

ENVIRONMENTAL PROTECTION AUTHORITY
REPORT AND RECOMMENDATIONS TO THE MINISTER FOR ENVIRONMENT

FINAL SUPERLOT SUBDIVISION (VARIOUS LOTS, PATTERSON ROAD, ROCKINGHAM – WAPC SUBDIVISION APPLICATION 153179) – INQUIRY INTO WHETHER OR NOT THE CONDITIONS RELATING TO THE DERIVED PROPOSAL SHOULD BE CHANGED (ASSESSMENT NO. 2086)

At its meeting of 23 June 2016 (Meeting No. 1090) the Environmental Protection Authority (EPA) resolved pursuant to section 39B of the *Environmental Protection Act 1986* (EP Act) to declare the proposal for the Final Superlot Subdivision (various lots, Patterson Road, Rockingham – WAPC subdivision application 153179) to be a derived proposal.

The EPA also resolved pursuant to section 46(4) of the EP Act to inquire into whether or not the implementation conditions relating to the derived proposal should be changed. The EPA also agreed that the report and recommendations be prepared and submitted to the Minister for Environment by the Chairman of the EPA under Delegation No. 25 dated 24 January 2012.

The following is the EPA's Report and Recommendations (No. 1584) to the Minister for Environment pursuant to section 46(6) of the EP Act.

Background

The Rockingham Industrial Zone was referred to the EPA in 2004. The EPA assessed the proposal as a strategic proposal at the level of Public Environmental Review. The EPA published EPA Report 1390 in April 2011.

The Minister for Environment issued Ministerial Statement 863 in May 2011. The Statement provided for the implementation of future derived proposals, including the subdivision of the development area, and set out conditions that future derived proposals would be subject to.

The EPA considers that several of the conditions as they apply to this derived proposal should be changed and has attached to this Report a draft Statement with recommended changes to the conditions.

Further, Schedule 1 of Ministerial Statement 863 established the key characteristics of future derived proposals. These included that the derived proposal include a Construction Environmental Management Plan (CEMP) and an Environmental

Management Plan (EMP). Schedule 1 sets out the matters to be addressed by the CEMP and the EMP.

As part of the proposal referred to the EPA, the proponent submitted a CEMP and an EMP that addressed the matters set out in Schedule 1. To ensure implementation of those parts of the CEMP and EMP that address the matters specified in Schedule 1 and provide for compliance and enforcement activities, the EPA has recommended two additional conditions. These conditions are included in the attached draft Statement.

EPA conclusion and recommendations

Having inquired into this matter, the EPA submits the following recommendations to the Minister for Environment:

1. That it is appropriate to change the conditions that relate to the derived proposal as recommended in the attached Draft Statement.
2. That, after complying with section 46(8) of the *Environmental Protection Act 1986*, the Minister issues a statement of decision to change the conditions that relate to the derived proposal.