



Statement No.

MINISTER FOR THE ENVIRONMENT

000860

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

TAKING OF SEVEN PLANTS OF *CALADENIA HUEGELII*
AND CLEARING OF APPROXIMATELY 3.3 HECTARES OF POTENTIAL HABITAT
LOT 1580 WARTON ROAD, SOUTHERN RIVER
CITY OF GOSNELLS

Proposal: A housing development which involves the taking of seven plants of *Caladenia huegelii* and clearing of approximately 3.3 hectares of potential habitat, Lot 1580 Warton Road, Southern River, City of Gosnells, as documented in schedule 1 of this statement.

Proponent: Mt Barker Nominees Pty Ltd

Proponent Address: PO Box 1646, OSBORNE PARK WA 6916

Assessment Number: 1531

Report of the Environmental Protection Authority: Bulletin 1143

The proposal referred to above may be implemented by the proponent subject to the following conditions and procedures:

1 Implementation

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

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15 SEP 2004

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the *Environmental Protection Act 1986* 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 as the proponent for the proposal.
- 2-2 If the proponent wishes to relinquish the nomination, the proponent shall apply for the transfer of proponent and provide a letter with a copy of this statement endorsed by the proposed replacement proponent that the proposal will be carried out in accordance with this statement. Contact details and appropriate documentation on the capability of the proposed replacement proponent to carry out the proposal shall also be provided.
- 2-3 The nominated proponent shall notify the Department of Environment of any change of contact name and address within 60 days of such change.

3 Commencement and Time Limit of Approval

- 3-1 The proponent shall substantially commence the proposal within five years of the date of this statement or the approval granted in this statement shall lapse and be void.

Note: The Minister for the Environment will determine any dispute as to whether the proposal has been substantially commenced.

- 3-2 The proponent shall make application for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement to the Minister for the Environment, prior to the expiration of the five-year period referred to in condition 3-1.

The application shall demonstrate that:

1. the environmental factors of the proposal have not changed significantly;
2. new, significant, environmental issues have not arisen; and
3. all relevant government authorities have been consulted.

Note: The Minister for the Environment may consider the grant of an extension of the time limit of approval not exceeding five years for the substantial commencement of the proposal.

Notes

- 1 The Minister for the Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment over the fulfilment of the requirements of the conditions.
- 2 The proponent is required to obtain a *Permit to Take Declared Rare Flora* under section 23F of the *Wildlife Conservation Act 1950*.
- 3 The approval of the proposal is linked to a local conservation strategy for *Caladenia huegelii*, which involves the proponent agreeing to transfer Lots 100 and 101 Warton Road, Southern River, to public tenure to be managed for conservation. No development of Lots 100 and 101 should occur ahead of the transfer of this land to public tenure, and any proposal for development on these lots will require referral to the Environmental Protection Authority under Part IV of the *Environmental Protection Act 1986*.

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT

15 SEP 2004

Schedule 1

The Proposal (Assessment No. 1531)

To undertake a housing development on Lot 1580 Warton Road, Southern River, City of Gosnells (See Figure 1). This will result in the taking of seven plants of the threatened species *Caladenia huegelii* and clearing of approximately 3.3 hectares of potential habitat for this species.

The proposal is linked to a local conservation strategy for *Caladenia huegelii* which involves the transfer of Lots 100 and 101 Warton Road, Southern River to public tenure to be managed for conservation.

The key proposal characteristics are shown in Table 1.

Table 1 - Key Proposal Characteristics

Element	Description
Taking of Declared Rare Flora	The translocation of seven plants of <i>Caladenia huegelii</i> from Lot 1580 Warton Road into Lots 100 or 101.
Clearing of <i>Caladenia huegelii</i> habitat	The clearing of approximately 3.3 hectares, which comprises the entire area of Lot 1580 Warton Road, Southern River (excluding the existing residence).

Figure (attached)

Figure 1 – Proposal location and intended area for conservation of *Caladenia huegelii*.

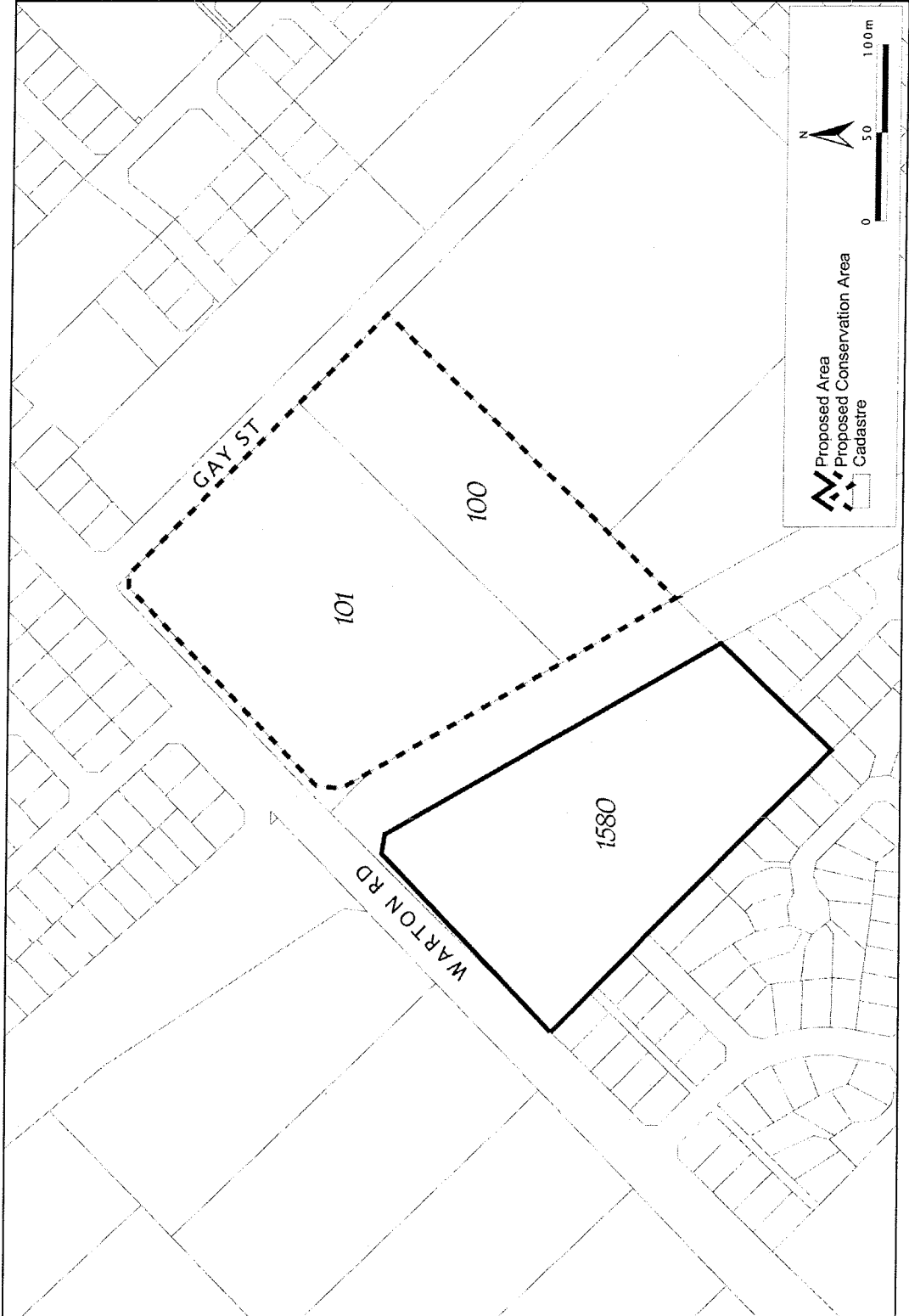


Figure 1 - Proposal location and intended area for conservation of *Caladenia huegelii*