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Published on: 30 April 2012

Statement No: 894

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

RESIDENTIAL SUBDIVISION ON LOTS 3000 (FORMERLY LOT 1512) AND 1523
EMU POINT DRIVE, ALBANY

Proposal: The proposal is for the residential subdivision of Lots 3000 (formerly Lots 1512) and 1523 Emu Point Drive in Albany, as documented in Schedule 1 of this Statement.

Proponent: Western Australian Land Authority

Proponent Address: Level 3, Wesfarmers House, 40 The Esplanade,
PERTH WA 6000

Assessment Number: 1680

Report of the Environmental Protection Authority: Report 1392

Appeal numbers: 048 and 049 of 2011

The proposal referred to in the above report of the Environmental Protection Authority may be implemented. The implementation of that proposal is subject to the following conditions and procedures:

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.

2 Proponent Nomination and Contact Details

2-1 The proponent for the time being nominated by the Minister for 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 Office of the Environmental Protection Authority (CEO) of any change of the name and address of the proponent for the serving of notices 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 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 prepare and maintain a compliance assessment plan to the satisfaction of the CEO.
- 4-2 The proponent shall submit to the CEO the compliance assessment plan required by condition 4-1 at least six months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner.

The compliance assessment plan shall indicate:

- 1 the frequency of compliance reporting;
 - 2 the approach and timing of compliance assessments;
 - 3 the retention of compliance assessments;
 - 4 the method of reporting of potential non-compliances and corrective actions taken;
 - 5 the table of contents of compliance assessment reports; and
 - 6 public availability of compliance assessment reports.
- 4-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.
 - 4-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the CEO.
 - 4-5 The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.
 - 4-6 The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this statement addressing the twelve month period from the date of issue of this statement and then annually from the date of submission of the first compliance assessment report.

The compliance assessment report shall:

- 1 be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- 2 include a statement as to whether the proponent has complied with the conditions;
- 3 identify all potential non-compliances and describe corrective and preventative actions taken;
- 4 be made publicly available in accordance with the approved compliance assessment plan; and
- 5 indicate any proposed changes to the compliance assessment plan required by condition 4-1.

5 Vegetation

- 5-1 The proponent shall ensure that the implementation of the proposal does not cause the loss of more than 2,000 square metres of native vegetation through direct impacts outside the development footprint as shown in Figure 1 in schedule 1 of this statement.
- 5-2 The proponent shall ensure that the implementation of the proposal does not cause the loss of more than 14.7 hectares of native vegetation through direct impacts to native vegetation located within the development footprint referred to in condition 5-1.
- 5-3 Prior to approval of a subdivision diagram of survey, the proponent shall submit a rezoning application under the City of Albany Town Planning Scheme to rezone the portions of the proposal area located outside of the development footprint shown in Figure 1 as conservation area, to achieve the intent that this area will be retained for conservation purposes (at this time the zoning would be 'Parks and Recreation').

6 Western Ringtail Possum

- 6-1 Prior to the commencement of any clearing of native vegetation at the site, the proponent shall prepare a Western Ringtail Possum Environmental Management Plan to the satisfaction of the CEO in consultation with the Department of Environment and Conservation.
- 6-2 The object of the Management Plan required by condition 6-1 is to address risks posed to Western Ringtail Possums as a result of the implementation of the proposal, and shall include the following:
 1. identification of suitable habitat to which Western Ringtail Possums can be translocated due to the implementation of the proposal, with such

site(s) being approved by the Department of Environment and Conservation.

2. monitoring the populations of Western Ringtail Possum within the proposal site (being Lots 3000 and 1523 Emu Point Drive) and the translocation site(s) after the implementation of the proposal in consultation with the Department of Environment and Conservation, to determine abundance of the populations at both the proposal site and translocation site(s).
 3. implementing measures to maintain Western Ringtail Possum habitat within the proposal site in consultation with the Department of Environment and Conservation.
- 6-3 Monitoring of Western Ringtail Possums under condition 6-2 shall continue for such time as the CEO believes is necessary.
- 6-4 The results of monitoring carried out under condition 6-2 shall be made available to the public in a manner approved by the CEO and shall be included in the proponent's annual report.

[Signed 30 April 2012]

HON BILL MARMION MLA
MINISTER FOR ENVIRONMENT; WATER

The Proposal (Assessment No. 1680)

The proposal is for the residential subdivision of Lots 3000 (formerly Lots 1512) and 1523 Emu Point Drive in Albany. The proposal area is approximately 34 hectares (ha) of Lots 3000 (formerly Lot 1512) and 1523 Emu Point Drive in Albany. Within this area proponent intends to develop 16.9 ha (Figure 1) within which a maximum of 14.7 ha of vegetation will be cleared. Approximately 16.3 ha of vegetation outside of the development footprint within the proposal area will be retained for conservation purposes. The development footprint will include 2.2 ha of retained native vegetation in the form of one east-west and three north-south green spines.

The proposal also includes works outside of the development footprint including an additional footpath, the installation of a gravity sewer along Emu Point Drive, a water main upgrade along Troode Street and extension of mains sewerage to the existing residential development along Hope and Griffiths Streets. Clearing of approximately 1570m² of native vegetation will be required for these works.

Figure 1 shows the proposal area and the development footprint.

The proposal is described in the following document: Section 2 of the Public Environmental Review, Western Australian Land Authority, April 2010.

Table 1: Summary of Key Proposal Characteristics

Element	Description
Site description	Lots 3000 (formerly Lot 1512) and 1523 Emu Point Drive, Albany
Site area	33.2 hectares
Area of development footprint	Not more than 16.9 hectares
Area of native vegetation to be cleared within development footprint	Not more than 14.7 hectares (includes 0.6 hectares of hazard separation where overstorey vegetation will be retained)
Area of vegetation to be retained in development footprint	Not less than 2.2 hectares
Area of vegetation to be cleared outside of development footprint for footpath and sewerage works.	Not more than 2,000 square metres
Area of vegetation in proposal area to be rehabilitated	Not less than 0.7 hectares (consisting of tracks and 0.3 hectares of dieback infected area which includes the area of sewerage works)
Area of vegetation to be retained for conservation in proposal area	Not less than 16.3 hectares

Figure (attached)

Figure 1 Emu Point development footprint and area retained for conservation of native vegetation and fauna.



Figure 1 Emu Point Development footprint and area retained for conservation of native vegetation and fauna.

Coordinates for Development Footprint for the Emu Point Proposal
Development Footprint - Coordinates are in GDA 1994 MGA zone 50

Shape	Easting	Northing
Development footprint	585235.29	6126662.13
Development footprint	585243.59	6126667.71
Development footprint	585257.27	6126661.76
Development footprint	585260.86	6126660.6
Development footprint	585264.32	6126659.09
Development footprint	585267.61	6126657.26
Development footprint	585281.55	6126651.19
Development footprint	585283.91	6126636.27
Development footprint	585284.72	6126633.32
Development footprint	585285.29	6126630.32
Development footprint	585287.8	6126613.57
Development footprint	585301.83	6126580.81
Development footprint	585307.29	6126570.68
Development footprint	585308.92	6126565.65
Development footprint	585310.21	6126560.52
Development footprint	585311.16	6126555.31
Development footprint	585311.19	6126554.71
Development footprint	585310.78	6126538.56
Development footprint	585314.43	6126500.86
Development footprint	585318.12	6126490.03
Development footprint	585319.39	6126485.95
Development footprint	585320.43	6126481.82
Development footprint	585324.12	6126470.82
Development footprint	585322.2	6126461.41
Development footprint	585321.69	6126455.36
Development footprint	585320.71	6126449.38
Development footprint	585318.64	6126443.94
Development footprint	585319.59	6126446.22
Development footprint	585318.53	6126443.37
Development footprint	585317.93	6126440.43
Development footprint	585315.36	6126437.56
Development footprint	585312.12	6126432.69
Development footprint	585308.4	6126428.17
Development footprint	585304.25	6126424.04
Development footprint	585299.7	6126420.36
Development footprint	585299.41	6126420.14
Development footprint	585263.08	6126393.61
Development footprint	585263.06	6126393.59
Development footprint	585255.6	6126388.61
Development footprint	585247.91	6126383.93

Development footprint	585240.03	6126379.58
Development footprint	585232.02	6126374.07
Development footprint	585181.11	6126355.51
Development footprint	585161.54	6126344.38
Development footprint	585134.51	6126340.41
Development footprint	585131.98	6126338.98
Development footprint	585129.64	6126337.27
Development footprint	585126.26	6126333.78
Development footprint	585122.37	6126329.43
Development footprint	585118.15	6126325.4
Development footprint	585111.48	6126318.51
Development footprint	585105.86	6126316.11
Development footprint	585105.48	6126315.83
Development footprint	585104.68	6126315.22
Development footprint	585104.1	6126314.76
Development footprint	585102.68	6126313.52
Development footprint	585101.11	6126312.09
Development footprint	585099.37	6126310.63
Development footprint	585098.09	6126309.7
Development footprint	585096.26	6126308.62
Development footprint	585094.56	6126307.77
Development footprint	585092.82	6126306.98
Development footprint	585091.3	6126306.34
Development footprint	585090.33	6126305.95
Development footprint	585075.26	6126299.8
Development footprint	585070.65	6126297.83
Development footprint	585068.81	6126297.05
Development footprint	585057.25	6126292.12
Development footprint	585056.33	6126292.61
Development footprint	585051.77	6126290.97
Development footprint	585050.56	6126290.56
Development footprint	585048.06	6126289.75
Development footprint	585045.44	6126289.03
Development footprint	585043.99	6126288.69
Development footprint	585042.69	6126288.43
Development footprint	585041.14	6126288.16
Development footprint	585038.76	6126287.75
Development footprint	585035.5	6126287.13
Development footprint	585032.01	6126286.4
Development footprint	585028.34	6126285.59
Development footprint	585024.43	6126284.69
Development footprint	585019.82	6126283.56

Development footprint	585016.32	6126282.65
Development footprint	585013.4	6126281.86
Development footprint	585011.9	6126281.46
Development footprint	585010.01	6126280.95
Development footprint	585008.72	6126280.6
Development footprint	585006.83	6126280.09
Development footprint	585005.89	6126279.84
Development footprint	584948.73	6126262.7
Development footprint	584865.15	6126255.14
Development footprint	584860.6	6126247.19
Development footprint	584876.87	6126212.75
Development footprint	584898.73	6126182.2
Development footprint	584902.92	6126181.51
Development footprint	584906.34	6126176.72
Development footprint	584907.1	6126175.78
Development footprint	584915.12	6126164.74
Development footprint	584916.36	6126162.73
Development footprint	584919.2	6126158.75
Development footprint	584918.88	6126156.79
Development footprint	584929.56	6126146.54
Development footprint	584930.51	6126145.59
Development footprint	584931.55	6126144.46
Development footprint	584932.31	6126143.54
Development footprint	584933.17	6126142.21
Development footprint	584933.79	6126140.83
Development footprint	584934.48	6126139.09
Development footprint	584934.83	6126138.1
Development footprint	584935.35	6126137.23
Development footprint	584936.07	6126136.51
Development footprint	584937.27	6126135.58
Development footprint	584939.11	6126134.53
Development footprint	584940.8	6126133.61
Development footprint	584941.95	6126132.9
Development footprint	584943.51	6126131.85
Development footprint	584945.58	6126130.33
Development footprint	584947.47	6126128.86
Development footprint	584949.5	6126127.18
Development footprint	584951.12	6126125.73
Development footprint	584952.6	6126124.27
Development footprint	584953.98	6126122.73
Development footprint	584955.29	6126120.95
Development footprint	584956.42	6126119.11

Development footprint	584957.48	6126117.09
Development footprint	584958.36	6126115.4
Development footprint	584959.04	6126114.35
Development footprint	584959.38	6126113.93
Development footprint	584960.4	6126113.06
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Development footprint	584962.82	6126111.11
Development footprint	584963.47	6126110.2
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Development footprint	584963.72	6126105.18
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Development footprint	584963.41	6126096.36
Development footprint	584963.52	6126095.93
Development footprint	584963.69	6126095.45
Development footprint	584963.9	6126095.02
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Development footprint	584964.46	6126094.17
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Development footprint	584847.32	6126430.57
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Development footprint	584848.78	6126430.9
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Development footprint	584861.01	6126443.47
Development footprint	584862	6126444
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Development footprint	584993.97	6126532.68
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Development footprint	585010.04	6126542.23
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Development footprint	585010.26	6126542.2
Development footprint	585010.38	6126542.17
Development footprint	585010.45	6126542.16
Development footprint	585010.49	6126542.15
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Development footprint	585010.84	6126542.78
Development footprint	585011.06	6126543.07
Development footprint	585011.3	6126543.3
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Development footprint	585023.93	6126550.68
Development footprint	585024.48	6126550.8
Development footprint	585025.14	6126550.88

Development footprint	585025.59	6126550.89
Development footprint	585025.97	6126550.83
Development footprint	585026.49	6126550.66
Development footprint	585026.91	6126550.46
Development footprint	585027.19	6126550.33
Development footprint	585027.45	6126550.21
Development footprint	585027.63	6126550.16
Development footprint	585027.75	6126550.15
Development footprint	585027.92	6126550.18
Development footprint	585028.13	6126550.24
Development footprint	585028.44	6126550.38
Development footprint	585029.05	6126550.69
Development footprint	585029.74	6126551.06
Development footprint	585045.08	6126559.26
Development footprint	585060.65	6126566.99
Development footprint	585061.03	6126567.19
Development footprint	585064.3	6126578.04
Development footprint	585044.48	6126615.04
Development footprint	585036.43	6126617.48
Development footprint	585065.58	6126633.09
Development footprint	585063.02	6126624.94
Development footprint	585077.78	6126595.96
Development footprint	585079.84	6126591.52
Development footprint	585116.71	6126607.86
Development footprint	585124.64	6126611.14
Development footprint	585132.73	6126614.01
Development footprint	585150.06	6126619.65
Development footprint	585178.29	6126628.86
Development footprint	585185.89	6126631.87
Development footprint	585188.35	6126632.85
Development footprint	585194.32	6126637.07
Development footprint	585214.52	6126651.35
Development footprint	585226.09	6126656.7
Development footprint	585227.14	6126657.51

Attachment 1 to Ministerial Statement 894

Change to proposal under s45C of the *Environmental Protection Act 1986*

Proposal: Residential Subdivision on Lots 3000 (formerly Lot 1512) and 1523 Emu Point Drive, Albany

Proponent: Western Australian Land Authority

Change: Increase in clearing of native vegetation
Change to development footprint boundary

The proposal is for a residential subdivision within an approved development footprint on Lots 3000 and 1523 Emu Point Drive, Albany. The proposal also includes associated works outside the development footprint including an additional footpath, the installation of a gravity sewer along Emu Point Drive, a water main upgrade along Troode Street, and extension of mains sewerage to the existing residential development along Hope and Griffiths Streets.

Table 1. Summary of Key Proposal Characteristics: this table replaces Table 1 in Schedule 1.

<u>Element</u>	<u>Description of proposal</u>	<u>Description of approved change to proposal</u>
Site description	Lots 3000 (formerly Lot 1512) and 1523 Emu Point Drive, Albany	Lots 3000 (formerly Lot 1512) and 1523 Emu Point Drive, Albany (see Figure 1)
Site Area	33.2 hectares	33.2 hectares (see Figure 1)
Area of development footprint	Not more than 16.9 hectares	Not more than 16.9 hectares (see Figure 1)
Area of native vegetation to be cleared within development footprint	Not more than 14.7 hectares (includes 0.6 hectares of hazard separation where overstorey vegetation will be retained)	Not more than 16.5 hectares (includes 2.6 hectares of hazard separation where overstorey vegetation will be retained)
Area of vegetation to be retained within the development footprint	Not less than 2.2 hectares	Not less than 0.4 hectares
Area of vegetation to be cleared outside of development footprint for footpath and sewerage works	Not more than 2,000 square metres	Not more than 2,000 square metres

<u>Element</u>	<u>Description of proposal</u>	<u>Description of approved change to proposal</u>
Area of vegetation in proposal area to be rehabilitated	Not less than 0.7 hectares (consisting of tracks and 0.3 hectares of dieback infected area which includes the area of sewerage works)	Not less than 0.7 hectares (consisting of tracks and 0.3 hectares of dieback infected area which includes the area of sewerage works)
Area of vegetation to be retained for conservation within proposal area	Not less than 16.3 hectares	Not less than 16.3 hectares (see Figure 1)

Note: Text in **bold** in the Key Characteristics Table, indicates change/s to the proposal.

Replacement Figure and Table:

Figure 1. Residential Subdivision on Lots 3000 and 1523 Emu Point Drive proposed development footprint and conservation area: this Figure replaces Figure 1 of Schedule 1.

Table 2. GIS coordinates (GDA94 MGA zone 50) for the proposed Development Footprint of the Residential Subdivision on Lots 3000 and 1532 Emu Point Drive: This Table replaces the table of coordinates in Schedule 1.

[Signed 10 July 2013]

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

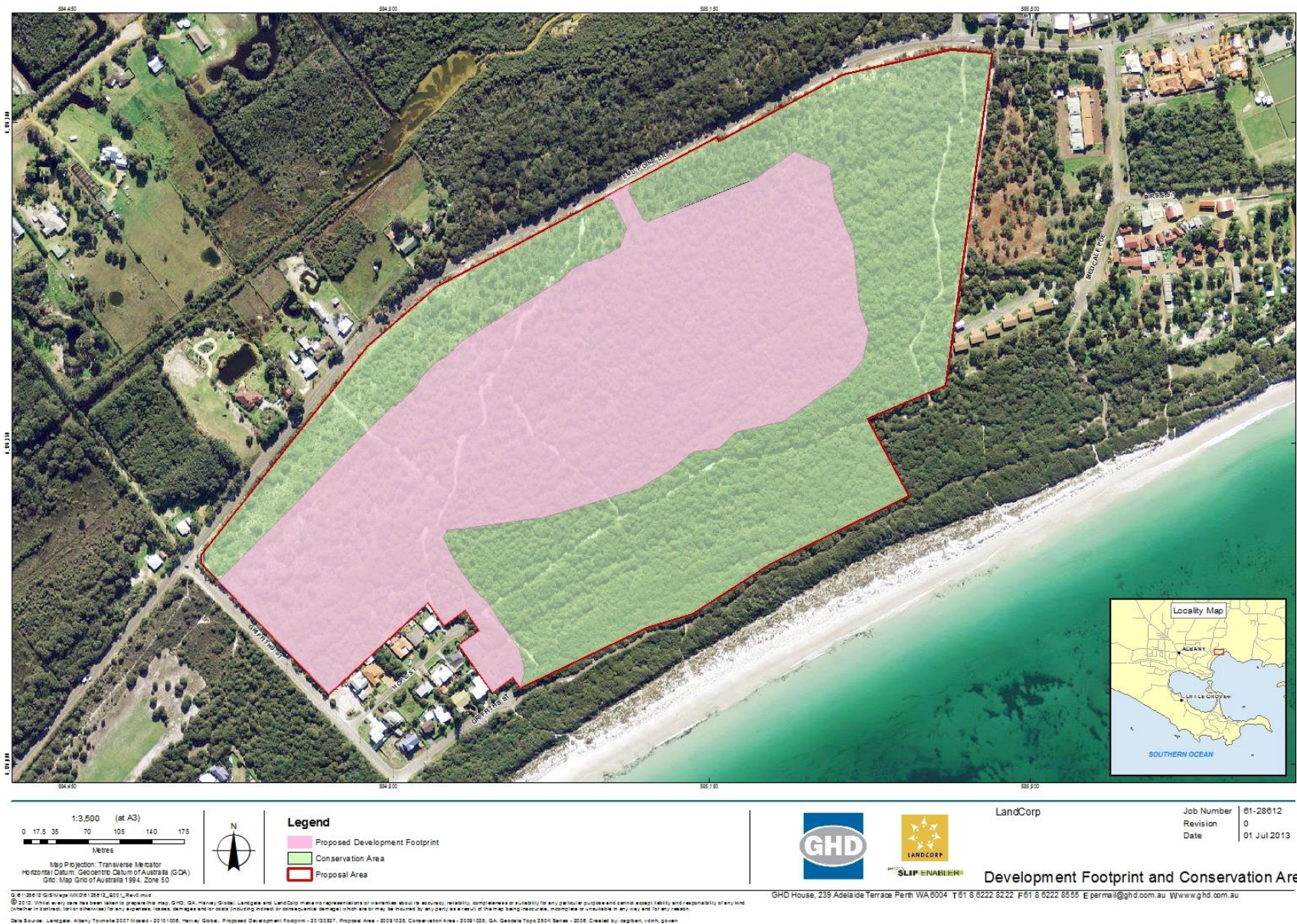


Figure 1. Residential Subdivision on Lots 3000 and 1523 Emu Point Drive proposed development footprint and conservation area.

Table 2. GIS coordinates (GDA94 MGA zone 50) for the proposed Development Footprint of the Residential Subdivision on Lots 3000 and 1532 Emu Point Drive.

X_MGA50	Y_MGA50
584879.39	6126459.44
584971.58	6126268.60
584844.06	6126176.17
584861.48	6126151.84
584877.76	6126129.07
584931.66	6126091.30
584913.89	6126078.58
584876.72	6126214.85
584865.18	6126255.15
584860.63	6126247.19
584896.55	6126187.11
584909.97	6126175.25
584925.63	6126150.34
585132.43	6126340.07
585074.05	6126299.22
585061.00	6126584.35
585232.09	6126374.04
585301.04	6126421.43
585318.01	6126440.40
585324.21	6126470.79
585314.69	6126499.15
585308.20	6126566.15
585287.44	6126614.63
585281.66	6126651.18
585243.69	6126667.71
585196.88	6126636.19
585062.19	6126624.50
585044.56	6126615.06
585064.64	6126632.62
585036.44	6126617.51
585161.61	6126344.36
584735.97	6126076.35
584900.53	6126145.36
584936.65	6126094.87
584945.00	6126083.20
585178.94	6126362.07
584946.75	6126113.44
584940.58	6126129.45
584942.60	6126125.67
584947.92	6126108.94
584948.49	6126103.97
584831.14	6126410.80

X_MGA50	Y_MGA50
584853.61	6126438.49
584836.71	6126421.46
584988.09	6126527.66
584999.98	6126539.03
584884.24	6126168.12
584615.55	6126199.65
584878.92	6126256.40
584864.25	6126444.18
584805.92	6126391.56
584808.01	6126389.48
584948.34	6126097.86
584947.11	6126091.79
585032.86	6126552.72
585016.82	6126548.11
585052.88	6126563.51
585079.21	6126592.71
585083.41	6126591.17
585111.00	6126321.61