



MINISTER FOR THE ENVIRONMENT;
LABOUR RELATIONS

Statement No.

000487

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

URBAN DEVELOPMENT WITHIN SYSTEM 6 RECOMMENDED
AREAS M2 AND M6, PT LOT 2 BETWEEN MARMION
AVENUE AND INDIAN OCEAN, BURNS BEACH (919)

BURNS BEACH PROPERTY TRUST

Implementation of this proposal is to be confined to the area shown in Attachment 1, and is subject to the following conditions:

1 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

1-1 Subject to these conditions and to the development being confined to the area shown in Attachment 1, the manner of detailed implementation of the proposal, as modified during the assessment process conducted by the Environmental Protection Authority, shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the Environmental Management Plans prepared in accordance with condition 4-1.

1-2 Where, in the course of the detailed implementation referred to in condition 1-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority in any way that the Minister for the Environment determines, on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

2 Proponent Commitments

2-1 The proponent shall implement the consolidated environmental management commitments documented in Attachment 2 of this statement.

2-2 The proponent shall implement subsequent environmental management commitments which the proponent makes as part of the fulfilment of conditions and procedures in this statement.

Published on

16 NOV 1998

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 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 Environmental Management Plans

- 4-1 Prior to ground-disturbing activities and the finalisation of the subdivision design, the proponent shall prepare Environmental Management Plans, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection and, where relevant, the Department of Conservation and Land Management.

The Plans shall address:

- 1 Management of dust during construction in accordance with the Department of Environmental Protection guidelines on "Land Development Sites and Impacts on Air Quality"(1996);
- 2 Minimising native vegetation loss with particular attention to the retention of vegetation on future Public Open Space where practical and the disposal of vegetation cleared.
- 3 Control of construction noise in accordance with the Environmental Protection (Noise) Regulations 1997;
- 4 Prevention of weed spread;
- 5 Protection of rare flora, including:
 - (1) in consultation with the Department of Environmental Protection and the Department of Conservation and Land Management, undertaking of a Declared Rare and Priority Flora survey and a report on the survey findings; and
 - (2) modification of the design of the development to protect significant areas of Declared Rare and Priority Flora, if such species are found in the above-mentioned survey;

6 Protection of rare fauna, including:

- (1) in consultation with the Department of Environmental Protection and the Department of Conservation and Land Management, the undertaking of a fauna survey and report on the survey findings; and
- (2) the relocation of Specially Protected Fauna species, if such species are found in the conduct of the fauna survey;

7 Protection of adjacent bushland and landform through subdivision design and management of works, to ensure stability of adjacent areas.

4-2 The proponent shall implement the Environmental Management Plans required by condition 4-1.

4-3 The proponent shall make the Environmental Management Plans required by condition 4-1 publicly available prior to commencement of ground-disturbing activities.

5 Commencement

5-1 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.

5-2 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.

5-3 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.

5-4 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.

6 Compliance Auditing

6-1 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.

6-2 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions and procedures contained in this statement and for issuing formal clearance of conditions.

6-3 Where compliance with any condition or procedure is in dispute, the matter will be determined by the Minister for the Environment.

Note

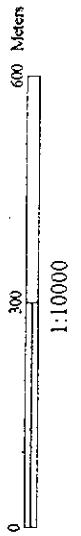
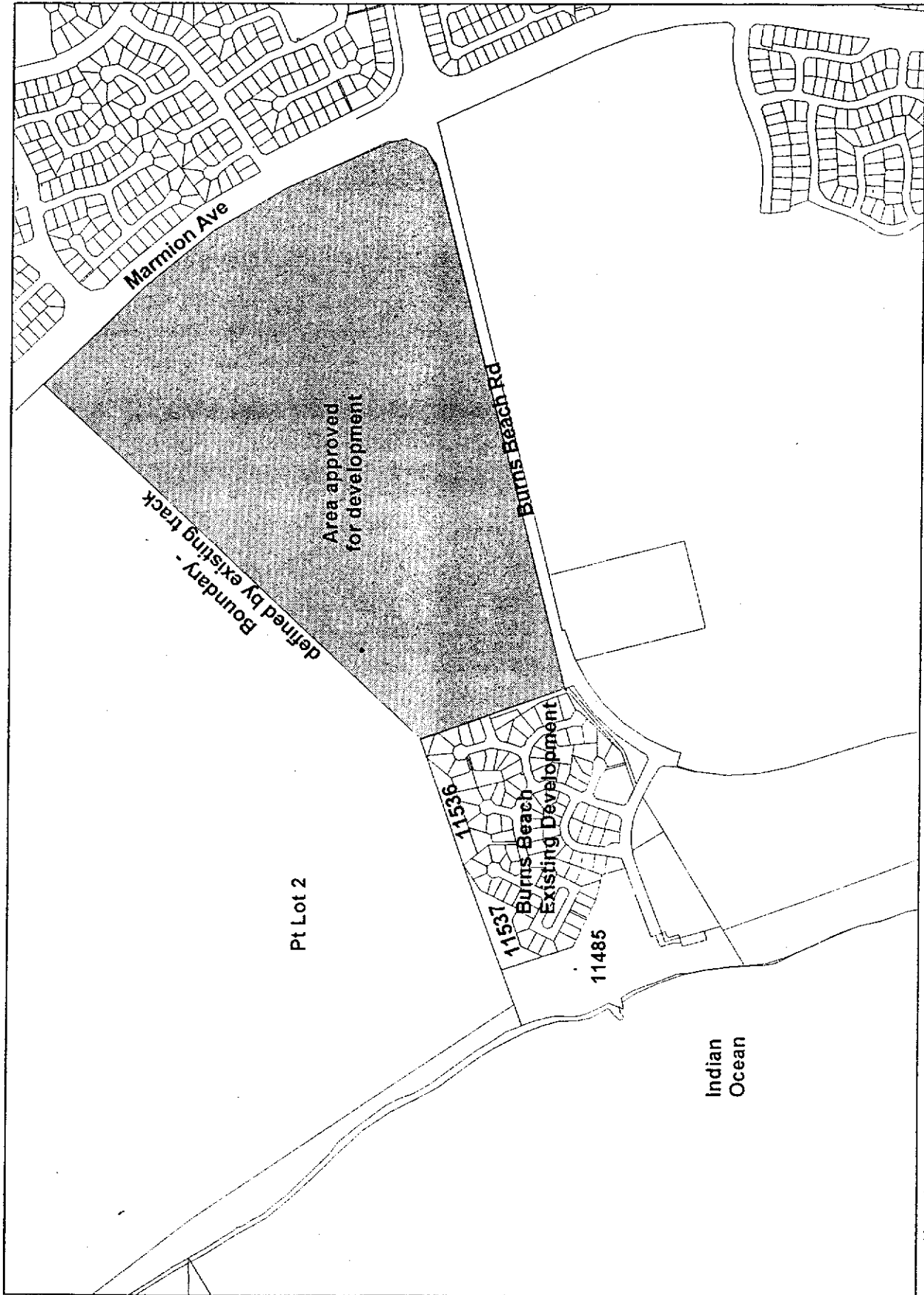
- 1 The Environmental Protection Authority reported on the proposal in Environmental Protection Authority Bulletin 880 (January 1998).
- 2 This statement refers only to the portion of land shown in Attachment 1 and not to the larger area detailed in the Public Environmental Review entitled 'Proposed Residential Development of the Western Cell, Lot 2 Burns Beach' by Halpern Glick Maunsell (October 1995).
- 3 The future use of Pt Lot 2 Burns Beach Road not approved for urban development under this statement can be considered through a future Metropolitan Region Scheme Amendment process, and the environmental impacts associated with any such rezoning may be considered by the Environmental Protection Authority under Division 3 of Part IV of the Environmental Protection Act (1986).

~~C~~ CERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

12 NOV 1998



Enlargement of Southern Area of Pt Lot 2 Burns Beach



This map has been produced using various data from other agencies. No responsibility is accepted for any error or omission.

Note: Implementation of this proposal is to be confined to the area shown shaded.

Projection: Australian Map Grid

Department of Environmental Protection, Western Australia

**Proponent's Consolidated Environmental Management
Commitments**

December 1997

**URBAN DEVELOPMENT WITHIN SYSTEM 6
RECOMMENDED AREAS M2 AND M6,
PT LOT 2 BETWEEN MARMION AVENUE AND
INDIAN OCEAN, BURNS BEACH (919)**

BURNS BEACH PROPERTY TRUST

**Proponent's consolidated
environmental management commitments (919)**

- 1 The proponent will employ deep sewerage in all areas of the subdivision, with all dwellings having deep sewerage connections.
- 2 All stormwater will be managed on site, in accordance with the principles of Water Sensitive Urban Design and will be adhered to by the proponent as part of the development, to the requirements of the Department of Environmental Protection on advice from the Water and Rivers Commission and the City of Joondalup.
- 3 The proponent commits to undertake a 2% search of the part of the Western Cell that the Police Department have advised may contain Unexploded Ordnance, and to take appropriate remedial action should any UXO be discovered.
- 4 Should any archaeological sites be identified during construction activities, the proponent recognises its obligations under the Aboriginal Heritage Act 1972 to cease activities that may impact upon the site and to initiate discussions with the Aboriginal Affairs Department on an appropriate course of action.