annually.
884:M8.1 & M8.2	Dieback Risk Assessment and Independent Review of Assessment.	Prior to commencement of operational phase.
884:M9.1 & 9.2	Dieback Management Plan.	Prior to operational phase.
884:M9.3 & 9.4	Compliance Assessment Report.	Annually.
884:M9.5	Correspondence with OEPA, Documents available on website/libraries.	Within 14 days of submission.
884:M10.1	Correspondence with OEPA.	Ongoing.

5. RETENTION OF COMPLIANCE ASSESSMENT REPORTS

In accordance with Statement 884 (condition 4-4), all Compliance Assessment Reports will be retained in electronic and hard copy format, for the life of the project, plus seven years, in DEC's document management system. These documents will be made available when requested by the CEO of OEPA.

6. REPORTING NON-COMPLIANCES AND CORRECTIVE MEASURES

In accordance with condition 4-5 of Statement 884, the CEO of the OEPA shall be advised of any potential non-compliance within seven days of the non-compliance being known. Non-compliances and the corrective and preventative measures taken will also be outlined in the annual Compliance Assessment Report.

7. TABLE OF CONTENTS OF COMPLIANCE ASSESSMENT REPORTS

The table of contents of the Project's Compliance Assessment Reports is detailed in Table 2. The structure of the report is guided by *Compliance Monitoring and Reporting – Guidelines for Proponents: Preparing a Compliance Assessment Plan – Draft* (OEPA, 2009).

Table 2: Table of Contents of Compliance Assessment Reports

Heading	Description
Introduction	<ul style="list-style-type: none"> • Brief details about the Project including: <ul style="list-style-type: none"> ○ reference to Statement 884; ○ relevant management strategies; and ○ period of time covered by report.
Current Status	<ul style="list-style-type: none"> • Summary of the current implementation status of the Project, specifically milestones/achievements within the reporting period. • Outline of any proposed changes to the Compliance Assessment Plan.
Compliance	<ul style="list-style-type: none"> • Inclusion of a statement as to whether DEC has complied with the conditions of Statement 884 over the reporting period. • Reference to the Audit Table and implementation of the management strategies. • Reporting of all potential non-conformances and non-compliances, and a description of the corrective and preventative actions taken.
Environmental Monitoring and Research	<ul style="list-style-type: none"> • Summary of the environmental monitoring undertaken over the period and provision of details of any research or studies undertaken during the reporting period.
Endorsement	<ul style="list-style-type: none"> • Endorsement by DEC's Director General or delegate.
Tables	<ul style="list-style-type: none"> • Ministerial Statement Audit Table. • Environmental Management Plan Audit Table.
Figures	<ul style="list-style-type: none"> • Any relevant figures including, but not limited to: <ul style="list-style-type: none"> ○ project location maps; and ○ monitoring locations.
Appendices	<ul style="list-style-type: none"> • Relevant appendices including monitoring results.

8. PUBLIC AVAILABILITY OF PROJECT DOCUMENTS

Compliance Assessment Reports relating to this Project will be made publicly available, with the approved Compliance Assessment Plan, within 14 days of submission to the OEPA. The web address at which the documents can be accessed will be provided to the OEPA's Compliance Branch within 14 days of the documents becoming publicly available. Stakeholders involved in the Project will also be informed by email that the documents are available online. .

The Dieback Management Plan will also be made available publicly.

All documents relating to this Project will be provided to the CEO of the OEPA in hard copy and CD format (one of each). Copies of will also be kept in the DEC library.

REFERENCES

Office of the Appeals Convenor, (2011) Ministerial Statement 884.

Office of the Environmental Protection Authority (2009) *Guidelines for Proponents – Preparing a Compliance Assessment Plan (CAP)* – Draft. Office of the Environmental Protection Authority, Government of Western Australia.

Office of the Environmental Protection Authority (2010) *Draft Fact Sheet 1 - Making Documents Publicly Available*, Office of the Environmental Protection Authority, Government of Western Australia.

Office of the Environmental Protection Authority (2012) *Guidelines for Proponents – Preparing an Audit Table* – Draft, Office of the Environmental Protection Authority, Government of Western Australia.

AUDIT TABLE

Statement Compliance Section

PROJECT: Coastal Walk Trail from Point Ann to Hamersley Inlet - Fitzgerald River National Park

APPENDIX A – AUDIT TABLE

Note:

- Phases that apply in this table = Pre-Construction, Construction, Operation, Decommissioning, Overall (several phases).
- This audit table is a summary and timetable of conditions and commitments applying to this project. Refer to the Minister's Statement for full detail/precise wording of individual elements.
- Code prefixes: M = Minister's condition, P = Proponent's commitment.
- Acronyms list: CEO = Chief Executive Officer of OEPA; DEC = Department of Environment and Conservation; DIA = Department of Indigenous Affairs; DMP = Department of Mining and Petroleum; EPA = Environmental Protection Authority; DoH = Department of Health; DoW = Department of Water, Minister for Env = Minister for the Environment; OEPA = Office of the Environmental Protection Authority.
- Compliance Status: C = Compliant, CLD = Completed, NA = Not Audited, NC = Non – compliant, NR = Not Required at this stage. Please note the terms VR = Verification Required and IP = In Process are only for OEPA use.

Audit Code	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
884:G									
884:M1.1	Proposal Implementation	The proponent shall implement the proposal as documented and described in schedule 1 of this statement subject to the conditions and procedures of this statement.	Implement the proposal as per Statement 884, Schedule 1.	Compliance Assessment Report	Minister for Env		Overall		
884:M2.1	Proponent Nomination and Contact Details	The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the <i>Environmental Protection Act 1986</i> is responsible for the implementation of the proposal.	Implement the proposal as per Statement 884, Schedule 1.	Compliance Assessment Report	Minister for Env		Overall		
884:M2.2	Proponent Nomination and Contact Details	The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority (CEO) of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.	Notify the CEO of OEPA of any change of name and address.	Copy of correspondence to CEO of OEPA advising of change of name and address.	CEO		Overall	Within 30 days of such change.	
884:M3.1	Time Limit of Authorisation	The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.	Commence implementation of the proposal by 22 December 2016.	Compliance Assessment Report	Minister for Env.		Overall	Commence implementation of the proposal by 22 December 2016.	
884:M3.2	Time Limit of Authorisation	The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.	Provide written evidence to the CEO.	Compliance Assessment Report	CEO		Overall	Annually	
884:M4.1	Compliance Reporting	The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.	Preparation of a Compliance Assessment Plan and an Audit Table in compliance with the requirements of the OEPA.	Approved Compliance Assessment Plan and Audit Table (this document).	CEO		Pre-construction	Compliance Assessment Plan prior to implementation of proposal.	

Audit Code	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
884:M4.2	Compliance Reporting	The proponent shall submit to the CEO the compliance assessment plan required by condition 4-1 at least six months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner. 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.	Provide CEO with Compliance Assessment Plan in accordance with requirements of OEPA.	Approved Compliance Assessment Plan and Audit Table (this document).	CEO		Pre-construction	Prior to implementation of proposal.	
884:M4.3	Compliance Reporting	The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.	As specified in Compliance Assessment Plan.	Compliance Assessment Report	Minister for Env		Overall	Annually by 22 March, reporting on the previous twelve month period from 22 December (date of issue of Statement).	
884:M4.4	Compliance Reporting	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.	Records and reports shall be retained and maintained in accordance with the DEC's document management system requirements so that they can be retrieved if requested	Availability of records at the request of the CEO.	CEO		Overall	When requested by CEO.	
884:M4.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.	Notify the CEO in writing.	Written correspondence to CEO advising of non-compliance. Compliance Assessment Report.	CEO		Overall	Within 7 days of non-compliance being known.	
884:M4.6	Compliance Reporting	The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this Statement addressing the twelve month period from the date of issue of this Statement and then annually from the date of submission of the first compliance assessment report. The compliance assessment report shall: 1. be endorsed by the proponent's Director General or a person delegated to sign on the Director General'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.	Provide CEO with Compliance Assessment Report in accordance with Compliance Assessment Plan.	Compliance Assessment Report. Endorsement by DEC's Director General (or delegate) of the Compliance Assessment Report. Copies of the Compliance Assessment Report available on DEC website (www.dec.wa.gov.au/frnp) and sent to DEC Library and PIMB (OEPA).	CEO	Endorsement by Director General of DEC	Overall	The first Compliance Assessment Report submitted by 22 March 2013, then annually by 22 March..	
884:M5.1	Protection of Wilderness Management Zone	The proponent shall not implement any aspect of the proposal within the Wilderness Management Zone as depicted in Figure 1.	No aspect of the proposal will be implemented in the Wilderness Management Zone.	Compliance Assessment Report			Overall	Duration of proposal.	

AUDIT TABLE

Statement Compliance Section

PROJECT: Coastal Walk Trail from Point Ann to Hamersley Inlet - Fitzgerald River National Park

Audit Code	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
884:M6.1	Environmental Management Plan	Prior to the commencement of construction of the proposal, the proponent shall prepare an Environmental Management Plan for the construction of the proposal to the satisfaction of the CEO. The primary objective of the Environmental Management Plan is to ensure that dieback disease (<i>Phytophthora</i> species) is not introduced as a direct or indirect result of construction activities into uninfected areas of the proposal area. Other potential impacts associated with construction including, but not limited to, weeds, fire, erosion and uncontrolled access, shall be addressed in the Plan.	Preparation of <i>Fitzgerald River National Park Improvement Project Walk Trails Environmental Management Plan (Walk Trails EMP)</i> addressing the environmental management of the proposal.	Walk Trails EMP to the satisfaction of the CEO.	CEO		Construction	Prior to construction.	
884:M6.2	Environmental Management Plan	During the construction phase, the proponent shall implement the Environmental Management Plan referred to in condition 6-1.	Implementation of the Walk Trails EMP.	Monthly EMP compliance reports, which will be summarised in the Compliance Assessment Report.			Construction	Annually during construction.	
884:M6.3	Environmental Management Plan	During the construction phase, the proponent shall annually review and report progress on conditions 6-1 and 6-2 in the compliance assessment report required by condition 4-6.	Annual review of Walk Trails EMP and progress report as part of the Compliance Assessment Report.	Compliance Assessment Report.			Construction	Annually during construction.	
884:M7.1	Flora and Vegetation	Prior to the commencement of construction of the proposal, the proponent shall conduct a detailed flora and vegetation survey of the proposal area to the satisfaction of the CEO.	Detailed flora survey and vegetation mapping of proposed walk trail alignment. Flora and vegetation surveys will be staged for different sections of the trail, as allowed for in Condition 10-1.	Report on the detailed flora and vegetation survey of the walk trail.	CEO		Pre-Construction	Prior to construction.	
884:M7.2	Flora and Vegetation	Prior to the commencement of construction of the proposal, the proponent shall use the results of the detailed flora and vegetation survey required by condition 7-1 to demonstrate to the satisfaction of the CEO that the proposal has been located to avoid, where practicable, populations of rare or threatened communities or species, or species of restricted regional distribution.	Alignment of the walk trails will be designed to avoid significant flora and vegetation where practicable. The alignment and an assessment of potential impacts on threatened and priority flora species and communities submitted to the CEO.	Assessment of potential impacts on threatened and priority flora species and communities reports submitted to the CEO. Walk Trails EMP.	CEO		Pre-construction	Prior to construction.	
884:M7.3	Flora and Vegetation	Prior to the commencement of construction of the proposal, the proponent shall establish reference sites to monitor potential impacts on flora and vegetation in the vicinity of the proposal.	Establishment of fixed photographic monitoring points every 500m along the trail alignment and in sensitive areas such as dunes or high impact areas such as campsites.	Walk Trails EMP. Compliance Assessment Report.	CEO		Pre-construction.	Prior to construction.	

Audit Code	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
884:M7.4	Flora and Vegetation	During the construction phase, the proponent shall monitor the reference sites referred to in Condition 7-3 and report the results in the compliance assessment report required by condition 4-6.	Weekly photographic monitoring to be undertaken during construction phase at each fixed monitoring point. Following construction, photographic monitoring at each reference site to be undertaken monthly for six months post construction, then annually for duration of proposal.	Monitoring records, maps and photographs. Compliance Assessment Report.	CEO		Construction	Ongoing.	
884:M8.1	Dieback Risk Assessment	Prior to the commencement of the operation of the proposal, the proponent shall prepare a Dieback Risk Assessment for the operation of the proposal to the satisfaction of the CEO. The primary objective of the Dieback Risk Assessment is to identify appropriate <i>Phytophthora dieback</i> disease risk management strategies for the operation of the proposal.	Dieback Risk Assessment and disease management strategies for the operation of the proposal. Submit Dieback Risk Assessment report to the CEO.	Dieback Risk Assessment.	CEO		Operational	Prior to commencement of walk trail operation.	
884:M8.2	Dieback Risk Assessment	The proponent shall commission an Independent Specialist to review the Dieback Risk Assessment for the operation of the proposal, with the Independent Specialist's assessment report being provided to the CEO within 20 business days of it being received by the proponent.	Engage Independent Specialist to review the Dieback Risk Assessment. Submit Independent Specialist's report to the CEO within 20 business days of receipt.	Consultant's assessment report on the Dieback Risk Assessment.	CEO	Independent Specialist.	Operational	Prior to commencement of walk trail operation.	
884:M9.1	Dieback Management Plan	Prior to the commencement of the operation of the proposal, the proponent shall prepare a Dieback Management Plan for the operation of the proposal to the satisfaction of the CEO. The objective of the Dieback Management Plan is to ensure that <i>Phytophthora dieback</i> disease is not introduced into uninfected areas of the Fitzgerald River National Park during the ongoing management of the proposal.	Preparation of a Dieback Management Plan in accordance with stated objectives. Submit Dieback Management Plan to CEO.	Dieback Management Plan.	CEO		Operational	Prior to commencement of walk trail operation.	
884:M9.2	Dieback Management Plan	The Dieback Management Plan shall include, but not limited to: 1. the findings and outcomes from the Dieback Risk Assessment required by condition 8-1; 2. hygiene management measures to prevent the introduction of dieback disease; 3. surveys of the project area to identify and map the location of any dieback infestations; 4. a baseline map of any previously identified dieback infestations; 5. procedures for limiting and authorising access to areas that are dieback infected; 6. infrastructure and maintenance requirements; 7. public education programs and facilities; and 8. a dieback response plan detailing actions and contingency measures that will be taken if the proposal area is found to be infected by <i>Phytophthora dieback</i> including containment, resourcing and remedial treatment of <i>Phytophthora dieback</i> .	Preparation of Dieback Management Plan in accordance with stated criteria.	Dieback Management Plan.	CEO		Operational	Prior to commencement of coastal walk trail operation.	
884:M9.3	Dieback Management Plan	The proponent shall implement the Dieback Management Plan required by condition 9-1 during the ongoing operation of the proposal.	Implementation of Dieback Management Plan.	Compliance Assessment Report.			Operational	Annually for duration of proposal.	

AUDIT TABLE

Statement Compliance Section

PROJECT: Coastal Walk Trail from Point Ann to Hamersley Inlet - Fitzgerald River National Park

Audit Code	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
884:M9.4	Dieback Management Plan	The proponent shall review annually the approved Dieback Management Plan required by condition 9-1 and report the results in the compliance assessment report required by condition 4-6.	Formal review of Dieback Management Plan.	Review of Dieback Management Plan. Compliance Assessment Report.			Operational	Annually for duration of proposal.	
884:M9.5	Dieback Management Plan	The proponent shall make the Dieback Management Plan required by Conditions 9-1 publicly available.	Within 14 days of submission to the OEPA, the document will be posted on the DEC website for the life of the project. Within 14 days from the date of making documents publicly available, the website address/link at which they can be located shall be provided to the Proposal Implementation Monitoring Branch (PIMB).	Document available on DEC website (www.dec.wa.gov.au/frnp). Copy of document to DEC Library and PIMB (OEPA).	CEO		Operational	Following completion of Dieback Management Plan.	
884:M10.1	Staging of Plans	Where a plan, assessment or survey is required by these conditions to be prepared and approved prior to the commencement of an activity, it is required that the plan, assessment or survey can be prepared and approved as per the relevant condition requirements for a component or stage of the activity, allowing staged implementation.	Staged flora and vegetation surveys. Staged assessments of impacts on threatened and priority flora species as required for Condition 7-2.	Flora and vegetation surveys reports. Assessment of potential impacts on threatened and priority flora species and communities reports submitted to the CEO.	CEO		Overall	Ongoing	