



Minister for the Environment; Climate Change; Peel

Statement No.

000738

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

**ALBANY FORESHORE REDEVELOPMENT – *EASTERN PART*
PRINCESS ROYAL HARBOUR**

Proposal: Site preparation and subdivision on the Albany city foreshore for mixed use maritime industrial, commercial, short stay accommodation and entertainment.

The proposal involves earthworks, reclamation of 0.6 hectares of Princess Royal Harbour, subdivision and provision of basic service infrastructure. The proposal is further documented in schedule 1 of this statement.

Proponent: LandCorp

Proponent Address: Wesfarmers' House, 40 The Esplanade, PERTH WA 6000

Assessment Number: 1639-1

Previous Assessment Number: 898

Previous Statement Number: 421 (Published on 27 June 1996)

Report of the Environmental Protection Authority: Bulletin 1241

Previous Report of the Environmental Protection Authority: Bulletin 800

The implementation of the proposal to which the above reports of the Environmental Protection Authority relate is subject to the following conditions and procedures, which replace all previous conditions and procedures applicable to this part of the proposal (See note 1 at foot of this statement):

1 Proposal Implementation

- 1-1 The proponent shall implement the proposal as documented and described in schedule 1 of this statement subject to the conditions and procedures of this statement.

Published on

28 MAR 2007

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.
- 2-2 The proponent shall notify the Chief Executive Officer of the Department of Environment and Conservation (CEO) of any change of the name and address of the proponent for the serving of a notice or other correspondence within 30 days of such change.

3 Time Limit of Authorisation

- 3-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void within five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.
- 3-2 The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.

4 Compliance Reporting

- 4-1 The proponent shall submit to the CEO environmental compliance reports annually reporting on the previous twelve-month period, unless required by the CEO to report more frequently.
- 4-2 The environmental compliance reports shall address each element of an audit program approved by the CEO and shall be prepared and submitted in a format acceptable to the CEO.
- 4-3 The environmental compliance reports shall:
 - 1. be endorsed by signature of the proponent's Chief Executive or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's Chief Executive;
 - 2. state whether the proponent has complied with each condition and procedure contained in this statement;
 - 3. provide verifiable evidence of compliance with each condition and procedure contained in this statement;
 - 4. state whether the proponent has complied with each key action contained in any environmental management plan or program required by this statement;
 - 5. provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by this statement;
 - 6. identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance;

7. provide an assessment of the effectiveness of all corrective and preventative actions taken; and
8. describe the state of implementation of the proposal.

4-4 The proponent shall make the environmental compliance reports required by condition 4-1 publicly available in a manner approved by the CEO.

5 Environmental Management Plan

5-1 Prior to commencement of ground-disturbing activities, the proponent shall prepare an Environmental Management Plan to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

The objective of this Plan is:

- to effectively manage the construction and operation of the redevelopment so that environmental values in the area are not significantly adversely affected.

This Plan shall address the following:

1. site contamination with advice from the Department of Environment and Conservation;
2. dewatering and disposal of dewatering effluent with advice from the Department of Environment and Conservation and the Department of Water;
3. marine water quality impacts including monitoring to be undertaken with advice from the Department of Environment and Conservation and the Department of Water;
4. monitoring of seagrass meadows adjacent to the construction areas with advice from the Department of Environment and Conservation and the Department of Water;
5. accumulation of seagrass wrack on the foreshore with advice from the Department of Environment and Conservation;
6. changes to coastal processes as a result of the reclamation works with advice from the Department of Environment and Conservation;
7. stormwater management with advice from the Department of Water;
8. waste management during construction with advice from the Department of Environment and Conservation and the Department of Water;
9. archaeological monitoring during construction with advice from the Heritage Council of Western Australia;
10. dust with advice from the Department of Environment and Conservation;
11. noise with advice from the Department of Environment and Conservation; and
12. traffic with advice from Main Roads Western Australia.

5-2 The proponent shall implement the Environmental Management Plan required by condition 5-1.

5-3 The proponent shall make the Environmental Management Plan required by condition 5-1 publicly available in a manner approved by the CEO.

Notes

1. This project and the adjacent project, Albany Foreshore Redevelopment – Western Part, Princess Royal Harbour (Assessment no. 1639-2) have arisen from Albany Foreshore Redevelopment, Princess Royal Harbour (Assessment no. 898) by a split under section 45C of the *Environmental Protection Act 1986*.
2. Where a condition states “on advice of the Environmental Protection Authority”, the Environmental Protection Authority will provide that advice to the Department of Environment and Conservation for the preparation of written notice to the proponent.
3. The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment and Conservation.
4. The Minister for the Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.
5. The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the *Environmental Protection Act 1986*.
6. The WA Museum requires that an archaeological assessment be carried out for the development area. A Heritage Impact Assessment has been completed making recommendations relevant to WA Museum concerns. The proponent has committed to carrying out those recommendations.

David Templeman MLA
MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE, PEEL

28 MAR 2007

Schedule 1

The Proposal – Eastern Part (Assessment No. 1639-1)

General Description

The site preparation and subdivision of six hectares for mixed use maritime industrial, commercial, short stay accommodation and entertainment.

This part of the proposal involves the reclamation of approximately 0.6 hectares of Princess Royal Harbour immediately west of the existing Albany Town Jetty. The site preparation will involve earthworks to shape the site and the installation of service infrastructure (roads, paths, public open space, water and electricity).

The project is located on the foreshore of Princess Royal Harbour, immediately south of the Albany Central Business District as shown in Figure 1 (attached). It is adjacent to and east of the City of Albany Anzac Peace Park.

The changes to the proposal are described in the document *Albany Foreshore Redevelopment Project – Changes to Proposal for Assessment under s45C of the Environmental Protection Act* (Strategen, April 2006).

Summary Description

A summary of the key proposal characteristics is presented in Table 1.

Table 1 - Key Proposal Characteristics

| Characteristic | Description |
|--|--|
| Project area | 6 hectares |
| Reclamation area in Princess Royal Harbour | Not more than 0.6 hectares |
| Seagrass loss - direct | 0.001 hectares |
| Potential seagrass loss - indirect | 0.06 hectares |
| Subdivision | Lots for commercial and short stay accommodation and installation of service infrastructure. |

Figures (attached)

Figure 1 - Site boundary

Figure 2 - Project layout

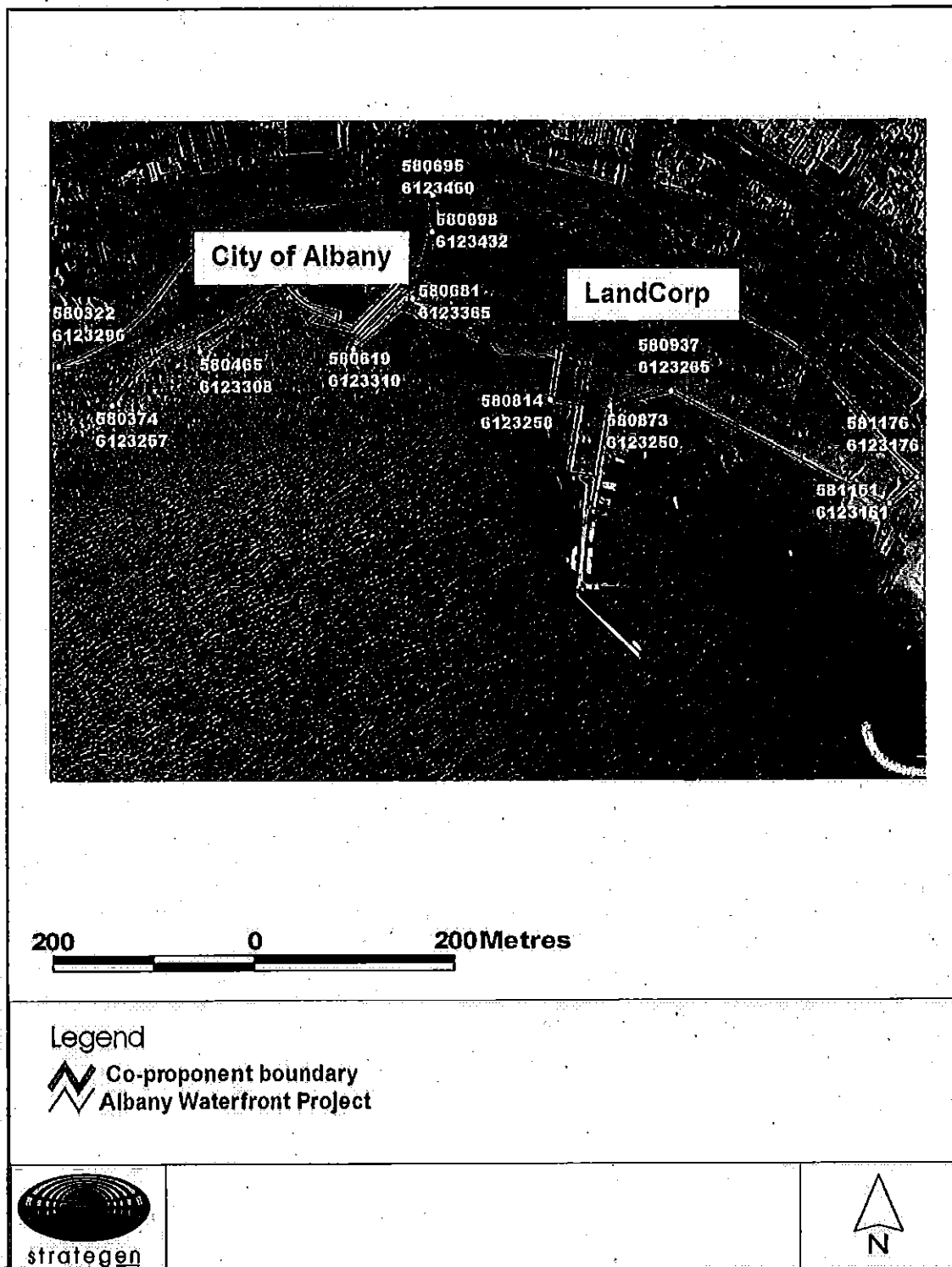


Figure 1: Site boundary

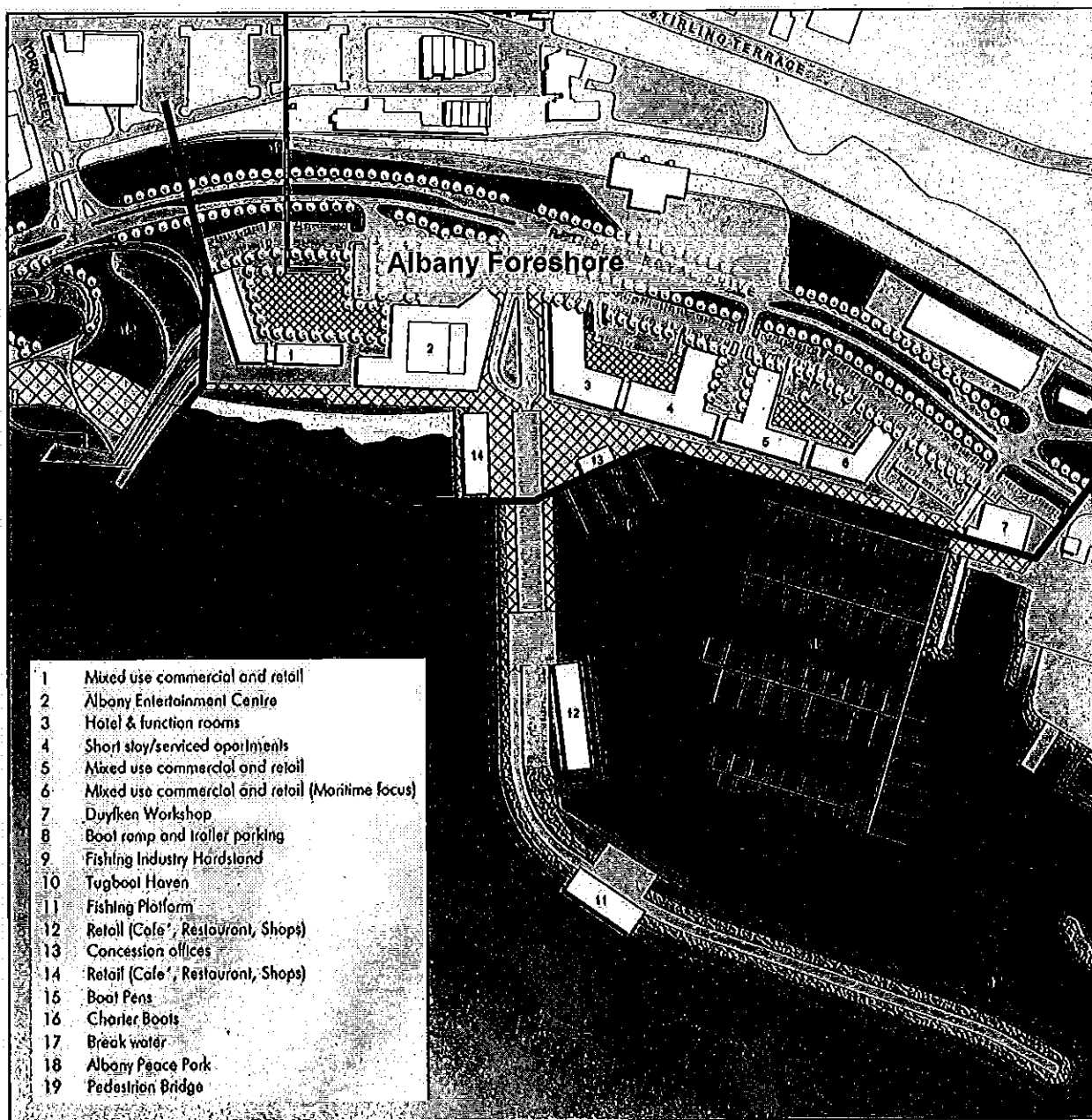


Figure 2: Project layout