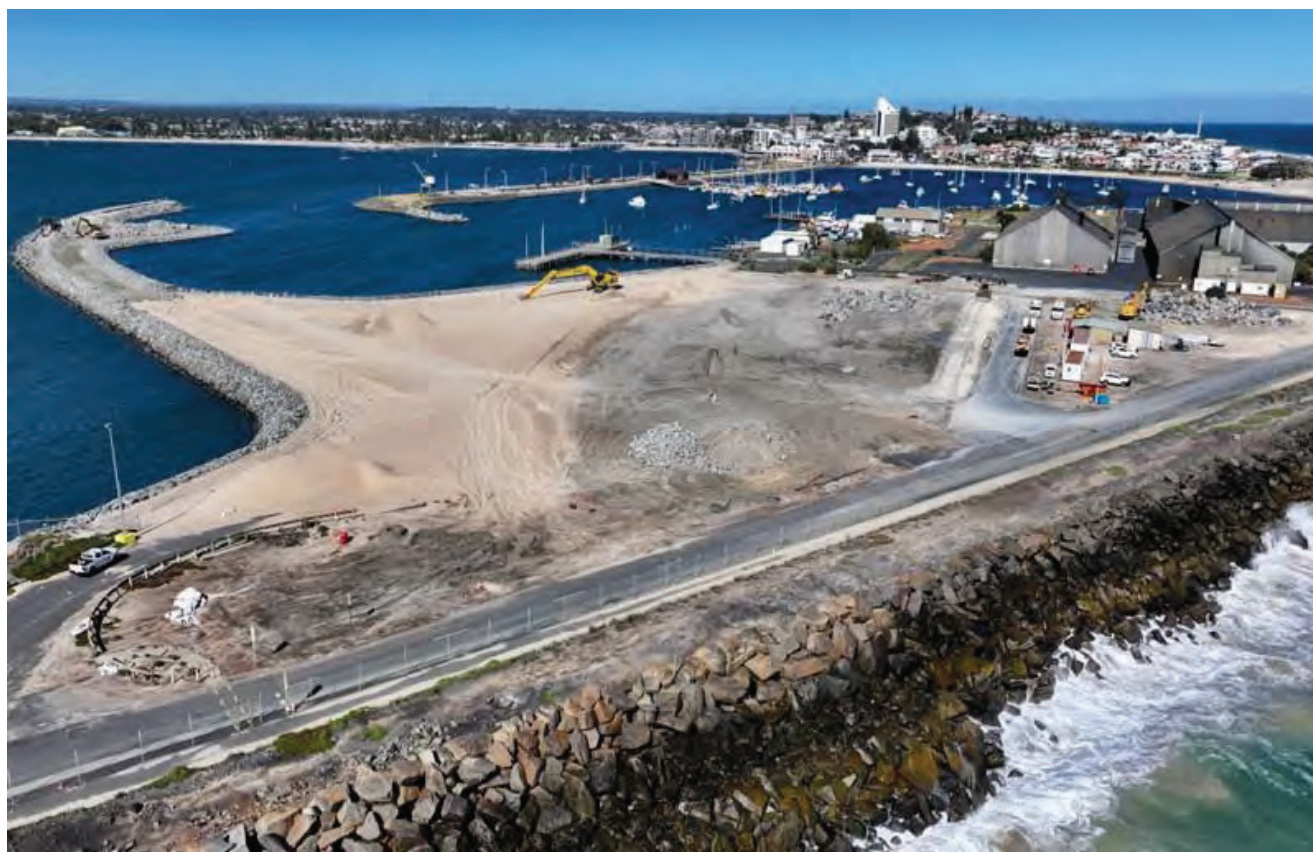




Koombana Bay Marine Structures

Compliance Assessment Report



Prepared by Maritime Environmental Services

Objective number A22785833

Version control

Version No.	Date	Prepared by	Revision or issue descriptions	Issued to
1	16/09/2025	DTMI, Maritime Environmental Services	Draft Compliance Assessment Report	██████████
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Introduction

The South West Development Commission (SWDC) is the proponent for the Koombana Bay Marine Structures (KBMS) strategic proposal approved under Ministerial Statement 1226 (MS 1226).

On 31 July 2024, via a Section 45B notice, the Department of Transport (now Department of Transport and Major Infrastructure (DTMI)) was approved to implement the Derived Proposal Casuarina Boat Harbour (CBH).

Condition D2-2 of MS 1226 requires the first Compliance Assessment Report (CAR) (this document) to be submitted within 15 months from the issue date of MS 1226 (issued 28 June 2024). Condition D2-1 of MS 1226 requires the CAR to be submitted annually thereafter.

Both DTMI and SWDC submitted Compliance Assessment Plans (CAP) that were approved by the Department of Water and Environmental Regulation (DWER) on 9 December 2024 and 29 July 2025 respectively. This CAR incorporates and reports against the requirements from both CAPs.

There are four environmental management plans referenced within the MS 1226 that are relevant to the status of the proposal:

- Marine Construction Monitoring and Management Plan Rev 4, March 2024 (updated from Rev 2, 2023 in MS 1226) – construction phase monitoring and management
- Marine Environmental Quality Management Plan (Only Casuarina Boat Harbour Development) Rev 4, January 2024 – operational phase monitoring and management
- Coastal Processes Management Plan (Only Casuarina Boat Harbour Development) Rev 1, October 2023 – operational phase monitoring and management
- Marine Fauna Management Plan Rev 3, January 2024 - construction and operational monitoring and management

Status of Implementation of the Proposal

Construction works associated with the CBH Derived Proposal started on 15 August 2024, with capital dredging occurring until 12 November 2024. Construction of the northern breakwater at CBH will be completed in October 2025.

No construction has taken place for the Koombana Bay Sailing Club (KBSC) Marina or the Dolphin Discovery Centre Finger Jetty.

Statement of Compliance with MS 1226

The compliance status for each condition has been summarised in Table 1 for the current reporting period from the published date of the MS 1226 on 2 July 2024 through until 18 September 2025.

Table 1: Audit Table MS 1226

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: A1	Proposal Implementation	When implementing the proposal, the proponent must not exceed the authorised extent of the proposal as defined in Table 1 of Part A of MS 1226, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.	Aerial photo of the breakwater footprint shows the disturbance footprint well within the development envelope and not more than the approved extent.	Difference plot (pre vs post construction)	Overall	Ongoing	C	Appendix A shows the aerial photo with the development envelope overlaid.
1226: B1-1	Marine Environmental Quality	The proponent must ensure implementation of the proposal achieves the following environmental protection outcomes: (1) no adverse impacts on the marine environmental values of Ecosystem Health, Fishing and Aquaculture, Recreation and Aesthetics, Industrial Water Supply, and Cultural and Spiritual outside the Moderate Ecological Protection Area; (2) the levels of ecological protection to be achieved inside of the: a. Moderate Ecological Protection Area; and b. High Ecological Protection Area; are consistent with the corresponding levels of ecological protection described in Appendix 1, Table 1 of the Marine Water Quality Technical Guidance, including the method used to derive Environmental Quality Guidelines and Environmental Quality Standards; and (3) within one (1) month following cessation of marine construction activities required for proposals in Tables 1 or 2, water quality will return to a level of High Ecological Protection and at least Moderate Ecological Protection as spatially defined in Figure 2 in the MS 1226.	Implement: Marine Construction Monitoring and Management Plan (Revision 4, RPS 2024)	Investigations occurred when water quality thresholds were exceeded but concluded that the variations were not attributable to the Project, with details provided in the MCMMP Water Quality Monitoring summary in Appendix C.	Construction	Annual, by 28 September each year	C	A summary of baseline monitoring results is presented in Appendix B. A summary of construction water quality monitoring results is presented in Appendix C. A summary of other monitoring actions undertaken per the MCMMP is included in Appendix D.
1226: B1-2		The proponent must not conduct (1) dredging; or (2) reclamation, during the period of 1 December and 31 March (inclusive) or conduct these activities on separate proposals at the same time.	Implement: Marine Construction Monitoring and Management Plan	Dredging work for the Northern Breakwater took place between 15 August and 12	Construction	Annual, by 28 September each year	C	A summary of monitoring actions undertaken per the MCMMP is

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: B1-3		The proponent must implement the environmental management plan Marine Environmental Quality Management Plan (Only Casuarina Boat Harbour Development) (Revision 4, GHD,2024), and the environmental management plan Marine Construction Monitoring and Management Plan (Revision 4, RPS 2024) with the purpose of ensuring the marine environmental quality environmental outcomes in condition B1-1 are achieved, monitored and substantiated.	(Revision 4, RPS 2024)	November 2024. No reclamation (using dredge spoil to create land) to date. Dredge spoil was disposed offshore in accordance with Sea Dumping Permit SD2022-4034 and Dredge Spoil Disposal Management Plan (DSDMP, Cardno 2023).	Construction and Operation	Annual, by 28 September each year	C	included in Appendix D. Annual report submitted to DCCEEW on 31 January in accordance with SD2022-4034.
			Dredge Spoil Disposal Management Plan Rev 1, February 2023	The Marine Construction Monitoring and Management Plan has been implemented and a summary of monitoring results is presented in Appendix B, C and D. The Marine Environmental Quality Management Plan will be implemented post-construction.				A summary of baseline monitoring results is presented in Appendix B. A summary of construction water quality monitoring results is presented in Appendix C. A summary of other monitoring actions undertaken per the MCMMP is

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: B1-4		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must ensure the implementation of the derived proposal achieves the environmental outcome of maintaining the current flushing regime of Leschenault Inlet, or an alternate flushing time which the CEO confirms in writing on the basis of the information provided in condition B1-5 will not have adverse impacts on the marine environmental values in B1-1(1).	Flushing model results.	Presentation of flushing model outputs during the derived proposal submission.	Design	Prior to construction of the KBSC Marina	NR	-
1226: B1-5		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must submit an Infrastructure Design and Footprint Report at the time of the referral of the proposal. The Infrastructure Design and Footprint Report must demonstrate how the marine environmental quality environmental outcomes in condition B1-1 will be met during implementation, and is required to include: (1) a final infrastructure design and footprint that achieves an annual median flushing time of less than 8 days in Leschenault Inlet (or an alternate timeframe if it can be demonstrated that the alternate flushing time will not have adverse impacts on the marine environmental values in B1-1(1)) The final design and footprint report must show the locations, disturbance footprints and configuration of marine infrastructure required for the Koombana Bay Sailing Club Marina and demonstrate it is consistent with the maximum extents in Table 2 of Part A and will meet the outcomes in conditions B1-1 and B1-4, condition B2-3, condition B3- 1; and (2) hydrodynamic modelling and an evaluation of the effects of the final design required by condition B1-5(1) which demonstrates that the flushing time of the Leschenault Inlet and maximum extents in Table 2 of Part A will be achieved, using the latest information on the health and condition of the inlet.	Design drawings and flushing model results.	Presentation of design drawings and flushing model outputs during the derived proposal submission.	Design	Prior to construction of the KBSC Marina	NR	-
1226: B1-6		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must review and revise the Marine Construction Monitoring and Management Plan (Revision 4, RPS 2024) and Marine Environmental Quality Management Plan (Revision 4, GHD 2024), that satisfies the requirements of condition C4 and demonstrates how the achievement of the marine environmental quality environmental outcomes in	Updated management plans.	Management plans submitted and approved by CEO.	Overall	Prior to construction of the KBSC Marina	NR	-

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: B2-1	Benthic Communities and Habitats	condition B1-1 and condition B1-4 will be achieved, monitored and substantiated, and submit to the CEO. The proponent must ensure the implementation of the proposal achieves the following environmental outcome: (1) no irreversible loss of benthic communities and habitats outside the Casuarina Boat Harbour Development disturbance footprint shown in Figure 1 within the MS 1226.	Implement all activities required under: Marine Construction Monitoring and Management Plan (Revision 4, RPS 2024)	A pre-construction tow survey was completed. No surveys were required during construction as trigger criteria were not exceeded. A post-construction survey is planned to be completed.	Construction	Annual, by 28 September each year	C	A summary of monitoring results is presented in Appendix B. A summary of other monitoring actions undertaken per the MCMMP is included in Appendix D.
1226: B2-2		The proponent must implement the Marine Environmental Quality Management Plan (Only Casuarina Boat Harbour Development) (Revision 4, GHD,2024), and the Marine Construction Monitoring and Management Plan (Revision 4, RPS 2023) with the purpose of ensuring the marine environmental quality environmental outcomes in condition B2-1 are achieved, monitored and substantiated.	Implement all activities required under: - Marine Environmental Quality Management Plan (Only Casuarina Boat Harbour Development) (Revision 4, GHD, 2024) - Marine Construction Monitoring and Management Plan (Revision 4, RPS 2024)	The Marine Environmental Quality Management Plan will be implemented post-construction. The Marine Construction Monitoring and Management Plan has been implemented.	Overall	Annual, by 28 September each year	C	A summary of baseline monitoring results is presented in Appendix B. A summary of construction water quality monitoring results is presented in Appendix C. A summary of other monitoring actions undertaken per the MCMMP is included in Appendix D.

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: B2-3		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must ensure the implementation of the proposal achieves the following environmental outcomes: (1) no irreversible loss of benthic communities and habitats outside the final disturbance footprint of the proposal; and (2) no adverse impacts on the health and extent of the Leschenault Inlet mangrove community.	Develop and implement updated management plans to be provided as part of the derived proposal submission.	Management plans submitted and approved by CEO.	Overall	Ongoing	NR	To be provided in the future by KBSC proponent.
		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must, review and revise the Marine Construction Monitoring and Management Plan (Revision 4, RPS 2024) and Marine Environmental Quality Management Plan (Revision 4, GHD 2024), to include the final design, modelling and evaluation in condition B1-5 and that satisfies the requirements of condition C4 and demonstrate how the achievement of the benthic communities and habitats environmental outcomes in condition B2-3 will be achieved, monitored and substantiated, and submit it to the CEO.	Develop and implement updated management plans and design modelling to be provided as part of the derived proposal submission.	Management plans submitted and approved by CEO.	Overall	Ongoing	NR	To be provided in the future by KBSC proponent.
1226: B3-1	Coastal processes	The proponent must implement the proposal to meet the following environmental outcome; (1) no material wrack, sediment accumulation or beach erosion, within the development envelope and surrounding beaches compared to baseline and which is substantially contributed by the implementation of the future proposals, separately or together, which adversely affects public recreation or amenity values.	Implement the environmental management plan: Coastal Processes Management Plan (Only Casuarina Boat Harbour Development) (Revision 1, 30 October 2023)	DO monitoring and sea wrack accumulation visual checks will be done in the future during entrance channel management.	Operation	Post construction by 28 September each year	NR	DTMI will report on this condition in the 2026 CAR.
1226: B3-2		The proponent must implement the Coastal Processes Management Plan (Only Casuarina Boat Harbour Development) (Revision 1, 30 October 2023) with the purpose of ensuring the coastal processes environmental outcome in condition B3-1 is achieved, monitored and substantiated.	Implement the environmental management plan: Coastal Processes Management Plan (Only Casuarina Boat Harbour Development) (Revision 1, 30 October 2023)	To be undertaken post-construction	Operation	Post construction by 28 September each year	NR	DTMI will report on this condition in the 2026 CAR.

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: B3-3		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must review and revise the Coastal Processes Management Plan (Revision 1, 30 October 2023) to include the final design, modelling and evaluation in condition B1-5 that satisfies the requirements of condition C4, and demonstrates how achievement of the coastal processes environmental outcome in condition B3-1 will be monitored and substantiated, and submit it to the CEO.	Updated design and flushing model results in the management plan to be provided as part of the derived proposal submission.	Management plan submitted and approved by CEO.	Design	Prior to construction	NR	To be provided in the future by KBSC proponent.
1226: B4-1	Marine Fauna	The proponent shall implement the proposal to achieve the following environmental objectives from the derived proposals, separately or together: (1) minimise the risk of physical injury or mortality from vessel strike on significant marine fauna; (2) minimise the risk of behavioural changes, health impacts (including temporary or permanent hearing loss), physical injury or mortality from underwater noise emissions from construction to significant marine fauna; and (3) minimise the risk of construction displacing dolphins that sustain the dolphin tours and education in Koombana Bay.	Implement the environmental management plan: Marine Fauna Management Plan (Revision 3, January 2024)	No fauna injuries or incidents recorded. No adverse behaviour changes noted. by marine fauna observers. Works were halted when fauna was within the prescribed areas.	Overall	Annual, by 28 September each year	C	Appendix E includes a summary of monitoring and management actions undertaken per the requirements of the MFMP.
1226: B4-2		The proponent must implement the Marine Fauna Management Plan (Revision 3, January 2024) with the purpose of ensuring the environmental factor environmental objectives in condition B4-1 are achieved.	Implement the environmental management plan: Marine Fauna Management Plan (Revision 3, January 2024)	Visual monitoring has been done by marine fauna observers and a summary of the logs is included in Appendix E.	Overall	Annual, by 28 September each year	C	Appendix E includes a summary of monitoring and management actions undertaken per the requirements of the MFMP.
1226: B4-3		The proponent must implement the proposal to meet the following environmental outcome:	Implement the environmental management plan:	No Australian fairy terns were observed to nest within	Construction	Annual, by 28 September each year	C	Note that the Marine Fauna EMP is supported by

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		(1) no displacement of actively nesting Australian fairy terns (<i>Sterna nereis nereis</i>) from within the Casuarina Boat Harbour Development envelope.	- Marine Fauna Management Plan (Revision 3, January 2024) - Avifauna Management Plan (Rev 0) (RPS 2024)	the Casuarina Boat Harbour Development envelope during the reporting period.				the Avifauna Management Plan (Rev 0) (RPS 2024) developed and implemented by the SWDC.
1226: B4-4		Prior to the completion of the construction of the northern breakwater, the proponent shall not conduct piling during the period of 1 December and 31 March (inclusive).	Implement the environmental management plans: Marine Fauna Management Plan (Revision 3, January 2024)	No piling has occurred for the project to date. Northern breakwater is now functionally complete.	Construction	Annual, by 28 September each year	C	With the breakwater functionally complete this condition could be considered as closed as of the 2026 CAR.
1226: B4-5		The proponent of the Koombana Bay Sailing Club Marina and Dolphin Discovery Centre finger jetty shall not conduct piling during the period of 1 December and 31 March (inclusive).	No piling between these dates is detailed in the current EMP, but this plan will be updated during the derived proposal referral.	Management plan submitted and approved by CEO.	Construction	Annual, by 28 September each year	NR	To be provided in the future by the KBSC and DDC proponents.
1226: B5-1	Environmental Performance Report – Conditions and Procedure	The proponent of the Strategic Proposal must within one, two and five years of the completion of construction of each proposal in Tables 1 and 2, report on the direct and indirect impacts, including cumulative impacts of the proposals on: (1) Marine environmental quality outcomes in condition B1-1; (2) Benthic communities and habitats outcomes in conditions B2-1 and B2-3; (3) Coastal processes outcomes in condition B3-1; (4) Marine fauna objectives in condition B4-1 and B4-3	Prepare and submit an Environmental Performance Report (EPR).	EPR. Confirmation in writing from CEO that EPO have been met.	Post-Construction	Within one, two and five years of the completion of construction of each proposal in Tables 1 and 2 of MS 1226 B5-1	NR	SWDC to prepare when required.
1226: B5-2		In the event that the environmental performance reports show the environmental outcomes are not achieved by any or all of the derived proposals, the proponent of the Strategic Proposal will implement contingency actions with the proponents of derived proposals to ensure the environmental outcomes are achieved as soon as practicable. These may	Develop and implement contingency actions with the proponents of derived proposals.	Contingency plans in place	Post-construction	To be completed when required	NR	SWDC to implement if required.

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		include staging of the later derived proposals until the environmental outcomes of the existing derived proposals have been achieved.						
1226: B5-3		The proponent of the Strategic Proposal must co-ordinate the communication, information and data sharing between, and cooperation on environmental management approaches of the proponents of the derived proposals to ensure the requirements of condition B5-1 and B5-2 can be achieved.	The (Transforming Bunbury's Waterfront – TBW) Technical Group – Stage 3 Environment coordinates and facilitates the communication, information and data sharing.	Technical Group minutes and agenda papers; KBMS Governance Framework	Overall	Ongoing	C	See Appendix F, SWDC memo summarising their coordination role.
1226: B5-4	Procedure	The proponent of the Strategic Proposal must ensure there are communication and complaints procedures in place in relation to impacts from the derived proposals.	TBW Contact and Complaints Process	Contact and Complaints Register available from TBW Stakeholder Engagement Project Officer, SWDC. DTMI also keeps a record of complaints with the information shared with SWDC.	Overall	Annual, by 28 September each year	C	A summary of the complaints process is provided in Appendix F. Information on individual complaints is maintained by SWDC.
1226: C1-1	Environmental Management Plans: Conditions Related to Commencement of Implementation of the Proposal	The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must not undertake marine construction activities until the CEO has confirmed in writing that the environmental management plans required by condition B1-6 meets the requirements of that condition and condition C4.	Updated management plans to be submitted during the referral of the derived proposal	Management plan submitted and approved by CEO.	Pre-Construction	Prior to the construction of the KBSC Marina	NR	To be provided by the KBSC proponent in the future.
1226: C1-2		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must not undertake marine construction activities until the CEO has confirmed in writing that the environmental management plan required by condition B2-4 meets the requirements of that condition and condition C4.	Updated management plans to be submitted during the referral of the derived proposal	Management plan submitted and approved by CEO.	Pre-Construction	Prior to the construction of the KBSC Marina	NR	To be provided by the KBSC proponent in the future.

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: C1-3		The proponent of the Koombana Bay Sailing Club Marina proposal in Table 2 must not undertake marine construction activities until the CEO has confirmed in writing that the environmental management plan required by condition B3-3 meets the requirements of that condition and condition C4.	Updated management plans to be submitted during the referral of the derived proposal.	Management plan submitted and approved by CEO.	Pre-Construction	Prior to the construction of the KBSC Marina	NR	To be provided by the KBSC proponent in the future.
1226: C2-1	Environmental Management Plans: Conditions Relating to Approval, Implementation, Review and Publication	Upon being required to implement an environmental management plan under Part B, the proponent must: (1) implement the most recent version of the confirmed environmental management plan; and (2) continue to implement the confirmed environmental management plan referred to in condition C2-1(1), other than for any period which the CEO confirms by notice in writing that it has been demonstrated that the relevant requirements for the environmental management plan have been met, or are able to be met under another statutory decision-making process, in which case the implementation of the environmental management plan is no longer required for that period.	Implement confirmed environmental management plans.	The latest versions of the environmental management plans have been implemented. These are the revisions prescribed in MS 1226, with the exception of the Marine Construction Monitoring and Management Plan Rev. 4 which was completed after the Ministerial Statement but submitted as part of the derived proposal referral and meets the relevant requirements of that environmental management plan.	Overall	Annual, by 28 September each year	C	Environmental management plans are being implemented.
1226: C2-2		The proponent: (1) may review and revise a confirmed environmental management plan provided it meets the relevant requirements of that environmental management	Latest version of management plans implemented.	Management plans submitted and	Overall	Ongoing	C	Existing environmental management plans are

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		plan, including any consultation that may be required when preparing the environmental management plan; (2) must review and revise a confirmed environmental management plan and ensure it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan, as and when directed by the CEO; and (3) must revise and submit to the CEO the confirmed environmental management plan if there is a material risk that the outcomes or objectives it is required to achieve will not be complied with, including but not limited to as a result of a change to the proposal.		approved by CEO. No review of the plans has been required				being implemented.
1226: C2-3		Despite condition C2-1, but subject to conditions C2-4 and C2-5, the proponent may implement minor revisions to an environmental management plan if the revisions will not result in new or increased adverse impacts to the environment or result in a risk to the achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.	Latest version of management plans implemented.	No minor changes have been implemented.	Overall	Ongoing	NR	-
1226: C2-4		If the proponent is to implement minor revisions to an environmental management plan under condition C2-3, the proponent must provide the CEO with the following at least twenty (20) business days before it implements the revisions: (1) the revised environmental management plan clearly showing the minor revisions; (2) an explanation of and justification for the minor revisions; and (3) an explanation of why the minor revisions will not result in new or increased adverse impacts to the environment or result in a risk to the achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.	Notice in writing to DWER if any minor changes are implemented.	No minor changes have been implemented.	Overall	Ongoing	NR	-
1226: C2-5		The proponent must cease to implement any revisions which the CEO notifies the proponent (at any time) in writing may not be implemented.	Only approved management plans to be implemented.	No correspondence from DWER	Overall	Ongoing	NR	-

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: C2-6		Confirmed environmental management plans, and any revised environmental management plans under condition C2-4(1), must be published on the proponent's website and provided to the CEO in electronic form suitable for online publication by the Department of Water and Environmental Regulation within twenty (20) business days of being implemented, or being required to be implemented (whichever is earlier).	Publicly available.	Available on DTMI website.	Overall	Published on the proponent's website within twenty (20) business days of being implemented	C	Published on DTMI website: Casuarina Boat Harbour - Transforming Bunbury's Waterfront Stage 3 Phase 1 Transport WA
1226: C3-1	Conditions Related to Monitoring	The proponent must undertake monitoring capable of: (1) substantiating whether the proposal limitations and extents in Part A are exceeded; and (2) detecting and substantiating whether the environmental outcomes identified in Part B are achieved (excluding any environmental outcomes in Part B where an environmental management plan is expressly required to monitor achievement of that outcome).	Aerial photograph to show the disturbance footprint.	Aerial imagery of the footprint as 12 September 2025 was within the DE. In the 2026 CAR once CBH breakwater construction is complete a pre vs post construction report will be provided.	Overall	Ongoing	C	Appendix A shows the current (as of 12/9/25) footprint.
1226: C3-2		The proponent must submit as part of the Compliance Assessment Report required by condition D2-1, a compliance monitoring report that: (1) outlines the monitoring that was undertaken during the implementation of the proposal; (2) identifies why the monitoring was capable of substantiating whether the proposal limitation and extents in Part A are exceeded; (3) for any environmental outcomes to which condition C3-1(2) applies, identifies why the monitoring was scientifically robust and capable of detecting whether the environmental outcomes in Part B are met;	Implement confirmed environmental management plans.	CAR. Confirmation in writing from CEO that EPO have been met.	Overall	Annual, by 28 September each year	C	This report

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		(4) outlines the results of the monitoring; (5) reports whether the proposal limitations and extents in Part A were exceeded and (for any environmental outcomes to which condition C3-1(2) applies) whether the environmental outcomes in Part B were achieved, based on analysis of the results of the monitoring; and (6) reports any actions taken by the proponent to remediate any potential non-compliance.						
1226: C4-1	Environmental Management Plans: Conditions Relating to Monitoring and Adaptive Management for Outcomes Based Conditions	The environmental management plans required under conditions B1-6, B2-4, and B3-3 must contain provisions which enable the substantiation of whether the relevant outcomes of those conditions are met, and must include: (1) threshold criteria that provide a limit beyond which the environmental outcomes are not achieved; (2) trigger criteria that will provide an early warning that the environmental outcomes are not likely to be met; (3) monitoring parameters, sites, control/reference sites, methodology, timing and frequencies which will be used to measure threshold criteria and trigger criteria. Include methodology for determining alternate monitoring sites as a contingency if proposed sites are not suitable in the future; (4) baseline data; (5) data collection and analysis methodologies; (6) adaptive management methodology; (7) contingency measures which will be implemented if threshold criteria or trigger criteria are not met; and (8) reporting requirements.	Implement confirmed environmental management plans.	CAR. Confirmation in writing from CEO that EPO have been met.	Pre-Construction of the KBSC Marina	Annual, by 28 September each year	NR	The KBSC EMPs have yet to be updated by the KBSC proponent
1226: C4-2		The environmental management plan required under condition B1-6 (marine environmental quality) is also required to include: (1) map(s) spatially representing any improvements in the High Ecological Protection Areas and/or Moderate Ecological Protection Areas to apply to proposal in Table 2, to the extent that improvements have been achieved as a result of the with revised design submitted in condition B1 - 5; (2) revised monitoring program that incorporates any improvements in the High Ecological Protection Areas or Moderate Ecological Protection Area in condition C4-2 (1); (3) specific measures to monitor environmental indicators of reduced flushing and determine whether there are adverse impacts on the marine environmental values in the Leschenault Inlet;	Implement confirmed environmental management plans.	CAR. Confirmation in writing from CEO that EPO have been met.	Pre-Construction of the KBSC Marina	Annual, by 28 September each year	NR	The KBSC EMPs have yet to be updated by the KBSC proponent

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: C4-3		(4) proven and technically feasible contingency measures and remediation actions that can be readily implemented in a timely manner to ensure the environmental outcomes in condition B1-1 and B1-4 are achieved; and (5) consultation with City of Bunbury on the implementation of the plan.						
		The environmental management plans required under condition B2-4 are also required to include: (1) procedures to monitor the cover and extent of perennial seagrass in Koombana Bay, prior to and following the completion of marine construction activities; (2) monitoring at impact and reference sites; (3) monitoring capable of detecting whether there has been a statistically significant irreversible impact (loss) on the cover or extent of perennial seagrass in Koombana Bay; (4) procedures for monitoring results of (3) above to be reported at two years following the completion of marine construction activities; and (5) if impact is still evident after two years, then a further three years of monitoring is required with a report submitted five years following the completion of marine construction activities.	Implement confirmed environmental management plans.	CAR. Confirmation in writing from CEO that EPO have been met.	Pre-Construction of the KBSC Marina	Annual, by 28 September each year	NR	The KBSC EMPs have yet to be updated by the KBSC proponent.
1226: C4-4		The environmental management plan required under condition B3-3 is also required to include: (1) shoreline mapping and beach profiles on Ski Beach and Koombana Beach using on-ground surveys which monitor beach width and slope; (2) procedures to track cumulative changes in sediment distribution; (3) management actions to maintain beach profiles and minimise wrack accumulation at Ski Beach and Koombana Beach during and following construction; (4) specific measures for wrack disposal locations and procedures for undertaking sediment and wrack management so that impacts to seagrass and macroalgal communities are avoided; (5) outline of community engagement to be undertaken prior to and during implementation of the contingency measures and wrack disposal processes to ensure impacts on amenity are minimised; (6) detail the agreed arrangements with the City of Bunbury and roles of the proponent and the City of Bunbury in the	Implement confirmed environmental management plans.	CAR. Confirmation in writing from CEO that EPO have been met.	Pre-construction of the KBSC Marina	Annual, by 28 September each year	NR	The KBSC EMPs have yet to be updated by the KBSC proponent.

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: C4-5		maintenance of beach profiles and wrack at Ski Beach and Koombana Beach.						
		Without limiting condition C4-1, failure to achieve an environmental outcome, or the exceedance of a threshold criteria, regardless of whether threshold contingency measures have been or are being implemented, represents a non-compliance with these conditions.	-	Noted	Overall	Ongoing	NR	-
1226: C5-1	Environmental Management Plans: Conditions Related to Management Actions and Targets for Objective Based Conditions	The environmental management plan required under condition B4-2 must contain provisions which enable the achievement of the relevant objectives of those conditions and substantiation of whether the objectives are reasonably likely to be met, and must include: (1) management actions; (2) management targets; (3) contingency measures if management targets are not met; and (4) reporting requirements.	Implement the environmental management plan: Marine Fauna Management Plan (Revision 3, January 2024)	CAR. Confirmation in writing from CEO that EPO have been met.	Overall	Annual, by 28 September each year	C	-
1226: C5-2		Without limiting condition C5-1, the failure to achieve an environmental objective, or implement a management action, regardless of whether contingency measures have been or are being implemented, represents a non-compliance with these conditions.	Implement all confirmed environmental management plans.	CAR. Confirmation in writing from CEO that EPO have been met.	Overall	Annual, by 28 September each year	C	-
1226: D1-1	Non-Compliance Reporting	If the proponent becomes aware of a potential non-compliance, the proponent must: (1) report this to the CEO within ten (10) days; (2) implement contingency measures; (3) investigate the cause; (4) investigate environmental impacts; (5) advise rectification measures to be implemented; (6) advise any other measures to be implemented to ensure no further impact; (7) advise timeframe in which contingency, rectification and other measures have and/or will be implemented; and (8) provide a report to the CEO within twenty-one (21) days of being aware of the potential non-compliance, detailing the measures required in conditions D1-1(1) to D1-1(7) above.	Notify CEO in writing of any potential non-compliance.	DTMI and SWDC are unaware of any non-compliance.	Overall	Within twenty-one (21) days of the potential non-compliance being known	NR	NA

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: D1-2		Failure to comply with the requirements of a condition, or with the content of an environmental management plan required under a condition, constitutes a non-compliance with these conditions, regardless of whether the contingency measures, rectification or other measures in condition D1-1 above have been or are being implemented.	-	Noted	Overall	Ongoing	NR	-
1226: D2-1	Compliance reporting	The proponent must provide an annual Compliance Assessment Report to the CEO for the purpose of determining whether the implementation conditions are being complied with.	CAR	This report	Overall	Annual, by 28 September each year	C	Note that this CAR includes all conditions of MS 1226 to provide a consolidated submission to DWER.
1226: D2-2		Unless a different date or frequency is approved by the CEO, the first annual Compliance Assessment Report must be submitted within fifteen (15) months of the date of this Statement, and subsequent reports must be submitted annually from that date.	CAR	MS 1226 was approved on 28 June 2024 and this first report is due 28 September 2025.	Overall	15 months after MS 1226 and on the 28 September each year thereafter	C	-
1226: D2-3		Each annual Compliance Assessment Report must be endorsed by the proponent's Chief Executive Officer, or a person approved by proponent's Chief Executive Officer to be delegated to sign on the Chief Executive Officer's behalf.	CAR	This report	Overall	Annual, by 28 September each year	C	See compliance declarations in Appendix G.
1226: D2-4		Each annual Compliance Assessment Report must: (1) state whether each condition of this Statement has been complied with, including: a. exceedance of any proposal limits and extents; b. achievement of environmental outcomes; c. achievement of environmental objectives; d. requirements to implement the content of environmental management plans; e. monitoring requirements; f. implement contingency measures; g. requirements to implement adaptive management; and h. reporting requirements; (2) include the results of any monitoring (inclusive of any raw data) that has been required in order to	CAR	CAR aligned with guidance and CAP.	Overall	Annual, by 28 September each year	C	

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		demonstrate that any outcomes or any objectives are being met; (3) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance; (4) include the corrective, remedial and preventative actions taken in response to any potential non-compliance; (5) be provided in a form suitable for publication on the proponent's website and online by the Department of Water and Environmental Regulation; (6) be prepared and published consistent with the latest version of the Compliance Assessment Plan required by condition D2-5 which the CEO has confirmed by notice in writing satisfies the relevant requirements.						
1226: D2-5		The proponent must prepare 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 D2-2, or prior to implementation of the proposal, whichever is sooner.	CAP	DTMI and SWDC submitted CAPs that were approved by DWER on 9 December 2024 and 29 July 2025 respectively.	Pre-construction	At least six (6) months prior to the first Compliance Assessment Report.	CLD	-
1226: D2-6		The Compliance Assessment Plan must include: (1) what, when and how information will be collected and recorded to assess compliance; (2) the methods which will be used to assess compliance; (3) the methods which will be used to validate the adequacy of the compliance assessment to determine whether the implementation conditions are being complied with; (4) the retention of compliance assessments; (5) the table of contents of Compliance Assessment Reports, including audit tables; and (6) how and when Compliance Assessment Reports will be made publicly available, usually being published on the proponent's website within sixty (60) days of being provided to the CEO.	CAP	CAPs have been approved	Pre-construction	At least six (6) months prior to the first Compliance Assessment Report.	CLD	-

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1226: D3-1	Contact details	The proponent must 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.	Notify the CEO in writing of any change to the proponent details.	Copy of written notification to CEO of any change in proponent details.	Overall	Within twenty eight (28) days of such change	C	SWDC is the proponent. DTMI as the nominated proponent of the derived proposal emailed DWER compliance on the 28/8/25 to note the change from DoT to DTMI.
1226: D4-1	Time Limit for Proposal Implementation	The proposal must be substantially commenced within five (5) years from the date of the Section 45B Notice.	Provide evidence to the CEO in writing to demonstrate the proposal has substantially commenced.	Construction of CBH proposal started on 15 August 2024. This CAR provides written notice of substantial commencement	Construction	Within fourteen (14) days after the expiration of period specified in condition D4-1	C	Construction works associated with the Derived Proposal started on 15 August 2024.
1226: D4-2		The proponent must provide to the CEO documentary evidence demonstrating that they have complied with condition D4-1 no later than fourteen (14) days after the expiration of period specified in condition D4-1.					CLD	See status of implementation of this CAR.
1226: D4-3		If the proposal has not been substantially commenced within the period specified in condition D4-1, implementation of the proposal must not be commenced or continued after the expiration of that period.					NR	-
1226: D5-1	Public Availability of Data	Subject to condition D5-2, 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.	Approved CAR will be made available on DTMI website	Attachments to the CAR	Overall	Publishing of CAR once approved	C	On the DTMI website.
1226: D5-2		If any data referred to in condition 5-1 contains particulars of: (1) a secret formula or process; or	N/A	N/A	N/A	N/A	NR	-

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		(2) confidential commercially sensitive information the proponent may submit a request for approval from the CEO to not make these data publicly available.						
1226: D5-3		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.					NR	-
1226: D6-1	Independent Audit	The proponent must arrange for an independent audit of compliance with the conditions of this statement, including achievement of the environmental outcomes and/or the environmental objectives and/ or environmental performance with the conditions of this statement, as and when directed by the CEO.	Independent auditor engaged when required.	Independent audit report.	Overall	When directed by the CEO directed	NR	-
1226: D6-2		The independent audit must be carried out by a person with appropriate qualifications who is nominated or approved by the CEO to undertake the audit under condition D6-1					NR	-
1226: D6-3		The proponent must submit the independent audit report with the Compliance Assessment Report required by condition D2, or at any time as and when directed in writing by the CEO. The audit report is to be supported by credible evidence to substantiate its findings.					NR	-
1226: D6-4		The independent audit report required by condition D6-1 is to be made publicly available in the same timeframe, manner and form as a Compliance Assessment Report, or as otherwise directed by the CEO.					NR	-

Compliance Status: C = Compliant, CLD = Completed, NR = Not Required at this Stage, PNC = Potentially Non-Compliant, NC = Non-Compliant, IP = In Process.

Declared Compliance

The compliance status for each condition and commitment for the KBMS strategic proposal approved under MS 1226 are listed in the Audit Table (Table 1) with supporting documentation provided in the appendices. Appendix F has the signed declaration of compliance.