



Draft State Environmental (Cockburn Sound) Policy 2013

Review of the State Environmental (Cockburn Sound) Policy 2005 Background to the consultation and key changes proposed



Introduction

The State Environmental (Cockburn Sound) Policy has been in operation since 2005. The Environmental Protection Authority (EPA) has initiated a formal review of the policy and is seeking public and stakeholder feedback on the draft revised policy and its supporting documents. This background document sets out the background to the policy, the objectives and scope of the review and how you can contribute.

Background

Cockburn Sound is located 20 km south of Perth and is the most intensively used marine embayment in Western Australia. It is highly valued by the community for its ecological and recreational attributes and is home to a vital part of the State's economy.

In response to increasing and sometimes competing pressures on the Sound, the State Government in 2000 established the independent stakeholder based Cockburn Sound Management Council (CSMC). The role of the CSMC is to coordinate environmental planning and management for Cockburn Sound and its catchment. In 2005 the Government released the State Environmental (Cockburn Sound) Policy to provide the framework for the environmental management of the Sound.

A State Environmental Policy (SEP) is a non-statutory instrument developed by the Environmental Protection Authority (EPA) under the *Environmental Protection Act 1986*. It is a flexible policy instrument which is developed through public consultation and adopted on a whole of government basis.

The primary purpose of the Cockburn Sound SEP is to identify the environmental values that are important to the community and set out a monitoring and management regime that users of the Sound can implement collaboratively to protect those values.

The SEP is supported by the *Environmental Quality Criteria Reference Document for Cockburn Sound* (EQC reference document), the *Manual of Standard Operating Procedures* (SOP manual), and the *Environmental Management Plan for Cockburn Sound and its Catchment* (CSMC, 2005).

The EQC reference document provides the benchmarks to enable the policy to be implemented. It contains environmental quality criteria and decision schemes that explain how the environmental quality criteria should be applied. The Environmental Management Plan outlines the principles that guide the management of Cockburn Sound and lists the roles and responsibilities of the bodies involved in the environmental management of the area as well as details of the management actions. The SOP manual provides guidance on the design and implementation of environmental quality monitoring programs and on interpretation of the resulting data against the environmental quality criteria.

The CSMC has been implementing the policy and Environmental Management Plan for Cockburn Sound. This has included monitoring the Sound and reporting to the Minister for Environment, the Western Australian Parliament and the community by way of annual Report Cards and the State of Cockburn Sound Report.

It is a requirement of the policy that it be reviewed seven years after its publication. In accordance with this, the EPA initiated the review in 2012.

In September 2010, the WA Auditor General tabled a report in Parliament on the effectiveness of the Cockburn Sound management framework¹. The report found that a strong policy and management framework has been established for Cockburn Sound but that gaps exist in policy implementation, management oversight and monitoring. The Auditor General put forward a number of recommendations aimed at increasing the effectiveness of the management framework.

The EPA, the Office of the Environmental Protection Authority (OEPA), the Department of Environment Regulation (DER) and the CSMC have been working together to address the issues identified in the Auditor General's report.

Objective and scope of the review

Following the Auditor General's report, the EPA in close cooperation with the CSMC, has further assessed the functioning and implementation of the SEP and its supporting documents. The EPA intends to revise these documents in order to improve the framework for the protection and management of the environmental quality of Cockburn Sound.

The review includes the following documents:

- *State Environmental (Cockburn Sound) Policy 2005* (policy document);
- *Environmental Quality Criteria Reference Document for Cockburn Sound (2003-2004)*; and
- *Manual of Standing Operating Procedures for Environmental Monitoring against the Cockburn Sound Environmental Quality Criteria (2003-2004)*.

Following the Auditor General's conclusion that a strong policy framework has been

¹ A copy of the Auditor General's Report can be found at http://www.audit.wa.gov.au/reports/pdfreports/report2010_08.pdf

established for Cockburn Sound and its catchment, the EPA does not intend to substantially revise the policy document. This means that the policy framework for the management of Cockburn Sound and its catchment will remain largely unaltered.

Proposed amendments to the policy document focus on strengthening monitoring and reporting requirements and improving cooperation between the various public authorities involved in the management of Cockburn Sound.

Other proposed amendments are intended to provide:

- clarification on certain implementation aspects of the policy, such as the assessment of ports, harbours and marinas;
- clarification that Ministerial decisions made in the context of environmental impact assessment will automatically be reflected in the implementation of the SEP with respect to the allocation of moderate and low ecological protection areas; and
- inclusion of cultural and spiritual values in order to protect such values within Cockburn Sound.

The EPA proposes to make more substantial changes to the two supporting documents in order to update environmental quality criteria and to clarify and strengthen monitoring and implementation of the policy, in line with the Auditor General's recommendations. The EPA also proposes to include environmental quality criteria for industrial water supply for the desalination plant in Cockburn Sound. Furthermore, environmental quality criteria for toxic contaminants in high ecological protection areas will be based on the 99% species protection trigger values from the national guidelines. This is consistent with the recommended level of protection for areas where the management goal is only a slightly disturbed system with no change in biodiversity. Water quality surveys have shown that these values will be easily met in high protection areas.

Stakeholder consultation

The EPA will work in close cooperation with the CSMC, the DER and other stakeholders to ensure that the revised SEP and supporting documents provide an efficient and effective framework for the environmental planning and management of Cockburn Sound and its catchment.

Invitation to comment

The EPA welcomes your views on the amendment of the policy and its supporting document.

The following documents have been released for stakeholder and public comment:

- *Draft State Environmental (Cockburn Sound) Policy 2013*; and
- *Draft Revised Environmental Quality Criteria Reference Document for Cockburn Sound*.

The documents can be viewed on the EPA's consultation hub at

<https://consultation.epa.wa.gov.au>

You are invited to give us your comments on the two documents by completing the online submission form by 24 January 2014.

Alternatively, you may submit your comments in writing to:

Office of the Environmental Protection Authority
Strategic Policy and Planning Division
State Environmental (Cockburn Sound) Policy Submission
Locked Bag 10
EAST PERTH WA 6892

Posted submissions should be received by close of business 24 January 2014.

Following the consultation period, submissions will be considered and the documents revised if appropriate.

The revised documents will then be transmitted to the Minister for Environment for consideration.

Membership Cockburn Sound Management Council

Chair: Professor Kateryna Longley

Community Members (2)

Community Networking Inc

Conservation Council of WA

Commonwealth Scientific and Industrial Research Organisation

WA Fishing Industry Council

Recfishwest

Cockburn Powerboat Association

Kwinana Industries Council

Fremantle Ports

City of Cockburn

City of Kwinana

City of Rockingham

Department of Environment Regulation

Department of Fisheries

Department of Health

Department of Mines and Petroleum

Department of Planning

Department of Water

Water Corporation

Defence Support Central and West

