

Audit table for Ministerial Statements 549 and 848

Audit Code	Subject	Action	How	Evidence	Requirements of	Advice from	Phase	When	Status
549:M1.1	Implementation	Implement the project as documented in Schedule 1 of Statement 549	The manner of detailed implementation of the proposal shall conform in substance with that set out in any designs specifications, plans or other technical material submitted by the proponent to the EPA initially with the proposal and summarised in Schedule 1 and subsequently, as part of further consideration under Section 46 of the EP Act 1986	Annual Compliance Assessment Report	CEO		Overall	Throughout the life of the project	Not required at this stage.
549:M1.2	Change to proposal	Refer any change to the proposal, as documented in Schedule 1, to the EPA if the Min for Env determines it is substantial	Refer substantial changes to the EPA	Referral of substantial changes to the proposal	Min for Env	EPA	Overall	Prior to any substantial changes to the proposal being made	Not applicable
549:M1.3	Change to proposal	Changes to the proposal, as documented in Schedule 1, may be effected where the Min for Env determines that those changes are not substantial	The criteria are that the proposed change: 1. has no additional, significant environmental impacts; 2. is not a significant and environmentally adverse change to a key proposal characteristic as shown in Schedule 1; 3. has addressed any justifiable environmental concerns of relevant stakeholders; 4. is manageable under the existing conditions of this statement and 5. status of compliance reporting is satisfactory.	Assess any change to proposal against criteria and submit evidence to OEPA	Min for Env	EPA	Overall	Prior to any substantial changes to the proposal being made	Sept 2002 - non-substantial change to include grain approved. Dec 2010 - change to implementation date i.e. substantially commenced by 13/07/2015.
549:M2.1	Proponent Commitments	Implement the consolidated environmental management commitments documented in Schedule 2 of Statement 549	Project implemented as described in Schedule 2 of Statement 549	Annual Compliance Assessment Report	CEO		Overall	Throughout the life of the project	Not required at this stage.
549:M2.2	Proponent Commitments	Implement subsequent environmental management commitments which the proponent makes as part of the fulfilment of conditions and procedures in Statement 549	Implement commitments made as part of the fulfilment of conditions and procedures in Statement 549	Annual Compliance Assessment Report	CEO		Overall	Throughout the life of the project	Not required at this stage.
549:M3.1	Proponent	The proponent nominated by the Minister for the Environment, under S38(6) or (7) of the EP Act is responsible for the implementation of the project until the Minister has revoked this nomination and nominated another person in respect of the proposal under S38(7) of the EP Act	Proponent nominated to implement the proposal	Proponent details as listed in Ministerial Statement	Min for Env	DEP	Overall	Throughout the life of the project	July 2005 - change of proponent from FPA, Koolyanobbing Iron Ore and Westrail to Fremantle Ports and ARG.
549:M3.2	Proponent	Any request for a change in proponent shall be accompanied by a copy of the Minister's statement endorsed with an undertaking by the proposed replacement proponent to carry out the proposal in accordance with the conditions and procedures set out in the statement	Letter to OEPA requesting a change in proponent accompanied by copy of Ministerial Statement endorsed by replacement proponent.	Statement endorsed by the proposed replacement proponent	Min for Env	DEP	Overall	Before transfer of ownership of the proposal	Not applicable
549:M3.3	Proponent	Notify the DEP of any change of proponent contact name and address	Letter to EPA	Letter to EPA	CEO		Overall	Within 30 days of any change of address	Not applicable
549:M4.1	Commencement	Provide evidence to the Minister for the Environment within five years of the date of this statement that the proposal has been substantially commenced	Letter to the Minister for the Environment outlining substantial commencement	Letter to the Minister for the Environment	Min for Env	DEP	Design	Before 13 July 2005	Condition has now been deleted and is replaced by Condition 10 of Statement 848
549:M4.2	Commencement	If the proposal has not been substantially commenced within five years of the date of this statement, the approval to implement the proposal as granted in Statement 549 shall lapse and be void	The Minister will determine any question as to whether the proposal has been substantially commenced	Notification from the Minister for the Environment regarding proposal lapsing	CEO		Design		Condition has now been deleted and is replaced by Condition 10 of Statement 848

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549:M4.3	Commencement	Make an application to the Minister for the Environment for any extension of approval for the substantial commencement of the proposal beyond five years from the date of Statement 549	Letter regarding extension required, stating that the proposal is to be implemented as approved.	Letter regarding extension required, stating that the proposal is to be implemented as approved.	CEO		Design	At least six months prior to the expiration of the five year period referred to in conditions M4.1 and M4.2	Condition has now been deleted and is replaced by Condition 10 of Statement 848
549:M4.4	Project parameters	The Minister may grant an extension of approval not exceeding five years	If the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly	Letter regarding extension required, stating that the proposal is to be implemented as approved	Min for Env	EPA	Design		Condition has now been deleted and is replaced by Condition 10 of Statement 848
549:M5.1	Compliance Auditing	Submit periodic Compliance Reports	In accordance with the audit programme prepared in consultation between the proponent and the DEP	Annual Compliance Assessment Report	CEO		Overall	Prior to commencement of construction and annually thereafter until further notice	Condition has now been deleted and is replaced by Condition 11 of Statement 848
549:M5.2	Compliance Auditing	The CEO of the DEP will assess compliance with the condition, procedures and commitments of Statement 549 and will issue formal, written advice when satisfied that each audit element has been complied with.	OEPA to issue formal, written advice when satisfied that each audit element has been complied with.	Letter received from CEO of OEPA	CEO	DEP	Overall	Prior to commencement of construction and annually thereafter until further notice	Condition has now been deleted and is replaced by Condition 11 of Statement 848
549:M5.3	Compliance Auditing	The Min for Env will determine any dispute over compliance with any condition, procedure or commitment of Statement 549	The Minister will determine any dispute in compliance and notify the proponent.	Notification from the Minister	Min for Env	DEP	Overall	Throughout the life of the project	Condition has now been deleted and is replaced by Condition 11 of Statement 848
549:M6.1	Environmental Management System	Demonstrate that an Environmental Management System is in place	The EMS shall include the following elements: 1. Environmental policy and corporate commitment to the EMS; 2. Mechanisms and processes to ensure: i. Planning to meet environmental requirements; ii. Implementation and operation of actions to meet environmental requirements; iii. Measurement and evaluation of environmental performance; 3. Review and improvement of environmental outcomes.	Submission of EMS to OEPA	EPA	DEP	Construction	Prior to commissioning	Not required at this stage.
549:M6.2	Environmental Management Systems	Implement the EMS as required by condition M6.1	Operate in accordance with the approved EMS	Annual Compliance Assessment Report	CEO		Operation	From commencement of construction	Not required at this stage.
549:M7.1	Decommissioning and Rehabilitation Management Plan	Prepare a Decommissioning and Rehabilitation Management Plan	The Plan shall address 1. removal or, if appropriate, retention of plant and infrastructure; 2. rehabilitation of all disturbed areas to a standard suitable for agreed new land uses; and 3. identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities	Decommissioning and Rehabilitation Management Plan	EPA	DEP	Operation	At least six months prior to decommissioning	Not required at this stage.
549:M7.2	Decommissioning and Rehabilitation Management Plan	Implement the Decommissioning and Rehabilitation Management Plan required by Condition M7.2	Implement the Plan required by Condition M7.2	Annual Compliance Assessment Report	CEO		Decommissioning	At the end of operations phase	Not required at this stage.

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549:M7.3	Decommissioning and Rehabilitation Management Plan	Make the Decommissioning and Rehabilitation Management Plan required by Condition M6.1 publicly available	Carry out the following: 1. Provide free copies of the documentation when approved for release to organisations nominated by EPA, such as the DEP library (2 copies), Battye Library (3 copies) and local Government libraries (2 copies each); and 2. Request DEP to advertise the availability in the EPA/DEP weekly advertisement in the Monday edition of "The West Australian" newspaper.	Annual Compliance Assessment Report	EPA	DEP	Operation	Once Decommissioning and Rehabilitation Management Plan has been approved by the EPA	Not required at this stage.
549:M8	Performance Review	Submit a Performance Review to; 1. Document the outcomes, beneficial or otherwise; 2. Review the success of goals, objectives and targets; and 3. Evaluate the environmental performance over the five years.	The performance review shall be relevant to 1. the environmental objectives reported on in EPA Bulletin 953; 2. the proponent's consolidated environmental management commitments documented in schedule 2 of Statement 549 and those arising from the fulfilment of conditions and procedures in Statement 549; 3. the environmental management system environmental performance targets; 4. environmental management programs and plans; and/or, 5. environmental performance indicators	Performance Review Report	EPA	DEP	Operation	Each five years following the commencement of construction	Not required at this stage.
549:M9	Nature of Imported or Exported Commodities	In the event that the proponent chooses to handle commodities other than iron ore, submit the details of these commodities to the EPA	Submit details of commodities to the EPA	Submission of details of commodities	EPA	DEP	Construction	Prior to operations taking place	Sept 2002 - non-substantial change to include grain approved.
549:P1	Marine Component - Outer Harbour Liaison Group	Operate the Outer Harbour Liaison Group	To enable local community, industry and government representatives to discuss port related issues	Details of meetings to be included in annual Compliance Assessment Report	CEO		Overall	Throughout the life of the project	Not required at this stage.
549:P2.1	Marine Component - Environmental Management System	Prepare an Environmental Management System to meet the requirements of ISO 14001 as required by M6.1	The EMS shall include the following elements: 1. Environmental policy and corporate commitment to the EMS; 2. Planning to meet environmental requirements; 3. Implementation and operation of actions to meet environmental requirements; 4. Measurement and evaluation of environmental performance; 5. Review and improvement of environmental outcomes.	Submission of EMS to OEPA	CEO		Construction	Develop during the construction phase	FPA has an ISO 14001 certified EMS, however not applicable to this project as it has not commenced.
549:P2.2	Marine Component - Environmental Management System	Implement the Environmental Management System required by commitment P2.1	Implement the EMS required by M6.1 and P2.1	Annual Compliance Assessment Report	CEO		Operation	Ongoing implementation and review	FPA has an ISO 14001 certified EMS, however not applicable to this project as it has not commenced.
549:P3.1	Marine Component - Rehabilitation and Landscape Management Plan	Prepare a Rehabilitation and Landscape Management Plan	This plan shall address 1. Rehabilitation (including stabilisation, revegetation and maintenance) of the dunes within the Project Area, 2. Painting of the jetty and associated infrastructure with public input, 3. Screening vegetation around the northern boundary of Well's Park, 4. Consideration of the wind direction in the final design of the conveyor	Submission of Plan to OEPA. Report on implementation in annual compliance assessment reports.	CEO	Town of Kwinana	Operation	Operation	Not required at this stage.
549:P3.2	Marine Component - Rehabilitation and Landscape Management Plan	Implement the Rehabilitation and Landscape Management Plan required by commitment P3.1	Implement the Plan required by commitment P3.1	Annual Compliance Assessment Report	CEO	Town of Kwinana	Decommissioning	Post construction	Not required at this stage.

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549:P4	Marine Component - Notification	Notify all noise sensitive premises within the area bounded by Lewington St, Victoria St, Rockingham Rd and Governor Rd; and the residents of the Cee & See Caravan Park and commercial premises in the immediate vicinity (within a 1km radius) of the project	Communicate times, dates and proposed construction activities to nearby residents and businesses.	Annual Compliance Assessment Report	CEO		Design	Prior to pile driving being undertaken	Not required at this stage.
549:P5	Marine Component - Noise	Periodically monitor noise levels at Wells Park and the nearest residence. Implement additional noise control measures if the noise levels attributable to the project are above those modelled in the CER	Monitor noise level to ensure they are below those modelled in CER.	Provision of details of noise monitoring within annual Compliance Assessment Reports	CEO		Construction	During pile driving activities	Not required at this stage.
549:P6.1	Marine Component - Sediment Monitoring Programme	Develop a Sediment Monitoring Programme	Monitor for the presence of iron ore and other metals around the BCJ. Implement additional management measures if iron ore attributable to the project is found	Submission of Sediment Monitoring Programme	CEO		Construction	Prior to operations	Not required at this stage.
549:P6.2	Marine Component - Sediment Monitoring Programme	Implement the Sediment Monitoring Programme required by commitment P6.1	Monitor for the presence of iron ore and other metals around the BCJ. Implement additional management measures if iron ore attributable to the project is found	Provision of details of sediment monitoring within annual Compliance Assessment Report	CEO		Operation	Throughout operations	Not required at this stage.
549:P7	Marine Component - Risk Management Plan	Undertake a hazard and risk assessment of the marine component of the project and develop a risk assessment plan	Identify hazards and risks associated with the construction and operation of the facility	Submission of hazard and risk assessment to OEPA	CEO		Design	Prior to construction	Not required at this stage.
549:P8	Marine Component - Amenities at Wells Park	Prepare a report on the aptness of contributing to the amenities at Wells Park to determine the suitability of contributing to the amenities.	In consultation with the Local Government Authority and State Government agencies	Submission of report to OEPA	CEO	Town of Kwinana	Design	Prior to construction	Not required at this stage.
549:P9.1	Terrestrial Component - Environmental Management Plan	Prepare an Environmental Management Plan	For the construction and operation of the iron ore component of the facility	Submission of Plan to OEPA	CEO		Overall	Prior to construction Prior to operations	Not required at this stage.
549:P9.2	Terrestrial Component - Environmental Management Plan	Implement the Environmental Management Plan required by commitment P9.1	For the construction and operation of the iron ore component of the facility	Details of implementation of EMP will be provided within annual Compliance Assessment Report	CEO		Overall	For construction and operation of the facility	Not required at this stage.
549:P10	Terrestrial Component - Dust	Visually monitor and implement dust control measures in the event that unacceptable levels of dust are observed, strong winds and dry conditions make dust generation likely, or reasonable complaints about dust are received	Visually monitor for dust and apply water sprays where required. Provision will be made for a water cart to be onsite, if required, to control dust levels	Details of dust monitoring and control measures will be provided within the annual Compliance Assessment Report	CEO		Construction	During construction	Not required at this stage.
549:P11.1	Terrestrial Component - Dust Monitoring Programme	Prepare a Dust Monitoring Programme	Should dust deposition levels attributable to the project be greater than 4g/m ² /month implement additional dust management measures	Submission of Dust Monitoring Programme to OEPA	CEO		Design	Prior to construction	Not required at this stage.
549:P11.2	Terrestrial Component - Dust Monitoring Programme	Implement the Dust Monitoring Programme required by commitment P11.1	Should dust deposition levels attributable to the project be greater than 4g/m ² /month implement additional dust management measures	Details of implementation of Programme will be provided within the annual Compliance Assessment Report	CEO		Overall	Throughout the life of the project	Not required at this stage.
549:P12.1	Terrestrial Component - Dust sampling programme	Prepare a short term high volume dust sampling programme	Prepare sampling programme	Details will be included within the annual Compliance Assessment Report	CEO		Construction	Prior to Operations	Not required at this stage.
549:P12.2	Terrestrial Component - Dust sampling programme	Implement the short term high volume dust sampling programme required by commitment P12.1	Set up monitoring at the closest residence or the existing DEP North Rockingham monitoring station	Monitoring results will be reported within the annual Compliance Assessment Report	CEO		Operation	Operation	Not required at this stage.

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549:P13	Terrestrial Component - Complaints Register	Establish a community complaints register	Establish a telephone number and advertise it locally and register all complaints and investigate within 48 hours	Details of complaints will be included within the annual Compliance Assessment Report	CEO		Overall	Throughout the life of the project	Not required at this stage.
549:P14.1	Terrestrial Component - Dust Complaints	Instigate a short term dust deposition monitoring programme if dust complaints attributable to the project are received from residents along the rail line through the Metropolitan area	Investigate complaints related to dust along the rail line	Details of investigation will be included within the annual Compliance Report	CEO		Operation	During operations	Not required at this stage.
549:P14.2	Terrestrial Component - Dust along rail line	Prepare a report on the suitability of the use of crusting agents or other management measures if dust along the rail line is attributable to the project	Prepare a report on the suitability of the use of crusting agents or other management measures if the dust is attributable to the project.	Details of report will be provided within the annual Compliance Assessment Report	CEO		Operation	During operations	Not required at this stage.
549:P15	Terrestrial Component - Sound Power Rating of Plant Equipment	Ensure that the plant equipment used in the operation of the project has a sound power level rating equal to or less than the levels in the CER unless additional modelling shows compliance with the predicted levels in the CER	Undertake noise modelling, if equipment had sound power greater than in the CER	Details on sound power level rating of plant to be included within annual Compliance Assessment Report	CEO		Construction	Prior to operations	Not required at this stage.
549:P16.1	Terrestrial Component - Landscape Management Plan	Prepare a Landscape Management Plan	This plan shall address: 1. painting of the shed and conveyor, 2. areas to be landscaped, and 3. the types of landscaping that will be undertaken in these areas. Public input will be sought during the preparation of the plan	Submission of Plan to OEPA	CEO	Town of Kwinana	Design	Prior to construction	Not required at this stage.
549:P16.2	Terrestrial Component - Landscape Management Plan	Implement the Landscape Management Plan required by commitment P16.1	Implement the Landscape Management Plan required by commitment P16.1	Details on implementation of the plan will be included in the annual Compliance Assessment Report	CEO		Overall	Throughout the life of the project	Not required at this stage.
549:P17	Terrestrial Component - Emergency Response Scheme	Meet with the Kwinana Industries Council and the Fire and Rescue service to discuss the Emergency Response Scheme and to identify alternative emergency routes to the Bulk Cargo Jetty and the Kwinana Industrial Area.	Respond to reasonable requests of the KIC and Fire and Rescue Service to establish alternative emergency access routes	Details of meetings will be included in the annual Compliance Assessment Report	CEO	KIC, Fire and Rescue Service	Design	Prior to construction	Not required at this stage.
549:P18	Rail Component - Locomotives	Use "Q" Class locomotives, or quieter, to haul the wagons between the minesite and Kwinana	Use "Q" Class locomotives	Details on locomotive type will be included in the annual Compliance Assessment Report	CEO		Operation	During operations	Not required at this stage.
848:M10.1	Time Limit of Authorisation	The proponent shall substantially commence implementation of the proposal by 13 July 2015.	Substantially commence by 13 July 2015	Written evidence of substantial commencement	Min for Env		Construction	On or before 13 July 2015	As of February 2015 project has not commenced. Substantial commencement is required by 13 July 2015.
848:M10.2	Time Limit of Authorisation	The proponent shall provide the Chief Executive Officer of the Office of the Environmental Protection Authority with written evidence which demonstrates that the proposal has substantially commenced on or before 13 July 2015	Provide evidence of substantial commencement.	Written evidence of substantial commencement	CEO		Construction	On or before 13 July 2015	As of February 2015 project has not commenced. Substantial commencement is required by 13 July 2015.
848:M11.1	Compliance Reporting	The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority	Prepare and maintain Compliance Assessment Plan.	Submission of Compliance Assessment Plan	CEO		Overall	Life of the proposal	Compliance Assessment Plan approved by the OEPA 2 September 2011.

Audit Code	Subject	Action	How	Evidence	Requirements of	Advice from	Phase	When	Status
848:M11.2	Compliance Reporting	The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority the compliance assessment plan required by condition 11-1 at least six months prior to the first compliance report required by condition 11-6, or prior to implementation, whichever is sooner.	The compliance assessment plan shall indicate: <ol style="list-style-type: none"> 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. 	Submission of Compliance Assessment Plan	CEO		Design	At least six months prior to the first compliance report	Compliance Assessment Plan approved by the OEPA 2 September 2011.
848:M11.3	Compliance Reporting	The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 11-1.	Assess compliance in accordance with the compliance assessment plan.	Compliance Assessment Report	Min for Env		Overall	Life of the proposal	Compliance Assessment Report due 3 March 2015. CAR submitted February 2015.
848:M11.4	Compliance Reporting	The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 11-1 and shall make those reports available when requested by the Chief Executive Officer of the Office of the Environmental Protection Authority	Compliance Assessment Reports will be retained by Fremantle Ports for the life of the project and will be placed on Fremantle Ports website within two weeks of submission to the OEPA.	Reports on website	CEO		Overall	Within two weeks of submission to the OEPA	Compliance Assessment Report to be placed on FPA website within 2 weeks of submission to the OEPA.
848:M11.5	Compliance Reporting	The proponent shall advise the Chief Executive Officer of the Office of the Environmental Protection Authority of any potential non-compliance within seven days of that non-compliance being known	A letter describing the non-compliance will be sent to the CEO of OEPA.	Letter to the CEO of OEPA	CEO		Overall	Within seven days of that non-compliance being known	Not applicable.
848:M11.6	Compliance Reporting	The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority 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: <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 compliance assessment plan; and 5. indicate any proposed changes to the compliance assessment plan required by condition 11-1. 	Annual Compliance Assessment Reports	CEO		Overall	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	Compliance Assessment Report due annually by 3 March. CAR submitted February 2015.

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848:M12.1	Pile Driving	The proponent shall apply a pile driving management protocol for minimising impacts on cetaceans.	<p>The pile driving protocol is as follows:</p> <ol style="list-style-type: none"> 1. prior to the commencement of full power pile driving, implement soft start procedures that slowly ramp up the intensity of noise emissions over a period of no less than 15 minutes; 2. a cetacean observation zone consisting of a one kilometre radius from the noise emitting source whereby an observer must undertake cetacean observation for a minimum of 15 minutes prior to the commencement of pile driving and during pile driving activities; 3. a shutdown zone consisting of a 500 metre radius from the noise emitting source whereby (1) pile driving cannot commence should a cetacean be within the 500 metre exclusion zone; and (2) pile driving activities to cease should a cetacean enter the 500 metre exclusion zone during pile driving and are not to recommence until the animal(s) have moved outside the 500 metre exclusion zone; and 4. Pile driving activities to take place during daylight hours only." 	<p>Evidence consisting of documentation of</p> <ol style="list-style-type: none"> 1. soft start up procedure 2. cetacean observation 3. any shutdowns that have occurred 4. times of pile driving activities 	Min for Env		Construction	While pile driving is occurring during construction	Not required at this stage.

