

MINISTER FOR THE ENVIRONMENT

Statement No.

000661

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

SUBDIVISION OF LOT 502 NORTH LAKE, SUDLOW AND PHOENIX ROADS
BIBRA LAKE, CITY OF COCKBURN

Proposal: The subdivision of Lot 502 North Lake, Sudlow and Phoenix Roads, Bibra Lake, City of Cockburn, for industrial and mixed business purposes, as documented in schedule 1 of this statement.

Proponent: Western Australian Land Authority trading as LandCorp

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

Assessment Number: 1361

Reports of the Environmental Protection Authority: Bulletins 999 and 1091

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.

2 Proponent Commitments

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

Published on

15 SEP 2004

3 Proponent Nomination and Contact Details

- 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 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.
- 3-2 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.
- 3-3 The nominated proponent shall notify the Department of Environment of any change of contact name and address within 60 days of such change.

4 Commencement and Time Limit of Approval

- 4-1 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.

- 4-2 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 4-1.

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.

5 Compliance Audit and Performance Review

- 5-1 The proponent shall prepare an audit program and submit compliance reports to the Department of Environment which address:

1. the status of implementation of the proposal as defined in schedule 1 of this statement;
2. evidence of compliance with the conditions and commitments; and
3. the performance of the environmental management plans and programs.

Note: Under sections 48(1) and 47(2) of the *Environmental Protection Act 1986*, the Chief Executive Officer of the Department of Environment is empowered to monitor the compliance of the proponent with the statement and should directly receive the compliance documentation, including environmental management plans, related to the conditions, procedures and commitments contained in this statement.

6 Landscape Protection and Management

- 6-1 Prior to the clearing of native vegetation or conducting any ground-breaking activities associated with the development, the proponent shall prepare a Landscape Protection and Management Plan to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

The objectives of the Landscape Protection and Management Plan are:

- To retain and reintroduce local flora species and habitat in the development of the site;
- To protect the landscape amenity of Beeliar Regional Park; and
- To stabilise the development lots.

This Plan shall address the following topics and for each topic develop appropriate performance criteria:

Retention and Reintroduction of local flora and habitat (See commitment 8)

1. Retaining vegetation including trees in the development of the estate;
2. Seed and plant collection based on local provenance;
3. Clearing, mulching and stockpiling of vegetative material removed during earthworks;
4. Removal and stockpiling of topsoil during earthworks;
5. Replacement of topsoil and mulch onto subdivided lots;

Site stabilisation

6. Use of environmentally sensitive soil stabilisation technologies, and exclusion of exotic seeded stabilisation techniques;
7. Utilisation of topsoil and mulch stockpiles as stabilisation materials as far as practicable (See commitment 8(4));

Landscape amenity

8. Native garden landscaping outside of subdivided lots utilising only indigenous native species;
9. Planting for screening of structures within the industrial estate to retain landscape and visual amenity for users of the Beeliar Regional Park and its surroundings;
10. Provision of fauna habitats in native gardens outside of subdivided lots (log placement, niche creation);
11. Landscaping guidance for future occupiers of subdivided lots including the use of indigenous species;
12. Control of building heights and colours; and

Monitoring and reporting

13. Monitoring and reporting of progress of the landscaping program and its effectiveness.

6-2 The proponent shall implement the Landscape Protection and Management Plan required by condition 6-1 to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

6-3 The proponent shall make the Landscape Protection and Management Plan required by condition 6-1 publicly available, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

Note: In the preparation of advice to the Minister for the Environment, the Environmental Protection Authority expects to obtain the advice of the Department of Conservation and Land Management and the City of Cockburn.

7 Conservation Area

7-1 The major conservation area shown in figure 1 shall only be managed for conservation and compatible purposes, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

7-2 Within six months following the notice issued to the decision-making authorities under section 45(7) of the *Environmental Protection Act 1986*, the proponent shall initiate the process to set aside and transfer to the Crown an area of not less than 22 hectares, as shown in schedule 1, figure 1, for inclusion in the conservation estate by incorporation into South Lake Reserve of the Beeliar Regional Park, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.

The proponent shall use all reasonable endeavours to ensure that the transfer occurs as soon as practicable.

- 7-3 Prior to the clearing of native vegetation or conducting any ground-breaking activities associated with the development, the proponent shall prepare a Conservation Area Management Plan to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Department of Conservation and Land Management and the City of Cockburn.

The objectives of the Conservation Area Management Plan are:

- To protect the environmental values of the bushland to be transferred to the Crown; and
- To facilitate the ultimate integration with the Beeliar Regional Park.

This Plan shall address the following:

1. Landscape amenity;
 2. Retention and reintroduction of local fauna, flora and habitat (See commitment 8(1) to (5));
 3. Prevention of direct and indirect adverse impacts from vegetation clearing, ground-breaking or construction works on the land to be transferred to the Crown;
 4. Control of access - fencing and gates to Regional Parks specifications;
 5. Weed and pest control;
 6. Dieback;
 7. Fire control;
 8. Interface / integration of management with Beeliar Regional Park; and
 9. Handover of management responsibility at point of transfer.
- 7-4 The proponent shall implement the Conservation Area Management Plan required by condition 7-3, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Conservation and Land Management.
- 7-5 The proponent shall make the Conservation Area Management Plan required by condition 7-3 publicly available, to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

Note: In the preparation of advice to the Minister for the Environment, the Environmental Protection Authority expects to obtain the advice of the Department of Conservation and Land Management and the City of Cockburn.

Procedures

- 1 Where a condition states “to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority”, the Environmental Protection Authority will provide that advice to the Department of Environment for the preparation of written notice to the proponent.
- 2 The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment.

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.

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT

15 SEP 2004

Schedule 1

The Proposal (Assessment No. 1361)

The proposal is for the subdivision of Lot 502 North Lake, Sudlow and Phoenix Roads, Bibra Lake, City of Cockburn, for industrial and mixed business purposes. The site is approximately 17 kilometres south of Perth, immediately to the west of South Lake.

The proposal consists of the clearing of areas of native vegetation, site works and the creation of industrial lots, associated roads and other infrastructure, drainage areas, and local and regional public open space, as shown indicatively in figure 1.

A 22 ha area of woodland will be set aside for conservation purposes comprising an area of remnant *Eucalyptus marginata*-*Banksia attenuata* forest/woodland and *E. rudis*-*B. grandis* woodland, extending up to 450 metres from South Lake. This area will be transferred to the Crown.

The key proposal characteristics are shown in table 1.

Figure (attached)

Figure 1 – Lot 502 - Conservation area.

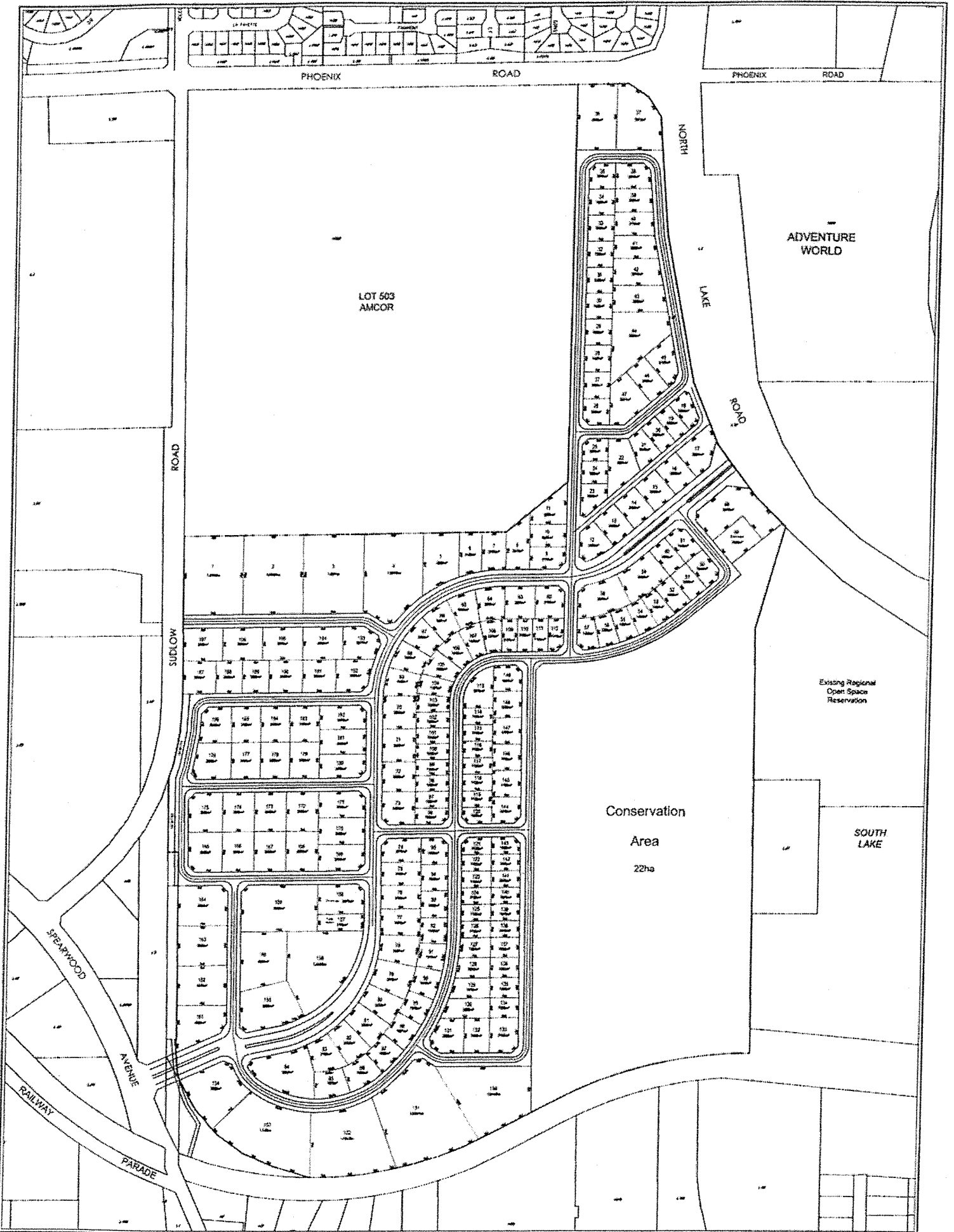


FIGURE 1

**Subdivision of Lot 502 North Lake, Sudlow & Phoenix Roads, Bibra Lake,
City of Cockburn (Assessment No. 1361)**

Table 1 - Key proposal characteristics

Characteristic	Description
Location	Lot 502 North Lake Road, Phoenix Road, and Sudlow Road, Bibra Lake, City of Cockburn
Total Area of Lot 502	Approximately 89 hectares
Associated infrastructure	<ul style="list-style-type: none"> • Roads • Native vegetation gardens along road verges and median strips where practicable. • Power • Water • Gas • Communications • Drainage
Vegetation disturbance	Approximately 50 hectares of mostly Jarrah-Banksia woodland in degraded to very good condition.
Regional Open Space	The south-east portion of lot 502, as shown indicatively on figure 1, being at least 22 hectares in area.

Proponent's Environmental Management Commitments

7 September 2004

Subdivision of Lot 502 North Lake,
Sudlow & Phoenix Roads, Bibra Lake
City of Cockburn

(Assessment No. 1361)

Proponent's Environmental Management Commitments - Subdivision of Lot 502 North Lake, Sudlow & Phoenix Roads, Bibra Lake, City of Cockburn (Assessment No. 1361) – 7 September 2004

Note: The term "commitment" as used in this schedule includes the entire row of the table and its six separate parts as follows:

- a commitment number;
- a commitment topic;
- the objective of the commitment;
- the 'action' to be undertaken by the proponent;
- the timing requirements of the commitment; and
- the body/agency to provide technical advice to the Department of Environment.

No	Topic	Objective(s)	Action	Timing	Advice
1	Drainage Management Plan	To protect water quality of South Lake.	Prepare a Drainage Management Plan, in accordance with: 1. Water-Sensitive Urban Design principles; and 2. Stormwater management guidance as pertaining to Environmental Protection Authority Draft Guidance No. 26, Management of Surface Run-off from Industrial and Commercial Sites (EPA 1999).	Before commencement of clearing and construction	WRC City of Cockburn CALM
2	Drainage Management Plan	To protect water quality of South Lake.	Implement the Drainage Management Plan referred to in commitment 1.	During construction	WRC City of Cockburn

No	Topic	Objective(s)	Action	Timing	Advice
3	Construction Management Plan	To protect bushland and wetlands in adjacent conservation areas, Aboriginal sites, and the amenity of nearby residents during the subdivision construction phases.	<p>Prepare a Construction Management Plan to address:</p> <ol style="list-style-type: none"> 1. Prevention of disturbance of vegetation in the land to be set aside for conservation purposes and the adjoining Bush Forever site; 2. Dieback and weed hygiene/control; 3. Prevention and response to chemical and fuel spills; 4. Waste disposal; 5. Dust; 6. Noise; 7. Transport; 8. Uncovering of Aboriginal Sites, and sub-surface archaeological or skeletal material; and 9. Reporting of, and response to, incidents involving environmental issues. 	Before commencement of clearing and construction	WRC City of Cockburn CALM
4	Construction Management Plan	To protect bushland and wetlands in adjacent conservation areas, Aboriginal sites, and the amenity of nearby residents during the subdivision construction phases.	Implement the Construction Management Plan referred to in commitment 3.	During construction	WRC City of Cockburn CALM
5	Soil and Groundwater Contamination Management Plan	To ensure that remediation achieves an acceptable standard consistent with: <ul style="list-style-type: none"> • the intended land use and the protection of the environment; and • criteria recognised by the Department of Environment. 	<p>Prepare a Soil and Groundwater Contamination Management Plan consistent with the requirements of the Department of Environmental Protection Contaminated Sites Management Series to include:</p> <ol style="list-style-type: none"> 1. Further site investigation or validation of data, as appropriate; 2. Procedures for remediation; and 3. Post-remedial validation. 	Before commencement of clearing and construction	Land and Water Quality Branch DoE

No	Topic	Objective(s)	Action	Timing	Advice
6	Soil and Groundwater Contamination Management Plan	As above.	Implement the Soil and Groundwater Contamination Management Plan referred to in commitment 5.	During construction	Land and Water Quality Branch DoE
7	Fauna relocation	To reduce impact on local mammal species.	Relocate Quenda (<i>Isodon obesulus</i>) and Brush-tailed Possum (<i>Trichosurus vulpecula</i>) from areas to be cleared in accordance with CALM requirements.	Before clearing	CALM
8	Contribution to Bushland Restoration and Rehabilitation	To enhance ecological values of South Lake Reserve and Conservation Area.	<p>As part of the development, assist CALM and local conservation and environmental groups within the community to rehabilitate and revegetate degraded land within South Lake Reserve and the Conservation Area.</p> <p>The proponent will:</p> <ol style="list-style-type: none"> 1 - In liaison with CALM and local conservation groups, professionally salvage large Balgas and Zamias from the subdivision area and translocate to the South Lake Reserve; 2 - Collect seed from the site and provide collected seed stock to CALM and local conservation groups; 3 - Collect seedlings and cuttings from the site and provide material to nurseries for division / potting up and return of such stock to CALM and local conservation groups. Also utilize this stock in subdivision landscaping; 4 - Permit access to CALM and its subcontractors to collect seed and excess mulch from the subdivision area for use in revegetation projects; and 5 - Translocate top soil and seed stock to degraded areas alongside South Lake to assist in restoration of local flora, where appropriate. 	Prior to and during construction of the subdivision	CALM

Abbreviations:

CALM = Department of Conservation and Land Management
DoE = Department of Environment
WRC = Water and Rivers Commission

Attachment to Statement 661

Change to Proposal

Proposal: Industrial Subdivision (Commercial Park Cockburn) Lot 502 North Lake, Sudlow and Phoenix Roads, Bibra Lake (Assessment No 1361, Ministerial Statement 661)

Proponent: LandCorp

Change: To Schedule 1

Schedule 1 of Statement 661 refers to Figure 1 showing the layout of the subdivision.

As the Statement refers in the text to Figure 1, it remains as Figure 1 with subsequent amendments identified by date.

Components of original Proposal as implemented:

Component	Quantities/Description
Approved subdivision including layout of roads and lots.	Not specified (Figure 1 dated December 2005).
Minor adjustments to layout of roads and lots.	Not part of original proposal.

Components of changed Proposal:

Component	Quantities/Description
Minor adjustments to layout of roads and lots.	Small changes in lot sizes, number and location Small changes including removal and redesign of roads (Figure 1 dated 20 June 2008).

Figure 1. Project Layout Dated December 2005

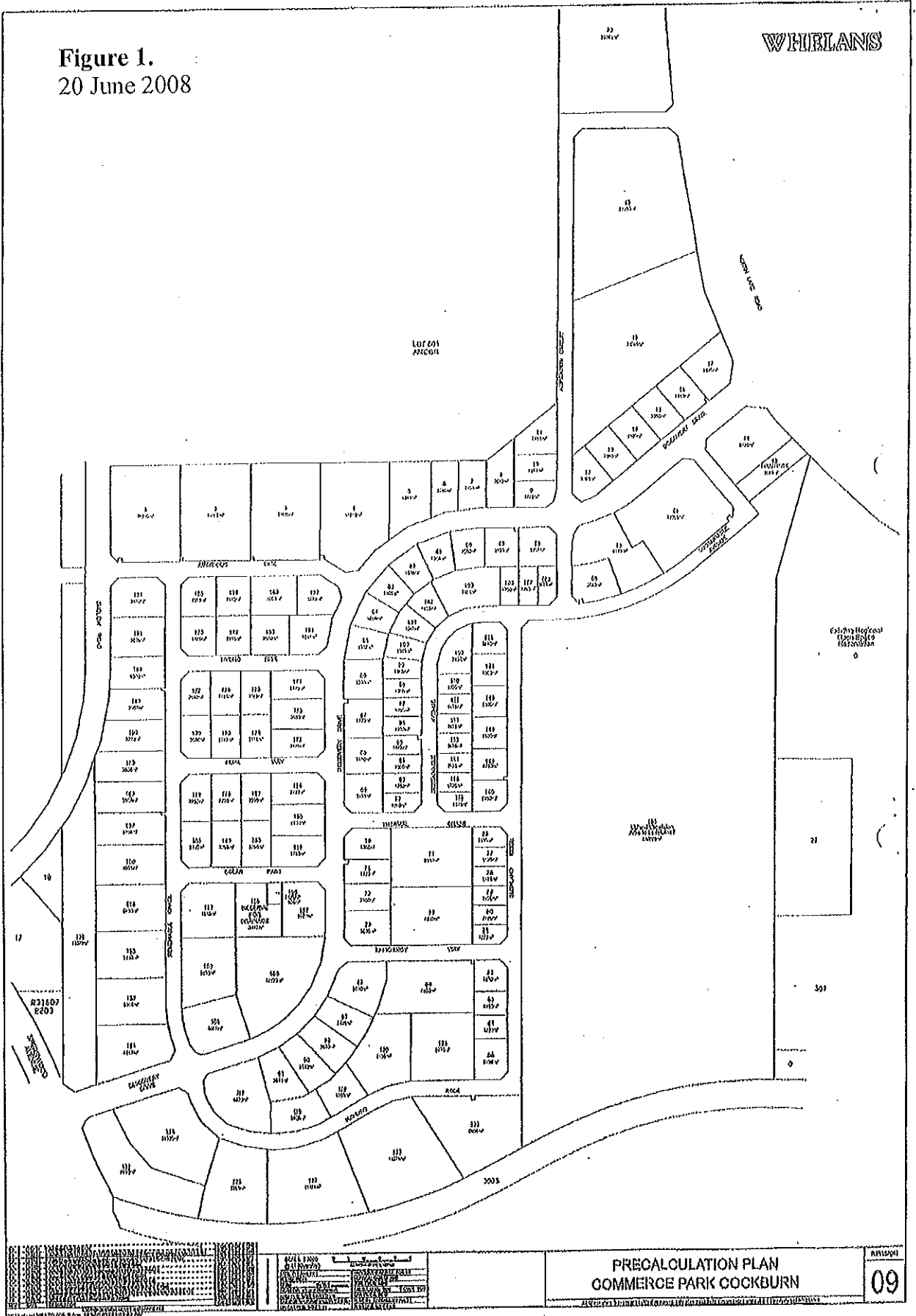
Figure 1. Project Layout Dated 20 June 2008

**Approved under delegation
from Minister for the Environment:**

Approval Date: 26.6.08

Figure 1.
20 June 2008

WHEELANS



PRECALCULATION PLAN
COMMERCE PARK COCKBURN

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