



Statement No.

**MINISTER FOR THE ENVIRONMENT;
LABOUR RELATIONS**

000503

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

**RESIDENTIAL SUBDIVISION OF LOTS 5, 8, 9, 10, 15 AND 16 HAIGH
(GARDEN), BRIDGE AND SHREEVE ROADS, CANNING VALE (CITY OF
GOSNELLS)**

Proposal: The proposal is to subdivide for residential purposes Lots 5, 8, 9 and 10 Haigh Road (Garden Street) and Lots 15 and 16 Shreeve Road, Canning Vale (City of Gosnells) as shown on Figure 1 attached. The subdivision has a gross area of approximately 12 hectares. It includes approximately 150 single residential lots ranging in size from around 480 square metres to around 815 square metres, several duplex size lots, public open space, and roads.

Proponent: Term Pty Ltd

Proponent Address: PO Box 1504, Canning Vale WA 6970

Assessment Number: 1234

Report of the Environmental Protection Authority: Bulletin 923

The proposal to which the above report of the Environmental Protection Authority relates may be implemented subject to the following conditions and procedures:

1 Implementation

- 1-1 Subject to these conditions and procedures, the proponent shall implement the proposal as described above.
- 1-2 Where the proponent seeks to change any aspect of the proposal as described above in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.
- 1-3 Where the proponent seeks to change any aspect of the proposal as described above in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

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2 Drainage and Nutrient Management Plan

2-1 Prior to implementation of the proposal (ie commencement of earthworks), and in the event that the site is not zoned for the purposes of residential development, the proponent shall prepare a Drainage and Nutrient Management Plan for the site to meet the following objective:

- to maintain or enhance the quality of water so that existing and potential uses, including ecosystem maintenance, are protected consistent with the Environmental Protection (Swan and Canning Rivers) Policy 1997, and the Draft Western Australian Water Quality Guidelines for Fresh and Marine Waters (Environmental Protection Authority Bulletin 711);

to the requirements of the Environmental Protection Authority on advice of the Water and Rivers Commission and the City of Gosnells.

The Plan shall include:

1 management actions and objectives consistent with:

- the Environmental Protection (Swan and Canning Rivers) Policy;
- subregional drainage, nutrient and catchment management plans for the area shown on Figure 2 attached; and
- water sensitive urban design principles and best management practices;

2 mechanisms to minimise erosion during and after the development phase;

3 a monitoring program including definition of performance criteria and analysis procedures to demonstrate whether the objectives of the Plan are being met;

4 contingency measures to be implemented in the event that the performance criteria are not met; and

5 identification of responsibilities for implementation of the Plan.

2-2 The proponent shall implement the Drainage and Nutrient Management Plan referred to in condition 2-1 to the extent specified in the Plan, to the requirements of the Environmental Protection Authority.

3 Proponent

3-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person in respect of the proposal.

3-2 Any request for the exercise of that power of the Minister referred to in condition 3-1 shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the proposal in accordance with the conditions and procedures set out in the statement.

3-3 The proponent shall notify the Department of Environmental Protection of any change of proponent contact name and address within 30 days of such change.

4 Commencement

- 4-1 The proponent shall provide evidence to the Minister for the Environment within five years of the date of this statement that the proposal has been substantially commenced.
- 4-2 Where the proposal has not been substantially commenced within five years of the date of this statement, the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment will determine any question as to whether the proposal has been substantially commenced.
- 4-3 The proponent shall make application to the Minister for the Environment for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement at least six months prior to the expiration of the five year period referred to in conditions 4-1 and 4-2.
- 4-4 Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years for the substantial commencement of the proposal.

5 Compliance Auditing

- 5-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit program prepared in consultation between the proponent and the Department of Environmental Protection.
- 5-2 Unless otherwise specified, the Chief Executive Officer of the Department of Environmental Protection is responsible for assessing compliance with the conditions and procedures contained in this statement and for issuing formal clearances.
- 5-3 Where compliance with any condition or procedure is in dispute, the matter will be determined by the Minister for the Environment.

Note

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance to these conditions. Ongoing auditing by the Department of Environmental Protection will not be required after the land is appropriately zoned for residential development.
- 2 Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.

CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

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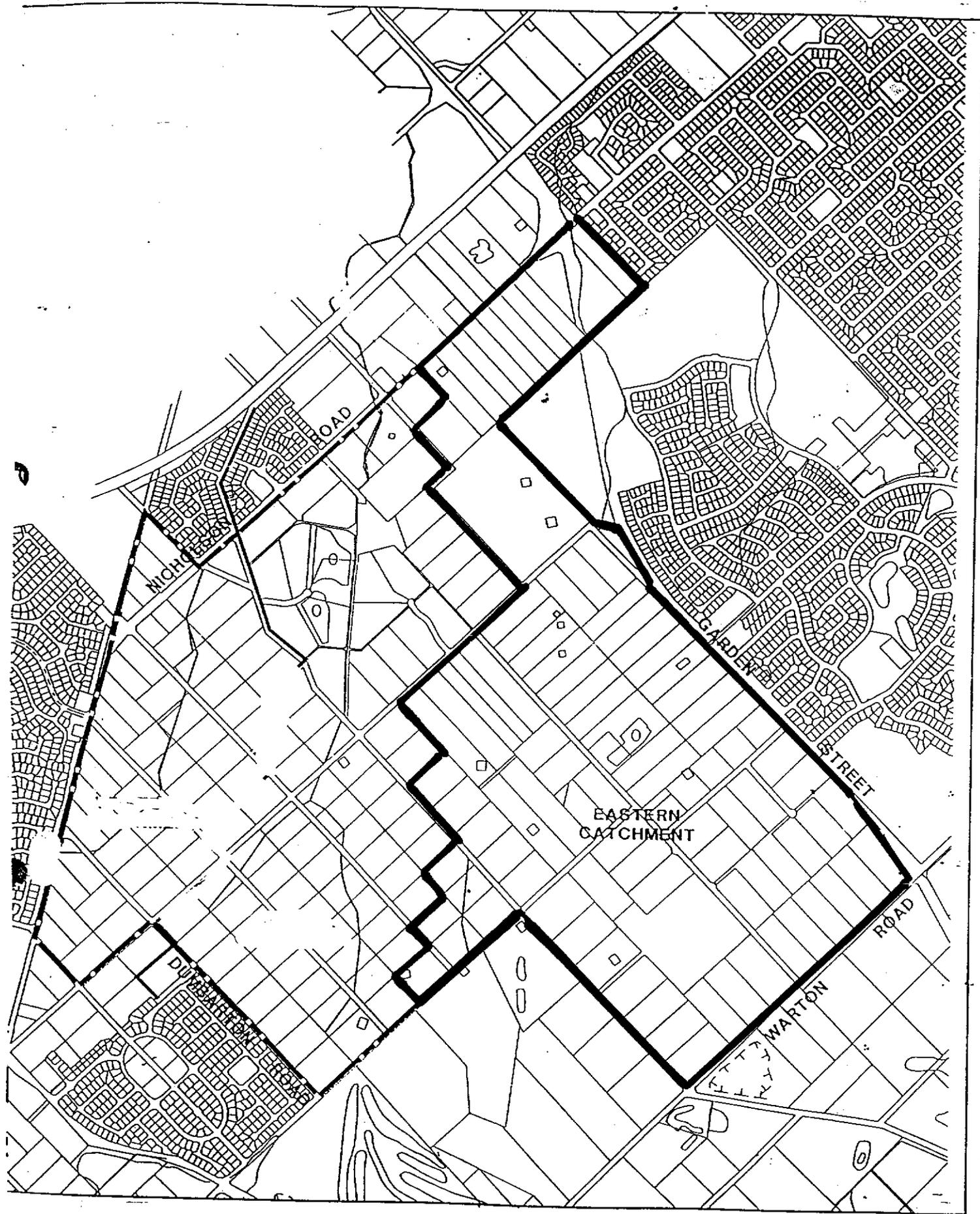


Figure 2

Drainage Catchment Area (see condition 2-1-1)

