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State # 314

WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

RELOCATION OF THE CEDRIC STREET WETLAND, CITY OF STIRLING (729)

**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
CITY OF STIRLING
WESTPOINT PROPERTIES
JK GENEFF NOMINEES
P BALTOVICH
FABRAY PTY LTD
MR FURFARO**

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Consultative Environmental Review and in response to issues raised following public submissions. These commitments appear in Appendices 1 and 3 of Environmental Protection Authority Bulletin 658. (A copy of the commitments made in Appendices 1 and 3 (consolidated) is attached.)

2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

3 Lakes Environmental Protection Policy

- 3-1 The proponent shall ensure that each lake created under the Lake Relocation Plan (see condition 6) complies with the Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 selection criteria.
- 3-2 The proponent shall design and construct each lake created under the Lake Relocation Plan so that it has a surface water area of not less than 1000 square metres on the first day of December each year, except under exceptional drought conditions.

- 3-3 Within one month of the completion of the construction phase of the Lake Relocation Plan, the proponent shall nominate for inclusion in and protection under the Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 each lake created under that Plan.

4 Rare Flora

- 4-1 At a seasonally appropriate time prior to the commencement of any construction which may impact on the Cedric Street Wetland or its fringing vegetation, the proponent shall conduct a survey to determine the occurrence and distribution of rare sedges to the requirements of the Minister for the Environment on advice of the Department of Conservation and Land Management.

5 Environmental Management Programme

- 5-1 Prior to the commencement of any construction which may impact on the Cedric Street Wetland or its fringing vegetation, the proponent shall prepare, with the benefit of community input, an Environmental Management Plan which indicates how the existing ecological, hydrological and social values of the Cedric Street Wetland are to be incorporated into any lake to be constructed within the Stirling Regional Centre to the requirements of the Minister for the Environment.
- 5-2 The proponent shall include in the Environmental Management Plan required by condition 5-1 the Lake Relocation Plan and the Lake Management and Monitoring Plan required by conditions 6 and 7, respectively.

6 Lake Relocation Plan

- 6-1 The proponent shall prepare a Lake Relocation Plan which addresses, but is not limited to the following:
- 1 location, morphology and visual impact of replacement lake(s);
 - 2 the ecological, hydrological and human use objectives of the replacement lake(s), and how these objectives are to be met through design and management;
 - 3 detailed design plans, including habitat maps;
 - 4 detailed biological specifications, including flora and fauna selections and landscape design;
 - 5 timing of transference of biological material from the Cedric Street Wetland;
 - 6 likely seasonal water level regimes; and
 - 7 the distribution of rare plant and animal species occurring within the Cedric Street Wetland and details of their relocation.

7 Lake Management and Monitoring Plan

Monitoring is to be conducted by the proponent in order to assess the effectiveness of the Lake Relocation Plan and to support any proposed changes in management of the lake(s).

- 7-1 Prior to the commencement of any construction which may impact on the Cedric Street Wetland or its fringing vegetation, the proponent shall prepare a Lake Management and Monitoring Plan to the requirements of the Minister for the Environment on advice of the Department of Conservation and Land Management. This plan shall include but not be limited to the following:
- 1 vegetation monitoring;
 - 2 fauna monitoring;
 - 3 habitat monitoring;
 - 4 lake water level monitoring;
 - 5 human use monitoring;
 - 6 water quality monitoring (including inflows and outflows);
 - 7 lake management strategies (including scope for mid-course corrections in response to unforeseen circumstances);

- 8 weed, pest and rubbish control; and
- 9 future reporting of results.

7-2 The proponent shall prepare annual reports of the results of monitoring required by condition 7-1.

8 Proponent

These conditions legally apply to the nominated proponent.

8-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of a proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

9 Time Limit on Approval

The environmental approval for the proposal is valid for a period of five years.

9-1 If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority.)

10 Compliance Auditing

In order to ensure that environmental conditions and commitments are met, an audit system is required.

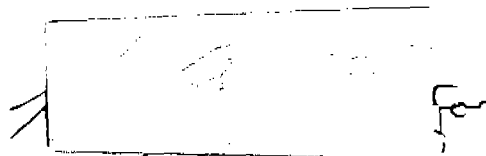
10-1 The proponent shall prepare periodic "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Monitoring and reporting requirements under condition 7 may be reviewed by the Environmental Protection Authority after submission of the sixth annual monitoring report.


Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

PROPONENT'S COMMITMENTS

Relocation of the Cedric Street Wetland City of Stirling (729)

**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
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The proponent has made the following environmental commitments:

8. ENVIRONMENTAL COMMITMENTS

8.1 Environmental Management Plan (EMP)

The EMP will formulate the specific construction details of the wetland replacement proposal and identify the responsibilities and obligations of the proponent and long term wetland managers. The EMP will incorporate an extensive environmental monitoring programme designed to assess the ongoing performance of the wetland series system in terms of ecological, social and hydrological functions.

The environmental goals and objectives outlined in this CER will be incorporated into the EMP and provide the fundamental framework for its compilation.

8.2 Rationale and Objectives of Environmental Commitments

The rationale behind the formulation of environmental commitments for the proposed functional replacement of the Cedric Street Wetland is to provide necessary guidance on the management of potential environmental impacts. These commitments will feature strongly in a Environmental Management Plan (EMP) which will be compiled at a later date when the development parameters have been ascertained. The environmental commitments have been categorised into

- ▶ Pre-operational Environment;
- ▶ Operational Environment; and
- ▶ Post-operational Environment.

8.3 Pre-operational Environment

1. An extensive Environmental Management Plan (EMP) will be formulated when the development details and wetland construction variables have been rationalised.

Important aspects of the EMP include:

- (i) Wetland design;
- (ii) Precise siting of wetlands;
- (iii) Performance criteria;
- (iv) Performance monitoring;
- (v) Management and maintenance of replacement wetlands; and
- (vi) Corrections/contingency plans

The preparation of the Environmental Management Plan will be the responsibility of the proponents with final approval of the EMP by the EPA.

2. Detailed engineering surveys to assess groundwater and hydraulic levels.
3. Identification of vegetation species to be relocated from Cedric Street Wetland and investigations into feasible transplanting methods.
4. A detailed survey and trapping exercise to be undertaken in order to determine the possibility of the Southern Brown Bandicoot or other native mammals utilising the wetland environment.
5. Quantitative analysis on the adequacy of peat reserves necessary for wetland to be created.
6. Precise determination of most beneficial timing of earthworks and vegetation relocation/establishment as part of the wetland replacement proposal.
7. Clear definition of the number, siting, area and other aspects of wetland design.
8. Gain initial background information to assist in the formulation of the environmental monitoring programme.
9. Assess the flow rates and water levels of the Osborne Park Branch Drain which are expected to vary according to final land use proposed upstream.
10. Utilise cleared, low lying sites for wetland recreation which possess minimal potential impacts on remnant vegetation types such as the mature flooded gums in the southern portion of the development site.
11. Undertake necessary precautions that maximise the potential for environmental goals and functional objectives to be achieved.

12. Educate prospective companies, contractors and subcontractors involved in the construction and establishment of wetlands on the environmental goals and objectives of the proposal as outlined in the CER.
13. Undertake a public education process (newspapers, displays etc) to inform the community of the impending proposal and the regional role of the new wetlands in the environment. Public input regarding the design of the wetlands within the parameters and environmental goals will be considered.
14. Landscape Plans for those developments impacting upon the existing and proposed wetlands will be formulated. Implementation of the Landscape Plans will be the responsibility of the proponent. The Landscape Plans will be incorporated into the Environmental Management Plan and therefore will require satisfactory approval by the EPA.
15. The proponents to negotiate the siting of replacement wetlands within the Stirling Regional Centre.
16. Negotiate with MRD the location of replacement wetlands within the Freeway Reserve.
17. A water sensitive design approach will be encouraged for all development design which has the potential to impact on the proposed wetlands.
18. The proponents will be responsible for the management and maintenance of the proposed wetland series during the construction phase and for a further 2 years after practical completion of the wetland project. After this period, the City of Stirling will undertake the role of long term managers of the wetland system.
19. The functions performed by the Southern Wetland/dampland complex shall also be incorporated into the replacement functions of the wetland creation proposal.

8.4 Operational Environment

20. Construction of wetlands and establishment of habitats to be undertaken at most beneficial time taking into account seasonal influences.
21. Adopt excavation, engineering and revegetation practises that enhance the establishment of the newly created wetlands.
22. Monitor earthworks, drainage provisions and wetland storage capacities to ensure the Osborne Park Branch Drain will not be adversely affected by the proposal.
23. Segregate wetland excavation activities from the water course of the Osborne Park Branch Drain to mitigate water quality impacts such as increased turbidity and siltation of main drainage channel.
24. Maximise the establishment of native vegetation by adopting an intensive transplanting/planting/seeding operation for each wetland. This will minimise areas of open ground where Typha are likely to invade.
25. Further development ecosystem performance criteria to be incorporated into the environmental monitoring programme.
26. Restrict access to newly created wetlands by the provision of fencing. Where appropriate the fencing may become a permanent fixture providing it does not impede upon the various functional objectives contained in this CER.
27. Monitoring the water quality of the Osborne Park Branch Drain to assist in the effectiveness of nutrient/pollutant stripping functions of wetlands.
28. Ensure the long term managers of the wetland system (City of Stirling) are well informed on the environmental goals of the wetlands. Their active involvement in initial stages of wetland creation will greatly assist in the future management of the wetland environment.

29. Conduct an education campaign and help community groups and school become involved with planting exercises and other activities which contribute to public involvement in the wetland project.
30. Sediment basins will be constructed alongside replacement wetlands to settle out particulates/sediments associated with stormwater drainage prior to entry into the wetland waterbody.

8.5 Post-operational Environment

31. Finalise the environmental monitoring programme for parameters to be monitored based on the collection of baseline data, experience obtained during wetland creation and future performance goals for the ecological, social and hydrological environments. The monitoring programme will form an integral part of the Environmental Management Plan. The proponents will be responsible for the monitoring programme.
32. Educate the managers of the wetlands (City of Stirling) and local community groups on land management practices that contribute to the long term sustainability of the wetland environment (eg conservative fertiliser and water usage etc).
33. Maintain the balance of native vegetation types (sedges, rushes, paperbarks, flooded gums) and use environmentally sensible methods to control the proliferation of undesirable vegetation types (ie manual removal of Typha, Castor Oil plants, pampas grass, blackberry).
34. Encourage the use of native fauna, particularly waterbirds with the establishment of habitat types consistent with the range of waterbird activities. The introduction of hollow logs, nesting boxes, and effective screening are methods to enhance these activities in those wetlands where adequate space and screening is offered.
35. Periodic maintenance of the proposed sediment basins shall be undertaken by the Proponents.

36. The City of Stirling shall employ the use of street sweepers on wetland surface catchment roads in order to reduce sediments prior to the first flush of winter rains (eg March-April).

CEDRIC STREET WETLAND RELOCATION PROPOSAL

COMMITMENTS ARISING FROM THE PROPONENTS RESPONSES TO ISSUES RAISED DURING THE PUBLIC REVIEW PERIOD

1. That the proponent undertake a fauna trapping exercise to determine the existence, or otherwise, of rare fauna (such as the Southern Brown Bandicoot) at the proposed Stirling Regional Centre site.
2. During the preparation of the Environmental Management Plan, the proponent shall undertake a public consultation exercise in order to gain input from community groups, interested parties and the general public.
3. As part of the Environmental Management Plan's revegetation programme, the proponent will examine methods of weed control applicable to the replacement lake(s) environment.
4. During the preparation of the Environmental Management Plan, the proponent will investigate in more detail the endemic plant species that may have previously existed at the Cedric Street Wetland prior to disturbance and seek methods to re-introduce suitable species to the replacement lake(s) environment.
5. During the preparation of the Environmental Management Plan, the proponent, in consultation with Main Roads, shall resolve concerns regarding replacement lake(s) within road reserves.

Note: These additional Environmental Commitments fall under Pre-operational Environment as described in Section 8 of the CER.

Mick McCarthy
Environmental Planner