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Western Australia

Christopher Oates
Approvals Monitoring South
Commonwealth Department of the Environment and Energy
GPO Box 787
Canberra 2601

19 December 2017

Our reference: RTIO-HSE-0313831
Your reference: EPBC 2008/4032

Dear Chris,

EPBC 2008/4032 (Cape Lambert Port B Development) – Condition 18, 2016 Compliance Assessment

Condition 18 of EPBC 2008/4032 (Cape Lambert Port B Development) requires Robe Rover Co. Pty. Ltd. to provide compliance reports to Department of the Environment and Energy on an annual basis. To this effect, please find enclosed the annual compliance report for EPBC 2008/4032 for the period 1 January 2016 to 31 December 2016.

Should you have any queries regarding this report, please contact Martin Buck in the first instance on (08) 9183 7130 or martin.buck@riotinto.com

Yours sincerely,



Jamie Robinson
General Manager – Cape Lambert Port Operations
Rio Tinto Iron Ore

**Rio Tinto Iron Ore
Cape Lambert Port B Development
2016 Compliance Assessment
EPBC 2008/4032**

RTIO-HSE-0313831

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Definitions

Term	Meaning
2016 Reporting Period	1 January 2016 to 31 December 2016.
CLB	Cape Lambert Port B.
CMP	Cetacean Management Plan.
Compliance Assessment	A systematic assessment undertaken by a qualified person(s) to determine the compliance of a company in relation to a particular audit protocol.
Compliant	The Proponent has complied with the condition stipulated in EPBC 2008/4032.
Complete	The Proponent has completed the condition stipulated in EPBC 2008/4032.
DotEE	Department of the Environment and Energy
DSDMP	Dredging and Spoil and Disposal Management Plan.
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities.
MTMP	Marine Turtle Management Plan.
PER	Public Environmental Review and draft Public Environment Report.
Not applicable	A condition within EPBC2008/4032 which is not yet applicable or had not yet been triggered at the time of the compliance assessment.
Non-compliant	Failure to comply with the requirements of a condition within EPBC 2008/4032.
OEPA	Western Australian Office of the Environmental Protection Authority.
In Process	The Proponent has partially met the requirements of a condition within EPBC 2008/4032; however, there are ongoing requirements still associated with that condition.
Potentially non-compliant	The Proponent is potentially non-compliant; however, further clarification is required before the level of compliance is definitively determined.

1 Project Overview

1.1 Background

Robe River Mining Co. Pty. Ltd., a member of the Rio Tinto group of companies, has constructed a second port facility (Port B) at Cape Lambert, located approximately 5 km west of Point Samson on the Pilbara coast, Western Australia. The Cape Lambert Port B (CLB) project scope broadly included the construction of a rail track network, ore stockyards, ore delivery systems, an access jetty and wharf and various associated ancillaries. The project was constructed in two discrete phases (termed A and B) which were completed in mid-2015; key infrastructure associated with each phase of the project is detailed within Table 1 below.

Table 1: CLB Key Infrastructure Summary

Description	Phase A	Phase B
Car Dumpers (2 car)	Car Dumper 5	Car Dumpers 6 and 7
Stockyard	12 stockpiles	12 stockpiles
Stackers	Stacker 11 and 12	Stacker 13 and 14
Reclaimers	Reclaimer 11 and 12	Reclaimer 13
Screen Houses / Surge Bins	Screenhouse 5	Screenhouse 6
Ship Loaders	Shiploader 11	Shiploader 12

The project also included a large dredging scope to establish a departure channel, turning basins and berth pockets to facilitate access for bulk ore carriers. CLB operations are approved to export up to 130 million tonnes of iron ore per annum.

1.2 Legislative Context

The CLB development was referred to the Federal government on 12 February 2008 in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). On 25 March 2008 the Federal government determined that the proposal was a 'controlled action' based on potential impacts to matters of National Environmental Significance (NES) protected by the EPBC Act, including:

- listed threatened species and communities (Section 18);
- listed migratory species (Section 20, 20A and 18A); and
- Commonwealth marine areas (Section 23 and 24A).

The CLB development was assessed by the Federal government as a Public Environmental Review and draft Public Environment Report (PER) in March 2009 and was subsequently approved on 26 October 2010 pursuant to EPBC 2008/4032. EPBC 2008/4032 requires the development and implementation of a Dredging and Spoil Disposal Management Plan (DSDMP), Cetacean Management Plan (CMP), Marine Turtle Management Plan (MTMP), Blasting Management Plan and Ecosystem Research and Monitoring Program (ERMP) to manage the project's critical risks, and also includes a series of other general management requirements.

The project's dredging scope was approved under the *Environment Protection (Sea Dumping) Act 1981* on 26 October 2010 pursuant to SD2008/822.

2 Purpose of this Document

2.1 Objective

Condition 18 of EPBC 2008/4032 requires Rio Tinto to provide compliance assessments to the Department of the Environment and Energy (DotEE) on an annual basis. Condition 18 specifically states:

- 18. Each year the person taking the action must provide a report to the Minister addressing compliance with each of the conditions of this approval. The date of the first compliance report must be within twelve months from the date of this approval with each subsequent report 12 months from the date of the previous report. The Compliance report must:*
- a) Be endorsed by Pilbara Iron Pty Ltd or a person approved in writing by the Department, who is delegated to sign on behalf of Pilbara Iron Pty Ltd;*
 - b) Include a statement as to whether the person taking the action has complied with the conditions;*
 - c) Identify any non-compliances and describe corrective and preventative actions taken; and*
 - d) Make the compliance report publicly available on the Internet within 30 days of it being submitted to the Minister.*

The intent of this document is to fulfil this requirement for the period 1 January 2016 to 31 December 2016 (referred to as the '2016 reporting period' herein).

2.2 Scope

This document assesses compliance against the requirements of EPBC 2008/4032 for the 2016 reporting period. To avoid duplication, items which have been listed as complete within previous compliance assessments will not be reassessed within this report. For further details regarding completed scopes refer to the 2011 (RTIO-HSE-0160590), 2012 (RTIO-HSE-0200765) 2013 (RTIO-HSE-0240147) 2014 (RTIO-HSE-0265603) and 2015 (RTIO-HSE-0294615) annual compliance reports. All compliance reports are also made available on Rio Tinto's corporate website (refer to Section 4).

3 Compliance Assessment Results

All actions were complied with during the 2016 reporting period.

All requirements were met and confirm that the CLB development was constructed and continues to be operated in accordance with the various environmental management requirements stipulated within the Federal Government approvals and associated management plans, and that implementation of the works have not resulted in any measurable impacts to matters of NES.

All supporting documents have been lodged in Rio Tinto Iron Ore's Document Management System and are available upon request. Electronic documents have also been provided to the DotEE in accordance with approval and management plan requirements.

4 Public Availability of Compliance Assessment

This compliance assessment will be made publicly available on the Rio Tinto Iron Ore website (<http://www.riotinto.com>), in accordance with Condition 18 (d) of EPBC 2008/4032.

5 Future Compliance Assessments

Future compliance assessments will continue to be submitted annually and will assess implementation of EPBC 2008/4032 during the previous calendar year. The next compliance assessment will assess the period 1 January 2017 to 31 December 2017 and will be submitted prior to 31 December 2018.

This compliance assessment will assess all relevant conditions within EPBC 2008/4032 for the 2017 calendar year. Items which have been marked as complete within previous compliance assessments will not be reassessed to avoid duplication.

Table 2: EPBC 2008/4032 2016 Compliance Assessment

Audit Code	Action	How	Evidence	Satisfy	Phase	When	Status
Sea Dumping Permit							
2008/4032: M1	The person taking the action must comply with the requirements of any permit obtained under the Commonwealth <i>Environmental Protection (Sea Dumping) Act 1981</i> , including any conditions attached.	Obtain Sea Dumping Permit for CLB dredging activities and comply with all the conditions within.	A Sea Dumping Permit (SD2008/822) was obtained for the works, as required. This permit expired on 26 October 2013 and consequently, is not applicable to this reporting period.	Minister for DoE.	Pre-construction, Construction.	Prior to the commencement of, and during, dredging activities.	Compliant.
Dredging and Spoil Disposal Management Plan							
The requirements of the Dredging and Spoil Disposal Management Plan have been completed in-full, as reported in previous compliance assessments.							Complete.
Cetacean Management Plan							
The requirements of the Cetacean Management Plan have been completed in-full, as reported in previous compliance assessments.							Complete.
Marine Turtle Management Plan							
The pre-construction (2008/4032:M6 and 2008/4032:M7.1) requirements of the Marine Turtle Management Plan have been completed in-full, as reported in previous compliance assessments.							Complete.
2008/4032:M7.2	The approved MTMP must be implemented.	Implement the approved MTMP.	Refer to Table 3 below.	Minister for DoE.	Overall.		Compliant.
Blasting Management Plan							
No marine drilling or blasting occurred during this reporting period, nor are any such activities required going forward. Consequently, conditions 8 and 9 of EPBC 2008/4032 are considered to be complete.							Complete.
Ecosystem Research and Monitoring Program							
2008/4032:M10	The person taking the action must develop and implement an Ecosystem Research and Monitoring Program (ERMP) to acquire a detailed ecological understanding of the marine environment of the Cape Lambert region, that can be used to monitor, manage and/or improve the regional marine environment. The Plan must include monitoring programs for the following: a) Coastal processes including beach degradation;	Prepare and implement ERMP in accordance with M10.	Refer to the Cape Lambert Port B Development Ecosystem Research and Monitoring Program (our ref: RTIO-HSE-0111471).	Minister for DoE.	Overall.	26 April 2011.	Compliant.

Audit Code	Action	How	Evidence	Satisfy	Phase	When	Status
	b) Condition of listed and threatened migratory species populations, associated habitat and the Commonwealth marine areas; c) Behaviour of listed threatened and migratory species, including but not limited to, cetaceans and marine turtles. This should include monitoring of potential important habitats, including resting areas; d) Water quality; e) Benthic habitat, including but not limited to, coral, seagrass, mangrove; and f) Implementation and reporting timeframes for each of the actions described above.						
2008/4032:M11	The ERMP must be submitted to the Minister for approval no later than six months from the date of this approval.	Submit ERMP to the Minister for approval.	Refer to the Ecological Research and Monitoring Program submission dated April 15, 2011 (our ref: RTIO-HSE-0111471).	Minister for DoE.	Construction.	26 April 2011.	Complete.
2008/4032:M12	After 12 months from the date of this approval, dredging activities must not thereafter be undertaken unless the Minister has approved the ERMP in writing. The approved ERMP must be implemented.	Submit ERMP to Minister for approval.	Refer to the Minister's approval letters for the Ecosystem Research and Monitoring Program (our refs: RTIO-HSE-0126879 and RTIO-HSE-0307395).	Minister for DoE.	Overall.	26 October 2011.	Compliant.
2008/4032:M13	The results of the ERMP must be used to inform an adaptive management response to observed impacts and/or any potential impacts identified, and to inform the continuous improvement of the management measures within the MTMP, CMP and BMP (if required).	Create adaptive management response informed by ERMP results, if required.	ERMP programs were still being implemented during this reporting period and consequently, adaptive management responses have not yet been developed.	Minister for DoE.	Construction.	As required.	Compliant.
Conditions – Other							
2008/4032:M14	The person taking the action must ensure that all relevant staff and contractors and any other persons working on the action receive comprehensive training in relation to the requirements of this decision and comply with all requirements of this decision relevant to their duties prior to commencing action on the project.	Provide comprehensive training/inductions as per M14.	Refer to the CLB EMP Training presentations (our ref: RTIO-HSE-0159769), CLB Specialised Environmental Training Presentations (our ref: RTIO-HSE-0159770), CLB Environmental Training Records (our ref: RTIO-HSE-0159772) and the CLB Environmental Induction (our ref: RTIO-HSE-0159773).	Minister for DoE.	Overall.		Compliant.

Audit Code	Action	How	Evidence	Satisfy	Phase	When	Status
			<p>Refer to the Cape Lambert Port B Environmental Induction Dredging and Spoil Disposal Management (our ref: RTIO-HSE-0098862).</p> <p>Refer to the Marine Mammal Observer Training Presentation (our ref: RTIO-HSE-0107426).</p> <p>The CLB project was handed over to Cape Lambert operations in July 2015.</p> <p>All training requirements are referenced in the Iron Ore essentials and coastal operations site essential training packages.</p>				
2008/4032:M15	Upon the direction of the Department, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Department. The independent auditor must be approved by the Department prior to the commencement of the audit. Audit criteria must be agreed by the Department and the audit report must address the criteria to the satisfaction of the Department.	Undertake an independent compliance audit in accordance M15.	An independent audit was completed upon the Direction of the Department during 2013/2014. Refer to the audit report for further details (RTIO-HSE-0212795).	Minister for DoE.	Overall.	Upon direction of the Department.	Compliant.
2008/4032:M16	If, at any time after two years from the date of this approval, the Minister notifies the person taking the action that the Minister is not satisfied that there has been substantial commencement of the action, the action must not thereafter be commenced without written agreement of the Minister.	Minister notifies Rio Tinto.	The DoE have been notified in writing that the project has substantially commenced (our ref: RTIO-HSE-0104803).	Minister for DoE.	At any time after two years from the approval date of EPBC. 2008/4032.	If the Minister is not satisfied.	Complete.
2008/4032:M17	Within 10 days of commencement of the actions, the person taking the action must advise the Minister in writing of the actual date of commencement.	Provide, in writing, the commencement date to the Minister.	Refer to the written notification (our ref: RTIO-HSE-0104803).	Minister for DoE.	Construction.	Within 10 days of the commencement of construction	Complete.
2008/4032:M18	Each year the person taking the action must provide a report to the Minister addressing compliance with each of the conditions of this approval. The date of the first compliance report must be within twelve months from the date of the previous report. The Compliance report must:	Submission of a compliance assessment report in accordance with the requirements of M18.	<p>Refer to compliance assessments:</p> <ul style="list-style-type: none"> • 2010 (our ref: RTIO-HSE-0125435) • 2011 (our ref: RTIO-HSE-0160590) 	Minister for DoE.	Overall.	Annually.	Compliant.

Audit Code	Action	How	Evidence	Satisfy	Phase	When	Status
	a) be endorsed by Pilbara Iron Pty Ltd or a person approved in writing by the Department, who is delegated to sign on behalf of Pilbara Iron Pty Ltd; b) include a statement as to whether the person taking the action has complied with the conditions; c) identify any non-compliances and describe corrective and preventative actions taken; and d) make the compliance report publically available on the Internet within 30 days of it being submitted to the Minister.		<ul style="list-style-type: none"> 2012 (our ref: RTIO-HSE-0200765) 2013 (our ref: RTIO-HSE-0240147) 2014 (our ref: RTIO-HSE-0265603) 2015 (our ref: RTIO-HSE-0294615) and 2016 (this document). 				
2008/4032:M19	The Reports described at Condition 18 must be provided until the expiry of this approval.	Submission of a compliance assessment report in accordance with the requirements of M18.	Refer to compliance assessments: <ul style="list-style-type: none"> 2010 (our ref: RTIO-HSE-0125435) 2011 (our ref: RTIO-HSE-0160590) 2012 (our ref: RTIO-HSE-0200765) 2013 (our ref: RTIO-HSE-0240147) 2014 (our ref: RTIO-HSE-0265603) 2015 (our ref: RTIO-HSE-0294615) and 2016 (this document). 	Minister for DoE.	Overall.	Annually.	Compliant.
2008/4032:M20	If the person taking the action wishes to carry out any activity otherwise than in accordance with the DSDMP, CMP, MTMP, BMP and ERMP, referred to in conditions 2, 4, 6, 8, and 10, respectively, the person taking the action must submit for the Minister's approval a revised version of the relevant plan or program (however described). The varied activity shall not commence until the Minister has approved the varied plan or program in writing. If the Minister approves such a revised plan or program, the plan or program must be implemented in a place of the plan or program originally approved.	Submission of a revised version of the relevant plan or program.	No actions were undertaken apart from those outlined in approved management plans. Management plans were not required to be updated during this reporting period.	Minister for DoE.	Overall.	When required.	Not applicable.
2008/4032:M21	Management plans, reports, systems and programs (however described) referred to in these conditions of approval must be made publicly available within 30 days of approval by the Minister.	Upload approved management plans onto Rio Tinto website.	All management plans, reports, systems and programs were available on www.rtiointo.com , as required.	DoE.	Overall.	Within 30 days of approval by Minister.	Compliant.
2008/4032:M22	All plans, reports or programs (however described) required under this approval must include the following elements:	Include the requirements of M22 in all relevant	Refer to the Cape Lambert Port B Development Ecosystem	Minister for DoE.	Overall.		Compliant.

Audit Code	Action	How	Evidence	Satisfy	Phase	When	Status
	<ul style="list-style-type: none"> a) a description of the EPBC Act listed species and habitat likely to be impacted by the components of the action which are the subject of that plan, report or program (however described); b) an assessment of the risk to these values, species or habitats, from the components of the action that are the subject of or relevant to that plan, report or program (however described); c) details of the management measures proposed in relation to these values, species or habitats, if it is a requirement of the condition requiring that plan, report or program (however described); d) details of monitoring proposed for that species if it is a requirement of the condition requiring that plan, report or program (however described); e) performance standards in relation to that species if it is a requirement of the condition requiring that plan, report or program (however described); f) management triggers in relation to that species if it is a requirement of the condition requiring that plan, report or program (however described). 	plans, reports or programs.	<p>Research and Monitoring Program (our refs: RTIO-HSE-0111471, RTIO-HSE-0307395), Dredging and Spoil Disposal Management Plan (our ref: RTIO-HSE-0102815), Cetacean Management Plan (our ref: RTIO-HSE-0102816) and the Marine Turtle Management Plan (our ref: RTIO-HSE-0193896).</p> <p>All of these plans have been approved by the Minister and/or delegate.</p>				
2008/4032:M23	The person taking the action must maintain accurate records of activities associated with or relevant to the above conditions of approval, and make them available on request by the Department. Such documents may be subject to audit by the Department and used to verify compliance with the conditions of approval.	Maintain accurate records of activities.	<p>All records are maintained on the Rio Tinto Iron Ore Document Management System, as required.</p> <p>No requests for documents were made by the Department during this reporting period.</p>	DoE.	Overall.	Upon request from the DSEWPaC.	Compliant.
2008/4032:M24	If the Minister believes that it is necessary or desirable for the better protection of any relevant control provision to do so, the Minister may request that the person taking the action make specified revisions to any plans, reports or programs (however described) approved pursuant to these conditions. The person taking the action must comply with any such request. The revised plans, reports or programs (however described) must be implemented.	Make specified revisions to plans, reports or programs as requested.	No revisions to plans, reports or programs were requested during this reporting period.	Minister for DoE.	Overall.	Upon request from the DSEWPaC.	Not applicable.

Table 3: Marine Turtle Management Plan Compliance Assessment

Audit Code	Action	When	Evidence	Status
Project Design Measures				
The requirements of MTMP 3.1 to 3.4 have been completed in-full, as reported in previous compliance assessments.				Complete.
MTMP 3.5	Stabilise primary dune vegetation (and enhance where opportunities are present), using locally occurring dune species.	Where opportunities present.	No stabilisation works were conducted during this reporting period.	Not applicable.
The requirements of MTMP 3.6 to 3.9 have been completed in-full, as reported in previous compliance assessments.				Complete.
Construction Management Procedures				
MTMP 4.1	Apply the Approvals Request and permitting system to ensure no unauthorised clearing is undertaken.		All works were conducted in accordance with the Approval Request and permitting system and no unauthorised clearing of potential marine turtle habitat occurred during this reporting period, as evidenced within the operation's incident reporting database.	Compliant.
MTMP 4.2	Apply the Port B Development CEMP clearing procedures.		All works were conducted in accordance with the Approval Request and permitting system and CEMP. No unauthorised clearing of potential marine turtle habitat occurred during this reporting period, as evidenced within the operation's incident reporting database.	Compliant.
MTMP 4.3	Include a marine turtle education and management requirements component in site inductions.	During new starter site inductions.	Refer to the CLB Site Specific Induction (our ref: RTIO-HSE-0125707) and the Marine Fauna Observation Training Package (our ref: RTIO-HSE-0128846). Marine turtle management is also referenced in the Cape Lambert site essentials training package.	Compliant.
MTMP 4.4	No personnel or vehicles to access Bells Beach or Cooling Water Beach without EPCM EO approval.	When access to Bells and Cooling Water beaches is required.	Both Bells and Cooling Water beaches are recorded as exclusion zones within RTIO's GIS and approvals databases and can only be accessed with appropriate authorisation, as required. Refer to the dispensation allowing Bells and Cooling Water beaches to be accessed for light spill monitoring (our ref: RTIO-HSE-0098712).	Compliant.
MTMP 4.5	Report any incidents involving marine turtles to DSEWPaC and DEC.	In the event of an incident involving marine turtles.	There were no marine turtle incidents attributable to proposal implementation during this reporting period.	Not applicable.
The requirements of MTMP 4.6 to 4.12 have been completed in-full, as reported in previous compliance assessments.				Complete.
MTMP Management Action 4.13	Develop and implement a possible nest relocation programme for Cooling Water Beach, in liaison with DEC and DSEWPaC, in the event that monitoring indicates a significant decline in nest success relative to other beaches. DEC and DSEWPaC approval will be required before this strategy is adopted.	In the event that monitoring indicates a significant decline in nest success relative to other beaches.	A decline in nesting success did not occur at Cooling Water Beach during this reporting period.	Not applicable.
Operational Management Procedures				
MTMP Management Action 5.1	Identify and address any processes affecting the long-term stability of the primary dune at Bells Beach.	Biennial.	Refer to the Bells Beach Vegetation Monitoring 2016 report (RTIO-HSE-0304405).	Compliant.
MTMP Management Action 5.2	Implement dune surface stabilisation and revegetation programme at the Bells Beach primary dune if monitoring indicates landform stability is being compromised.	As required.	Refer to the Bells Beach Vegetation Monitoring 2016 report (our ref: RTIO-HSE-0304405) A Bells Beach Dune Remediation Plan (our ref: RTIO-HSE-0314026) was developed as a contingency, should future works be required.	Compliant.

Audit Code	Action	When	Evidence	Status
MTMP Management Action 5.3	Identify any sections of beaches that are subject to elevated light levels from artificial sources.	Ongoing.	Light spill monitoring was conducted at Bells Beach, as required (our ref: RTIO-HSE-0175026). Cape Lambert Port B activities did not result in any direct light spill on Bells Beach outside of the permitted area during this reporting period. Whilst not relevant to EPBC 2008/4032 (Cape Lambert Port B), some direct light spill was detected from Cape Lambert Port A activities. Management actions have been identified and are in the process of being implemented to rectify this issue.	Compliant.
MTMP Management Action 5.4	Develop and implement additional lighting design modifications to address source of elevated light levels.	As required.	Whilst not relevant to EPBC 2008/4032 (Cape Lambert Port B), some direct light spill was detected from Cape Lambert Port A activities. Management actions, including modifications to lighting design, have been identified and are in the process of being implemented to rectify this issue.	Compliant.
MTMP Management Action 5.5	Provide initial report on light spill analysis.	Within 6 months of commissioning.	The light spill analysis report was provided to the Department of the Environment and Energy on 28 July 2015 (our ref: RTIO-HSE-0264372), as required.	Complete.
MTMP Management Action 5.6	Continue dust management improvement programme.	Ongoing.	Cape Lambert's Dust Management Plan includes a dust management improvement component. Refer to Section 2.1.3 of the Dust Management Plan for further details (our ref: RTIO-HSE-0221343).	Compliant.
MTMP Management Action 5.7	Include a marine turtle education and management requirements component in site inductions.	Once.	Information relating to marine turtle management areas and beach access is provided in the CLB induction (our ref: RTIO-HSE-0125707).	Compliant.
MTMP Management Action 5.8	No personnel or vehicles to access Bells Beach or Cooling Water Beach without SEO approval.	Ongoing.	Both Bells and Cooling Water beaches are recorded as exclusion zones within the proponent's GIS and approvals databases and can only be accessed with appropriate authorisation, as required. Refer to the dispensation allowing Bells and Cooling Water beaches to be accessed for light spill monitoring (our ref: RTIO-HSE-0098712).	Compliant.
MTMP Management Action 5.9	Implement misoriented turtle protocol and liaise with DEC and DSEWPaC as required.	Operations.	No misoriented turtles were recorded in 2016.	Not applicable.
MTMP Management Action 5.10	Report any incidents involving marine turtles.	Ongoing.	No operations-related marine turtle incidents occurred during this reporting period.	Not applicable.
MTMP Management Action 5.11	Develop and implement effective waste management practices for the Cape Lambert landfill or its replacement.	Operations.	Upon the completion of the CLB construction scope, the proponent elected to close and rehabilitate the 7kp Landfill. Refer to the 7kp Landfill Rehabilitation Plan (our ref: RTIO-HSE-0279886) and Closeout Report (our ref: RTIO-HSE-0288782) for further details. The 7kp Landfill was not replaced, and operational waste is removed from site by a licensed waste management company.	Complete.
MTMP Management Action 5.12	Continue fox baiting programme in the Cape Lambert area.	Operations.	A total of two foxes were trapped on the Cape Lambert lease during the reporting period, as documented in the Ports fauna register (our ref: RTIO-HSE-0276329).	Compliant.
MTMP Management Action 5.13	Develop a relocation protocol for misoriented turtles in liaison with the DEC and the DSEWPaC.	Operations.	The protocol is documented within the MTMP (our ref: RTIO-HSE- 0193896). No relocations were required during this reporting period.	Compliant.
MTMP Management Action 5.14	Continue to exclude (high speed) recreational vessels from around the Cape Lambert wharves and jetties.	Ongoing.	Recreational vessels are excluded from approaching the wharf/jetty area, as required.	Compliant.
Monitoring				

Audit Code	Action	When	Evidence	Status												
MTMP Management Action 6.1	Design and implement a monitoring plan for the Bells Beach primary dune.		The Bells Beach primary dune monitoring program is detailed within the Cape Lambert Port B Development Marine Turtle Management Plan (our ref: RTIO-HSE-0193896) and Cape Lambert Port B Ecosystems Research Monitoring Program (our ref: RTIO-HSE-0111471).	Compliant.												
MTMP Management Action 6.2	Undertake field monitoring of incident light levels at Bells Beach and Cooling Water Beach and regional sites.	Annually	Light monitoring has been conducted at Bells Beach, Cooling Water Beach and Delambre Island, as required. Monitoring results are stored within the Cape Lambert Port B light spill monitoring register (our ref: RTIO-HSE-0175026).	Compliant.												
MTMP Management Action 6.3	Capture light level data into a database and GIS	Annually	Light monitoring has been conducted at Bells Beach, Cooling Water Beach and Delambre Island, as required. Monitoring results are stored within the Cape Lambert Port B light spill monitoring register (our ref: RTIO-HSE-0175026).	Compliant.												
MTMP Management Action 6.4	Investigate the use of sky glow image monitoring from fixed viewsheds at Bells Beach and Cooling Water Beach and regional sites.	Annually.	Sky glow monitoring using handheld meters and data loggers has been successfully trialled (our ref: RTIO-HSE-0113002). It will continue to be conducted and reported under Project 4 of the Cape Lambert Port B Ecosystems Research Monitoring Program (our refs: RTIO-HSE-0111471 and RTIO-HSE-0247376).	Compliant.												
The requirements of MTMP 6.5 to 6.8 have been completed in-full, as reported in previous compliance assessments.				Complete.												
MTMP Management Action 6.9	Undertake nesting activity monitoring at Bells Beach and Cooling Water Beach, and collect contextual data at reference sites.	Annually.	During the 2015/2016 marine turtle nesting season (five month assessment period), a total of 207 and six nests were observed on Bells and Cooling Water beaches respectively. Comparatively, at the Delambre Island reference site, a total of 603 nests were recorded over a 20 night period.	Compliant.												
MTMP Management Action 6.10	Monitor hatchling dispersal patterns in onshore habitats.	Annually.	<div>Hatchling dispersal assessments were conducted on Bells Beach during the 2015/2016 marine turtle nesting season, as required. Monitoring results are summarized below.</div> <table><thead><tr><th>N</th><th>Fan spread</th><th>Fan centre (c)</th><th>Angle to water (X)</th><th>Offset Angle</th><th>Test Results (C vs X)</th></tr></thead><tbody><tr><td>26</td><td>42.3° ± 3.39</td><td>319.3 ° ± 12.8</td><td>328.0 ° ± 1.00</td><td>5.2° ± 1.59</td><td>T₂₅= - 0.0.68 p = 0.503</td></tr></tbody></table>	N	Fan spread	Fan centre (c)	Angle to water (X)	Offset Angle	Test Results (C vs X)	26	42.3° ± 3.39	319.3 ° ± 12.8	328.0 ° ± 1.00	5.2° ± 1.59	T ₂₅ = - 0.0.68 p = 0.503	Compliant.
N	Fan spread	Fan centre (c)	Angle to water (X)	Offset Angle	Test Results (C vs X)											
26	42.3° ± 3.39	319.3 ° ± 12.8	328.0 ° ± 1.00	5.2° ± 1.59	T ₂₅ = - 0.0.68 p = 0.503											
MTMP Management Action 6.11a	Conduct tagging programme for turtles utilising Bells Beach, Cooling Water beach and Delambre Island to examine long term population changes	Annually.	Turtle tagging activities were conducted during the 2015/2016 marine turtle nesting season, as required. A total of 17 newly tagged and 32 remigrant turtles were tagged at Bells Beach, and 532 newly tagged and 302 remigrant turtles were tagged at Delambre Island. No turtles were newly tagged at Cooling Water Beach.	Compliant.												
The requirements of MTMP 6.11b have been completed in-full, as reported in previous compliance assessments.				Complete.												
MTMP Management Action 6.12 to 6.14	<div>Continue incident reporting programme and analyse turtle related incidents.</div> <div>Report mortalities of marine turtles found within the Port B Development work area through notification to DSEWPac within 48 hours of the sighting.</div> <div>Undertake an investigation if the injured or dead turtle is attributed to the Port B Development and refer to one of three trigger levels to guide any management response.</div>	<div>When an incident occurs involving marine turtles.</div> <div>Within 48 hours of sighting.</div> <div>In the event of a marine turtle mortality which is attributable to the Port B Development.</div>	There were no marine turtle incidents attributable to Cape Lambert Port B operations during this reporting period.	Not applicable.												

Audit Code	Action	When	Evidence	Status
MTMP Management Action 6.15	Report to the DSEWPaC if any turtles/hatchlings need to be relocated outlining matters such as the reason for the relocation, the site where the turtles/hatchling was relocated from and where it was relocated to, and timing) within 48 hours.	Within 48 hours of a marine turtle relocation.	No marine turtle relocations were required during this reporting period.	Not applicable.
Reporting and Review Process				
MTMP Management Action 7.1 and 7.2	Prepare internal and external reports on marine turtle monitoring and management. Undertake annual continuous improvement review based on outcomes of 7.1 above, in consultation with DEC and DSEWPaC.	Annually.	Refer to the Cape Lambert Port B Marine Turtle Management Plan (our ref: RTIO-HSE-0193896) and Ministerial Statement 743 Annual Environment Compliance Report 2015 (our ref: RTIO-HSE-0267532). Refer to the OEPA (OEPA ref: 1ST092013-0003; our ref: RTIO-HSE-0212007) and DSEWPaC (DSEWPaC ref: 2012/13272; our ref: RTIO-HSE-0212008) approvals of the Management Plan.	Compliant.
MTMP Management Action 7.3	Employ an Ecosystems Monitoring Advisor (EMA) as part of implementation of the Cape Lambert Port B Development	Once.	EMA has been employed, as required.	Complete.
MTMP Management Action 7.4	Consult with DEC, DSEWPaC and other stakeholders in regards to turtle monitoring and management.	As required.	Refer to the Cape Lambert Port B Marine Turtle Management Plan (our ref: RTIO-HSE-0193896). Refer to the OEPA (OEPA ref: 1ST092013-0003; our ref: RTIO-HSE-0212007) and DSEWPaC (DSEWPaC ref: 2012/13272; our ref: RTIO-HSE-0212008) approvals of the Management Plan.	Compliant.
MTMP Management Action 7.5	Provide annual report to the Minister for SEWPaC addressing compliance with the conditions of EPBC 2008/4032, including this MTMP (Condition 18)	Annually.	Refer to the 2010 (our ref: RTIO-HSE-0125801), 2011 (our ref: RTIO-HSE-01650590), 2012 (our ref: RTIO-HSE-0200765), 2013 (our ref: RTIO-HSE-0240147), 2014 (our ref: RTIO-HSE-0265603), 2015 (our ref: RTIO-HSE-0294615) and 2016 (this report) annual compliance reports.	Compliant.
MTMP Management Action 7.6	Provide Compliance Assessment Report to the OEPA addressing compliance with the conditions of Ministerial Statement 840 (Condition 4)	Annually.	Refer to the 2010 (our ref: RTIO-HSE-0109153), 2011 (our ref: RTIO-HSE-0132047), 2012 (our ref: RTIO-HSE-0178492), 2013 (our ref: RTIO-HSE-0212109), 2014 (our ref: RTIO-HSE-0237597), 2015 (our ref: RTIO-HSE-0267551) and 2016 (our ref: RTIO-HSE-0294125) annual compliance reports.	Compliant.