

CS01249 Balannup Wastewater Pressure Main

Compliance Assessment Plan – April 2018



Document Information

| | |
|---------------------------|---|
| Document Title | CS01249 Balannup Wastewater Pressure Main: Compliance Assessment Plan |
| Document Reference | 18888810 |

| Version | Date | Author | Reviewer | Key Changes |
|---------|------------|----------|----------|-----------------------------|
| Draft | March 2018 | V Clarke | | Draft for internal comment |
| 1 | April 2018 | V Clarke | J. Cole | *Approved for issue to EPA* |

Contents

| | | |
|-----------|-----------------------------------|----------|
| 1. | Purpose..... | 3 |
| 2. | Scope | 3 |
| 3. | The Project..... | 4 |
| 3.1. | Project Overview | 4 |
| 4. | Compliance Assessment..... | 4 |
| 4.1. | Compliance Assessment Report | 4 |
| 4.2. | Audit Table | 5 |
| 5. | Retention of Records..... | 5 |
| 6. | Reporting | 5 |
| 6.1. | Public Availability | 5 |
| 7. | Definitions..... | 6 |
| 8. | References..... | 6 |

1. Purpose

The document outlines the requirements for ensuring the implementation of the Balannup Wastewater Pressure Main project (the Project) is in accordance with Ministerial Statement 1063 (MS1063).

2. Scope

This document has been prepared to satisfy the following conditions of MS1063:

Compliance Reporting

- 4-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.
- 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 otherwise 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.

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 by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this Statement

3. The Project

3.1. Project Overview

The project is to construct and operate a 4.5 kilometre long wastewater pressure main from the Collared Street Pump Station to the Waterworks Road Pump Station, Haynes in the locality of Armadale WA. The main environmental sensitivities of this project are:

- Bush Forever Site 342
- Gibbs Road Swamp System (Nationally Important Wetland)
- Conservation Category Wetlands
- Regionally significant Flora and Fauna.

Balannup Wastewater Pressure Main is approved under Ministerial Statement 1063, which includes conditions for the implementation of the proposal.

4. Compliance Assessment

Water Corporation will assess compliance against all conditions in Ministerial Statement 1063 on an annual basis.

The compliance assessment will be documented in a Compliance Assessment Report that is prepared in accordance with *Post Assessment Guideline No. 3: Post Assessment Guideline for Preparing a Compliance Assessment Report* (OEPA 2012).

4.1. Compliance Assessment Report

The compliance assessment report will include:

- Status of implementation of the proposal
- An assessment and declaration of the compliance status for all conditions
- Provision of evidence to verify the compliance status
- Details of any non-compliance identified within the reporting period and a description of the corrective and preventative actions taken or being taken
- A review of the effectiveness of corrective and preventative actions for any identified non-compliances.

At a minimum, the Compliance Assessment Report must include the following section headings:

- Introduction
- Implementation status
- Compliance
 - Statement of compliance

- Non-compliances
- Internal/external audit results
- Complaints register
- Review of non-compliances
- Audit table.

4.2. Audit Table

An audit table has been prepared for the project in accordance with the *Post Assessment Guideline No. 1: Post Assessment Guideline for Preparing an Audit Table* (OEPA 2012). This audit table is included as Attachment A. The audit table will be included in the Compliance Assessment Report.

5. Retention of Records

Water Corporation has a Records Keeping Plan in place to ensure compliance with its obligations under the *State Records Act 2000*. A part of this record keeping plan is the retention and disposal schedule, which is approved by the State Records Office and outlines the minimum period records must be kept.

Compliance Assessment Reports, compliance assessments, and records of all associated evidence used to verify compliance will be kept in accordance with the current approved version of the Water Corporation Retention and Schedule.

Under the current retention and disposal schedule in place at the time of preparing this plan, most records will be retained for a minimum of five (5) years.

6. Reporting

Ministerial Statement 1063 includes specific implementation conditions for the reporting of Compliance Assessment Reports and potential non-compliances. All reports will be addressed to the CEO. Table 1 presents the manner in which this reporting will occur.

Table 1 Compliance reporting for Ministerial Statement 1063

| Condition | Requirement | Reporting timeframe | Method of reporting |
|-----------|---|--|---|
| 4-5 | Advise the CEO of any potential non-compliance. | Within seven (7) days of that non-compliance being known. | Email. |
| N/A | Reporting of corrective actions taken for reported non-compliances. | Within 30 days of the non-compliance being known. | Email. |
| 4-6 | Submit to the CEO the first Compliance Assessment Report addressing the 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 otherwise agreed in writing by the CEO. | Submitted prior to 31 January each year. Reporting on the period from October to September. | Compliance Assessment Report signed by Water Corporation's CEO (or delegate) submitted via email. |

6.1. Public Availability

In line with Condition 5-1 and the *Post Assessment Guideline 4: Making Information Publicly Available* (OEPA 2012), compliance assessment reports will be made publicly available by

publishing them on the Water Corporation's website. This will occur within 14 days of the report being submitted to the CEO.

In the event that Water Corporation submits a request to exclude information from being publicly available, the compliance assessment report will be published 14 days after receiving a response from the CEO advising of the outcome of this request.

The compliance assessment report will include supporting information that demonstrates compliance with each implementation condition as detailed in the 'how' and 'evidence' columns of the audit table (Attachment A).

7. Definitions

| Term | Definition |
|------|---|
| CEO | Refers to the Chief Executive Officer of the department of the public service responsible for the administration of Section 48 of the <i>Environmental Protection Act 1986</i> or delegate. |
| CAP | Compliance Assessment Plan |
| CAR | Compliance Assessment Report |

8. References

Environmental Protection Authority 2017, Report and recommendations of the Environmental Protection Authority, Balannup Wastewater Pressure Main. Report 1592. OEPA, Perth.

Minister for Environment; Disability Services Deputy Leader of the Legislative Council 2017, Statement that a proposal may be implemented, Balannup Wastewater Pressure Main, Statement No. 1063. Government of Western Australia, Perth

Office of the Environmental Protection Authority (OEPA) 2012, Post Assessment Guideline for Preparing an Audit Table, Post Assessment Guideline No. 1

OEPA 2012, Post Assessment Guideline for Making Information Publicly Available, Post Assessment Guideline No. 2

OEPA 2012, Post Assessment Guideline for Preparing a Compliance Assessment Report, Post Assessment Guideline No.3



Attachment A – Audit Table

This audit table provides a summary of the conditions applying to this proposal. Refer to the issued Ministerial Statement 1063 for the exact wording and details of the conditions.

Phase codes:

- Pre-construction (PC), Construction (C), Operation (O), Decommissioning (DC), Overall (A)
- Refer to Post Assessment Guideline No. 1 - Post Assessment Guideline for Preparing an Audit Table for definitions of phases.

Status codes:

- Compliant (C), Completed (CLD), Not required at this stage (NR), Potentially Non-Compliant (PNC), Non-Compliant (NC), In Process (IP)
- Refer to Post Assessment Guideline No. 1 - Post Assessment Guideline for Preparing an Audit Table for definitions of codes.

Table 2 Audit Table for Ministerial Statement 1063 Balannup Wastewater Pressure Main

| Audit Code | Subject | Requirement | How | Evidence Required | Phase | Timing | Status | Comment |
|-------------------|----------|---|---|---|-------|---|--------|---------|
| 1063:M 1-1-1.1 | Proposal | 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 EP Act. | Request an amendment to the proposal prior to: <ul style="list-style-type: none"> • Disturbing any additional areas in Area A • Clearing additional native vegetation (over 0.1 ha) • Trenching within Area A • Dewatering within Area A. | Records of any approved amendments to the proposal | A | | | |
| 1063:M 2-1 | Contact | 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 of the principal office in the State. | Send written notification to the CEO notifying of change to the Water Corporation's: <ul style="list-style-type: none"> • name • location of head office from JTWC • postal address. | Copy of written notification to the CEO notifying of change in proponent details. | A | Within 28 days of the change occurring. | | |
| 1063:M 3-1 | Proposal | The proponent shall not commence implementation of the proposal after five (5) years from the date on this Statement, and any commencement, prior to this date, must be substantial. | Substantially commence construction before October 2022. | Records demonstrating substantial commencement. | A | Prior to October 2022. | | |
| 1063:M 3-2 | Proposal | Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement. | Submit CAR containing evidence of substantial commencement occurring prior to October 2022. | Records demonstrating substantial commencement. | A | Prior to October 2022. | | |



| Audit Code | Subject | Requirement | How | Evidence Required | Phase | Timing | Status | Comment |
|------------|----------------------|--|---|---|-------|--|--------|---------|
| 1063:M 4-1 | Compliance Reporting | The proponent shall prepare, and maintain a CAP which is submitted to the CEO at least six (6) months prior to the first CAR required by condition 4-6, or prior to implementation of the proposal, whichever is sooner. | Prepare a CAP in accordance with the EPA post assessment guideline "Preparing a compliance assessment plan" | Copy of written correspondence submitting CAP (and any future modifications). | PC | Prior to either: <ul style="list-style-type: none"> Commencement of construction works or <ul style="list-style-type: none"> Jan 2019 (whichever is sooner) | | |
| 1063:M 4-2 | Compliance Reporting | The CAP shall indicate: <ol style="list-style-type: none"> the frequency of compliance reporting; the approach and timing of compliance assessments; the retention of compliance assessments; the method of reporting of potential non-compliances and corrective actions taken; the table of contents of CAR; and public availability of CAR. | Prepare a CAP in accordance with the EPA post assessment guideline "Preparing a compliance assessment plan". | <ul style="list-style-type: none"> Copy of written correspondence from DWER approving CAP (and any modifications). CAP. | PC | Prior to either: <ul style="list-style-type: none"> Commencement of construction works or <ul style="list-style-type: none"> Jan 2019 (whichever is sooner) | | |
| 1063:M 4-3 | Compliance Reporting | After receiving notice in writing from the CEO that the CAP satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the CAP required by condition 4-1. | Conduct compliance assessments at the frequency outlined in the CAP. | CAR. | A | | | |
| 1063:M 4-4 | Compliance Reporting | The proponent shall retain reports of all compliance assessments described in the CAP 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 CAP and submitted the reports to the CEO if a request is received | <ul style="list-style-type: none"> Copy of written correspondence of any requests by CEO. Copy of WC response to request. | A | | | |
| 1063:M 4-5 | Compliance Reporting | The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known. | In accordance with Section 6 of CAP, send written notification of potential non-compliance to the CEO. | Copies of written notification. | A | Within seven (7) days of the potential non-compliance being known. Reporting of corrective actions taken for reported non-compliances within 30 days of the non-compliance being known. | | |



| Audit Code | Subject | Requirement | How | Evidence Required | Phase | Timing | Status | Comment |
|------------|--------------------------------------|---|--|--|-------|--|--------|---------|
| 1063:M 4-6 | Compliance Reporting | <p>The proponent shall submit to the CEO the first CAR 15 months from the date of issue of this Statement addressing the 12-month period from the date of issue of this Statement and then annually from the date of submission of the first CAR, or as otherwise agreed in writing by the CEO.</p> <p>The CAR shall:</p> <ol style="list-style-type: none"> 1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the 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 CAP; and 5) indicate any proposed changes to the CAP required by condition 4-1. | Submit the CAR to the CEO in accordance with the CAP. | <ul style="list-style-type: none"> • CAR. • Record of written notification submitting CAR. | A | Prior to 3 January 2019. | | |
| 1063:M 5-1 | Public Availability of Data | 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 by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products – e.g. maps) relevant to the assessment of this proposal and implementation of this Statement. | As per the Public Availability section of the approved CAP. | <ul style="list-style-type: none"> • Copy of written correspondence approving the CAP. • Records demonstrating publishing of CAR | A | Annually, within 14 days of CAR being submitted to the CEO or within 14 days of the CEO advising of outcome of any request to exclude information from being publicly available. | | |
| 1063:M 5-2 | Public Availability of Data | <p>If any data referred to in condition 5-1 contains particulars of:</p> <ol style="list-style-type: none"> 1. a secret formula or process; or 2. confidential commercially sensitive information <p>the proponent may submit a request for approval from the CEO to not make these data 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.</p> | Submit written notification to CEO detailing any information that should not be made publicly available. | <ul style="list-style-type: none"> • Copy of written request to CEO. • Copy of written notification from CEO approving request. | A | | | |
| 1063:M 6-1 | Flora and Vegetation & Inland Waters | The proponent shall ensure that impacts from construction within Area A, as identified in Figure 1, on water quality and flora and vegetation are minimised as far as practicable through the implementation of conditions 6-2 and 6-3. | Conduct Baseline Survey and Monitoring Plan (Flora and Vegetation and Hydrological Processes). | Report outlining the results of vegetation monitoring. | C, O | For two years post construction, or otherwise agreed by CEO. | | |



| Audit Code | Subject | Requirement | How | Evidence Required | Phase | Timing | Status | Comment |
|---------------|-----------------------------------|--|---|--|---|--------------------|--------|---------|
| 1063:M 6-2 | CEMP | Prior to the commencement of ground disturbing activities within Area A, as identified in Figure 1, the proponent shall prepare a Construction Environmental Management Plan to minimise impacts from construction within Area A on the Anstey-Keane Dampland and Bush Forever site 342, to the requirements of the CEO, on advice of the Department of Biodiversity, Conservation and Attractions and Department of Water and Environmental Regulation. | Prepare CEMP | <ul style="list-style-type: none"> Copy of CEMP. | PC | | | |
| | | | | <ul style="list-style-type: none"> CAR to include records demonstrating compliance with CEMP. | C | | | |
| 1063:M 6-3 | CEMP | The Construction Environmental Management Plan shall include provisions: (1) to prevent the introduction or spread of weeds during construction; (2) to undertake follow-up weed control, post construction; (3) to ensure disease and pathogens, such as Phytophthora cinnamomi, are not introduced into disease-free areas of the proposal area during construction; and (4) for the treatment of ASS consistent with the requirements of the Department of Water and Environmental Regulation's Acid sulfate soils guidelines Identification and investigation of acid sulfate soils and acidic landscapes (2015) and Treatment and management of soils and water in acid sulfate soil landscapes (2015), or any approved update of these guidelines. | <ul style="list-style-type: none"> Include hygiene (weeds/dieback) controls in the Construction Environment Management Framework (CEMF). Include ASS management in the CEMP/CEMF Implement the CEMF through the CEMP | <ul style="list-style-type: none"> Copy of CEMF. CAR to include records demonstrating compliance with CEMF | <ul style="list-style-type: none"> PC C | | | |
| 1063:M 6-4 | CEMP | The proponent: (1) may review and revise the Construction Environmental Management Plan, or (2) shall review and revise the Construction Environmental Management Plan as and when directed by the CEO. | Revised CEMP | Copy of revised CEMP. | PC | As and if required | | |
| | | | | | C | | | |
| 1063:M 6-5 | CEMP | The proponent shall implement the latest revision of the Construction Environmental Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-2. | Revised CEMP | Copy of revised CEMP. | C | | | |
| 1063:M 7-1 | Baseline Survey & Monitoring Plan | The proponent shall implement the proposal in Area A as identified in Figure 1 to meet the following environmental objective: (1) to ensure that the proposal does not result in indirect impacts to the health of the Threatened Ecological Community Swan Coastal Plain 1 0a 'shrub/ands on dry clay flats' as shown in Figure 2, as a result of changes to groundwater flows. | Develop Baseline Survey and Monitoring Plan. | Copy of Implement Baseline Survey and Monitoring Plan. | PC | | | |
| | | | Implement Baseline Survey and Monitoring Plan. | CAR to include records demonstrating compliance with Implement Baseline Survey and Monitoring Plan. | PC, C, O | | | |
| 1063:M 7-2 | Baseline Survey & | Prior to the commencement of ground disturbing activities within Area A as identified in Figure 1, the | Develop Baseline Survey and Monitoring Plan. | <ul style="list-style-type: none"> Baseline Survey and Monitoring Plan. | PC/C | | | |



| Audit Code | Subject | Requirement | How | Evidence Required | Phase | Timing | Status | Comment |
|------------|-----------------------------------|--|---|--|-------|--|--------|---------|
| | Monitoring Plan | <p>proponent, in consultation with the Department of Biodiversity, Conservation and Attractions, shall prepare and submit a Baseline Survey and Monitoring Plan to the CEO. The Baseline Survey and Monitoring Plan shall:</p> <ol style="list-style-type: none"> (1) when implemented determine that the objective in 7-1 is being met; (2) detail the proposed methodology for the surveys including the parameters to be monitored to determine whether there are any changes to groundwater flows and decline in the health of the Threatened Ecological Community Swan Coastal Plain 1 0a 'shrub/ands on dry clay flats' as shown in Figure 2; (3) include the method for developing hydrological criteria from baseline data, to demonstrate that the objective in 7-1 is being met; (4) identify and spatially define the proposed survey locations and reference/control sites and provide rationale for the location of the sites; and (5) detail the proposed frequency and timing for the baseline surveys and ongoing monitoring. | Implement Baseline Survey and Monitoring Plan. | <ul style="list-style-type: none"> • CAR to include records demonstrating compliance with Baseline Survey and Monitoring Plan. | C, O | For 2 years post construction. | | |
| 1063:M 7-3 | Baseline Survey & Monitoring Plan | <p>After receiving notice in writing from the CEO that the Baseline Survey and Monitoring Plan satisfies the requirements of condition 7-2, the proponent shall undertake the baseline surveys in accordance with the requirements of the Baseline Survey and Monitoring Plan, or as agreed by the CEO.</p> <p>On completion of the baseline surveys the proponent shall report to the CEO on the following:</p> <ol style="list-style-type: none"> (1) completion of the baseline surveys in accordance with the Baseline Survey and Monitoring Plan; (2) the results of the baseline surveys; and (3) the hydrological criteria referred to in condition 7-2(3). | Implement Baseline Survey & Monitoring Plan | <p>Baseline Survey & Monitoring Plan</p> <p>CAR to include records demonstrating compliance with Baseline Survey & Monitoring Plan</p> | PC/C | Annually for two (2) years post construction | | |
| 1063:M 7-4 | Baseline Survey & Monitoring Plan | The proponent shall continue to monitor the areas identified in condition 7-2(4) for a period of 2 years post construction, or as otherwise agreed in writing by the CEO, in order to demonstrate that the environmental objective in condition 7-1 has been met. | Implement Baseline Survey & Monitoring Plan | Report outlining the results of monitoring in CAR | C, O | Annually for two (2) years post construction | | |
| 1063:M 7-5 | Baseline Survey & Monitoring Plan | The proponent shall submit the monitoring results required by condition 7-4, annually to the CEO. | Implement & report on Baseline Survey & Monitoring Plan | Report outlining the results of monitoring in CAR | | Annually for two (2) years post construction | | |