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Published on: 30 September 2010

Statement No. 841

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

**INDUSTRIAL SUBDIVISION OF LOT 21 WEBSTER ROAD, FORRESTFIELD
SHIRE OF KALAMUNDA**

Proposal: The subdivision of Lot 21 Webster Road, Forrestfield, into 7 industrial lots, as documented in schedule 1 of this statement.

Proponent: R. Peters and D. Papagioftsis

Proponent Address: 1 First Avenue, Applecross, WA, 6153

Assessment Number: 1386

Report of the Environmental Protection Authority: Bulletin 1140

Appeals determination: 107-109 of 2004

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.

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 Chief Executive Officer of the Office of the Environmental Protection Authority (CEO) 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 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 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 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 and submit to the CEO an audit program that meets the requirements of the CEO prior to any ground disturbing activities and submit compliance reports annually to the CEO 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.

6 Approval to clear

6-1 Subject to condition 7, the proponent may clear 1.84 hectares of native vegetation on Lot 21 Webster Road, Forrestfield.

7 Mitigation Strategy

7-1 In order to mitigate for the loss of a threatened ecological community (Floristic Community Type 20a - *Banksia attenuata* woodland over species rich dense shrublands), declared rare flora (*Conospermum undulatum*), priority flora (*Isopogon drummondii*) and fauna habitat, the proponent shall, prior to undertaking any clearing under 6-1, develop a Mitigation Strategy to the satisfaction of the Minister for Environment which includes the following elements:

1. A rehabilitation plan for the rehabilitation of no less than six hectares of degraded vegetation (as defined in Keighery, 1994) within Bush Forever Site 319 (reserve 37997), for a minimum period of three years;
2. Fencing of the perimeter of Lot 50 Smokebush Place, High Wycombe, and development of a management plan for the site; and
3. Funding for a university scholarship for research into methods to ensure the long-term conservation of *Conospermum undulatum* to a minimum value of \$130,000.

7-2 In preparing the Mitigation Strategy, the proponent shall consult the Department of Environment and Conservation.

7-3 The proponent shall implement the Mitigation Strategy, and report annually to the CEO in a manner approved by the CEO.

References

Keighery, B.J (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community Wildflower Society of WA (Inc), Nedlands.

Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

Schedule 1

The Proposal (Assessment No. 1386)

The proposal is to subdivide Lot 21 Webster Road, Forrestfield, Shire of Kalamunda, into seven industrial lots, which will require clearing of all 1.84 hectares of vegetation.

Table 1 – Key Proposal Characteristics

Element	Description
Component	7 Industrial Lots
Area of disturbance	1.84 hectares
Threatened Ecological Community	<i>Banksia attenuata</i> woodland over species rich dense shrublands (1.84 hectares)
Declared Rare Flora	<i>Conospermum undulatum</i> (170 individuals)
Priority Flora	<i>Isopogon drummondii</i> (100 individuals)

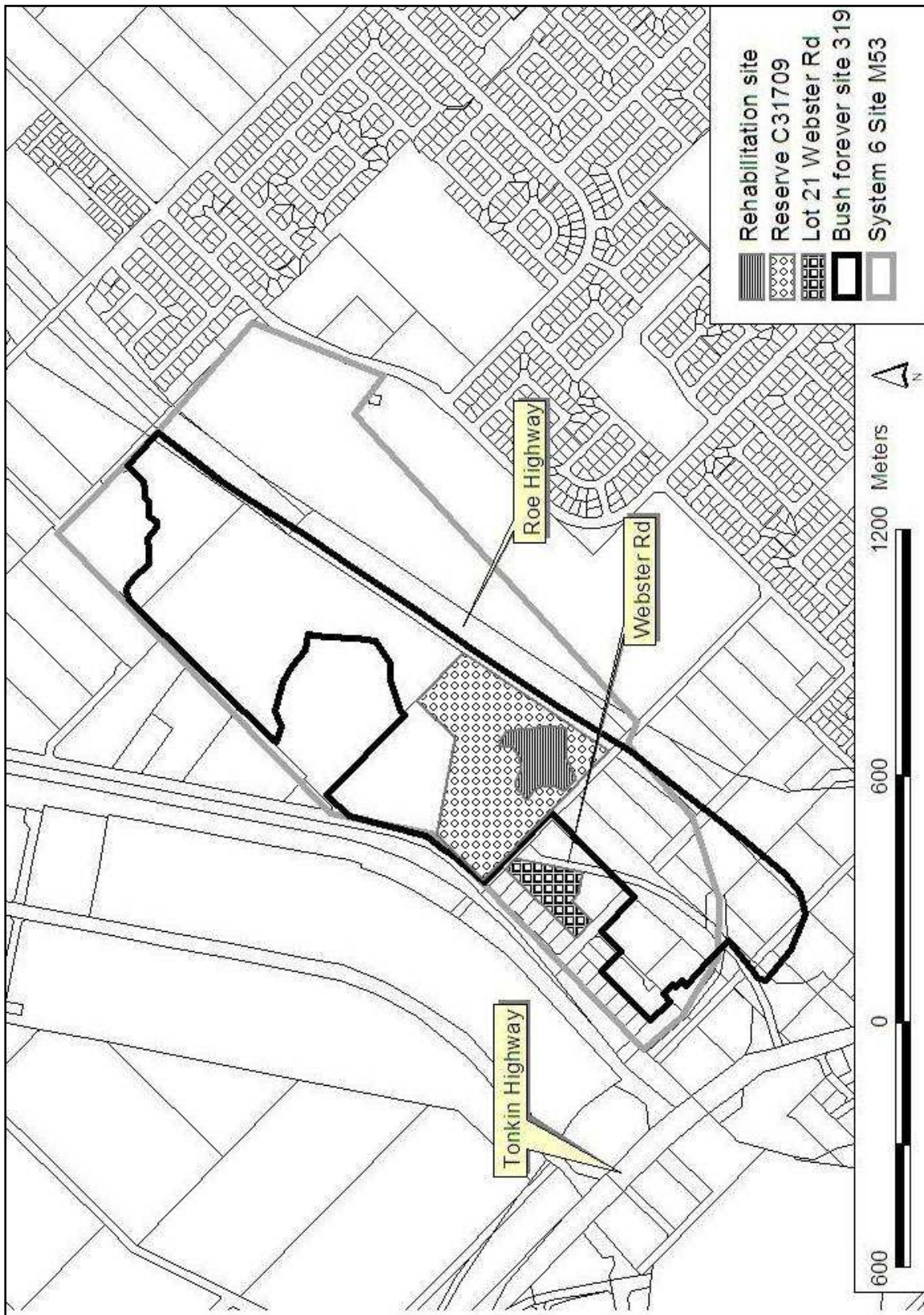


Figure 1: Site location (Prepared by Ecoscape Pty Ltd: May 2004)

Schedule 2

Proponent's Environmental Management Commitments

INDUSTRIAL SUBDIVISION OF LOT 21 WEBSTER ROAD, FORRESTFIELD (Assessment No. 1386)

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	Objectives	Action	Timing	Advice
1	Aboriginal Heritage	To ensure that changes to the biophysical environment do not adversely affect historical and cultural associations and comply with relevant heritage legislation.	Prior to the commencement of works, undertake an archaeological and ethnographic survey of the site to determine if there are any Aboriginal Heritage sites present.	Prior to commencement of works.	Department of Indigenous Affairs