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Published on 25 November 2009

Statement No. 817

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

INDUSTRIAL SUBDIVISION OF LOTS 300-303 AND 9001 BERINGARRA AVENUE,
MALAGA, CITY OF SWAN

Proposal: The proposal involves the subdivision of Lots 300-303 and 9001 Beringarra Avenue into 67 industrial lots.

The Proposal is further documented in Schedule 1 of this statement.

Proponent: Sandbourne Holdings Pty Ltd (ACN 009 300 823)

Proponent Address: Level 1, 168 Stirling Highway, Nedlands, Western Australia 6009

Assessment number: 1437

Report of the Environmental Protection Authority: Bulletin 1232

Minister's appeal determination: 419-06

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 condition and procedures of this statement.

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 (CEO) of the Department of Environment and Conservation 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. Clearing of native vegetation

- 4.1 Clearing of native vegetation shall only occur within the proposal area subject to the satisfactory demonstration by the proponent of the preparation and implementation of an 'Offset Implementation Strategy' in accordance with condition 4-2.
- 4.2 The 'Offset Implementation Strategy' shall detail an offset that will provide an amount of funds to the Department of Environment and Conservation towards the rehabilitation of purposes to the requirements of the CEO.

The Strategy shall:

1. state an amount of funds to be provided that reflect the environmental values of the Conservation Category Wetland (and its buffer) contained within the proposal area that will be lost with the implementation of this proposal;
2. calculate the funds provided based upon, as a minimum, the area of the Conservation Category Wetland and a nominal buffer of 50 metres; and
3. be consistent with the purpose and principles of the Environmental Protection Authority's *Position Statement No. 9 Environmental Offsets (2006)*.

Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

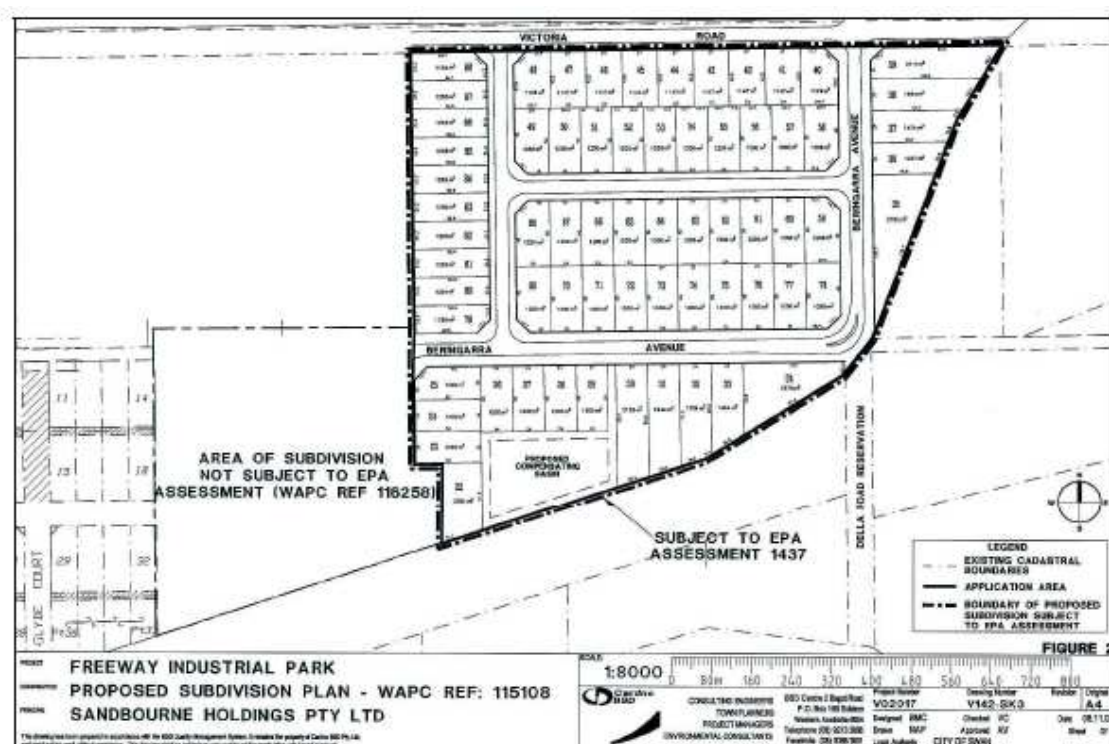
Schedule 1

The Proposal (Assessment No. 1437)

General Description

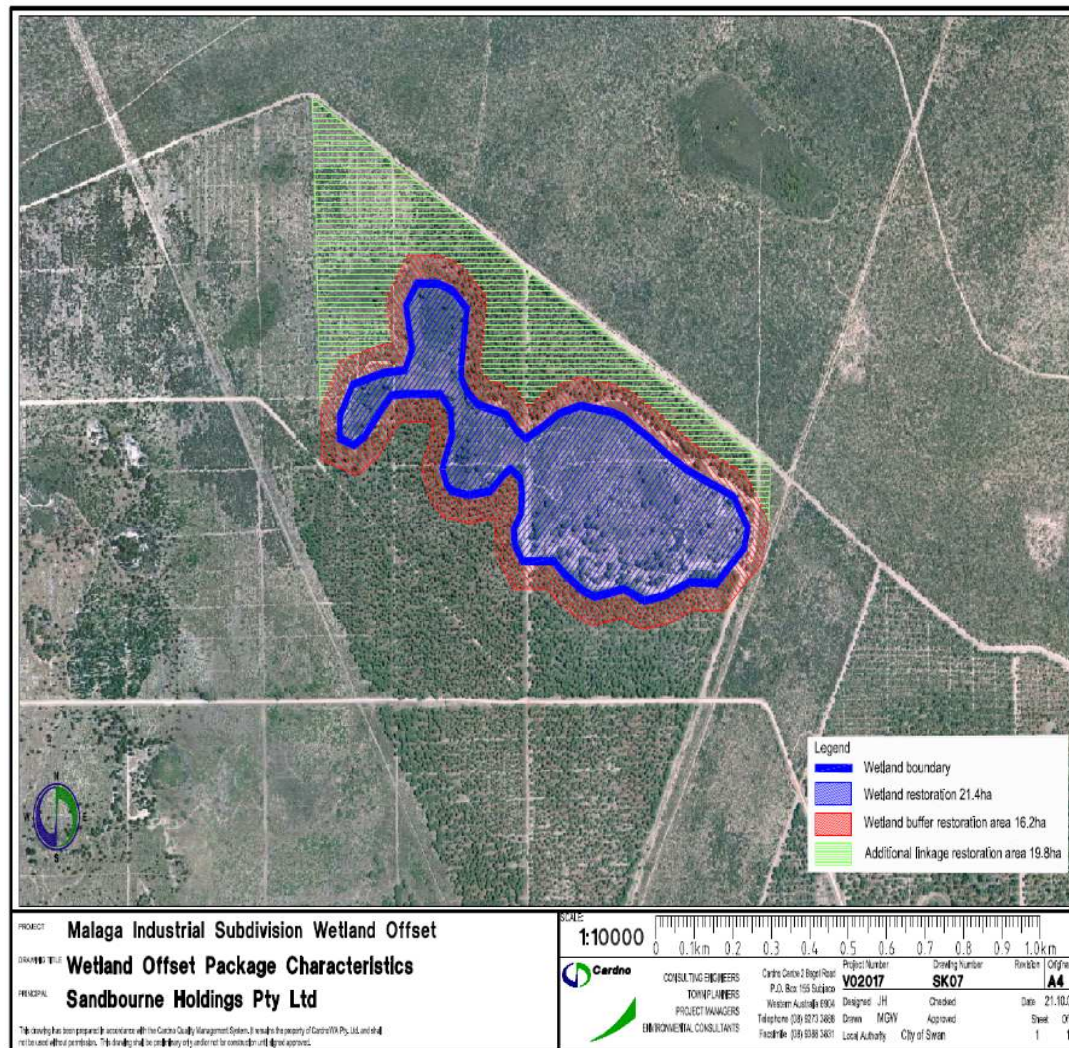
The proposal involves the industrial subdivision of Lots 300-303 and 9001 Beringarra Avenue, Malaga. The land is owned by Sandbourne Holdings Pty Ltd. The proposal area covering 11.68 hectares is bound by Victoria Road to the north, the proposed Hepburn Avenue/Tonkin Highway extension to the east, Reid Highway to the south and an existing industrial estate to the west. The proposal area is zoned industrial under the City of Swan Town Planning Scheme No.14.

Figure 1 shows the location of the proposal area (Source EPA Bulletin 1232)



The proposal area includes a Conservation Category Wetland (Malaga wetland) which will be directly impacted by the proposed subdivision. The area of disturbance to the wetland is 6.99 hectares. The proponent has developed an offset implementation strategy to mitigate the loss of ecological values of the Malaga wetland. The offset proposal relates to enhancing the values of the resource enhancement management of Melaleuca Park wetland to conservation category status. Melaleuca Park wetland is located on land managed by the Department of Environment and Conservation at Gnaragarra State Forest. The area proposed for rehabilitation at Melaleuca Park is approximately 57 hectares compared to 6.99 hectares to be developed at the Malaga wetland. It is the view of the proponent that the wetland offset as proposed, if implemented, will deliver a net environmental benefit.

Figure 2 shows the location of the wetland offset proposal at Melaleuca Park (Source: Cardno BSD Pty Ltd, December 2008)



The proposal is further described in the following document – *Public Environmental Review, Industrial Subdivision of Lots 300-303 and 14 and 15 Beringarra Avenue, Malaga, EPA Assessment No. 1437*, Cardno BSD Pty Ltd (March 2006).

Summary Description

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

Table 1 – Summary of Key Proposal Characteristics

Element	Description
Proposal	<ul style="list-style-type: none">• Industrial subdivision of 67 lots involving:<ul style="list-style-type: none">-vegetation clearing;-earth works (cut to fill);-construction of roads, installation of signage, lighting and mounted kerbing;-construction of drainage basins and drainage infrastructure;-Installation of all services (gas, water, electricity, telecommunications and sewer); and-landscaping.
Proposal Area	<ul style="list-style-type: none">• A total proposal area of 11.68 hectares.
Area of Disturbance	<ul style="list-style-type: none">• Clearing of 6.99 hectares of a Conservation Category Wetland (Malaga wetland) and buffer area.
Environmental Mitigation	<ul style="list-style-type: none">• Implementation of a proposed wetland mitigation (offset) strategy.