



WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

Ass #	633
Bull #	635
State #	292

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

URBAN DEVELOPMENT, PART LOT 35 & LOT 48, BRIXTON STREET
KENWICK, SHIRE OF GOSNELLS (633)

ST JOSEPH'S PROPERTIES PTY LTD AND DUDLEY & DWYER LIMITED

This proposal may be implemented subject to the following conditions:

1 Implementation

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

- 1-1 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.

2 Ecosystem Protection

The most environmentally significant portion of the area of the proposal should be set aside in order to retain remnant native vegetation, to provide a vegetation continuum between the adjacent nature conservation areas and to preserve rare and endangered faunal habitat.

- 2-1 Prior to finalisation of subdivision, the proponent shall revise the subdivision plan to include an area to meet the conservation requirements of the Minister for the Environment acting on advice of the Environmental Protection Authority, the Department of Conservation and Land Management and the Department of Planning and Urban Development.
- 2-2 The proponent shall incorporate in the revised subdivision plan a conservation area at least equivalent, in the opinion of the Minister for the Environment, to that indicated in the attached Appendix A.
- 2-3 The proponent shall protect the conservation values of the conservation area required by condition 2-1 to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

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3 Drainage Management Plan

To minimise impacts on adjacent nature conservation areas, the proponent should prepare a drainage management plan.

3-1 Prior to subdivision, the proponent shall design a drainage management plan to minimise impacts on adjacent nature conservation areas to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

3-2 The proponent shall implement the drainage management plan required by condition 3-1.

4 Proponent

These conditions legally apply to the nominated proponent.

4-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the 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.

5 Time Limit on Approval

The environmental approval for the proposal is limited.

5-1 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).

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.

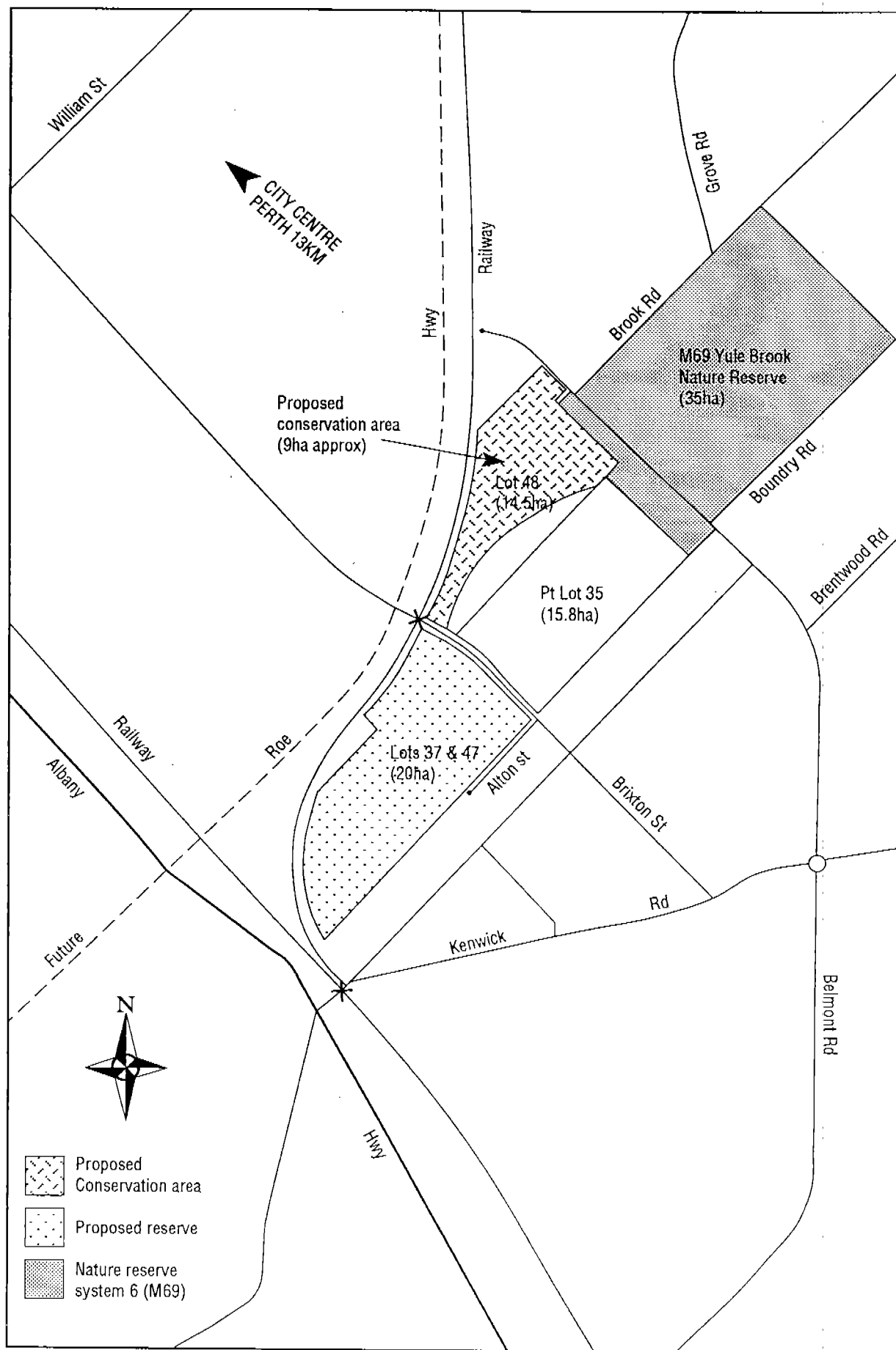
If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Jim McGinty, MLA
MINISTER FOR THE ENVIRONMENT

20 NOV 1992

Note: Advice regarding subsequent planning approval

This environmental approval under the provisions of the Environmental Protection Act does not imply that planning approval will follow automatically.



Appendix A Proposed conservation area to be incorporated into urban development of Lots 48 and 35, Brixton Street, Kenwick, Shire of Gosnells.