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Published on 28 April 2009:

Statement No. 793

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

EXTRACTIVE INDUSTRY - LOT 242 CORIO ROAD, PINJARRA

Proposal: The extraction of sand for construction at lot 242 Corio Road, Pinjarra within the boundaries shown in figure 1 attached.

Proponent: Bronzewing Investments Pty Ltd

Proponent Address: 219 Midland Road, HAZELMERE WA 6055

Assessment Number: 1760

Previous Assessment Number: 573

Previous Statement Number: Statement No. 198 (published on 27 November 1991)

Report of the Environmental Protection Authority: 1315

Previous Report of the Environmental Protection Authority: Bulletin 568

The implementation of the proposal to which the above reports of the Environmental Protection Authority relate is now subject to the following conditions and procedures which replace all previous conditions and procedures:

1 Proposal Implementation

1-1 The proponent shall implement the proposal as assessed by the Environmental Protection Authority and described in schedule 1 of this statement subject to the conditions and procedures of this statement.

Published on

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.
- 2-2 The proponent shall notify the Chief Executive Officer (CEO) of the Department of Environment and Conservation of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

3 Time Limit of Authorisation

- 3-1 The proponent shall substantially commence implementation of the proposal by 31 December 2010.
- 3-2 The proponent shall, by 28 February 2011, provide the CEO of the Department of Environment and Conservation with written evidence which demonstrates that the proposal has been substantially commenced.

4 Compliance Reporting

- 4-1 The proponent shall submit to the CEO of the Department of Environment and Conservation environmental compliance reports annually reporting on the previous twelve-month period, unless required by the CEO of the Department of Environment and Conservation to report more frequently.
- 4-2 The environmental compliance reports shall address each element of an audit program approved by the CEO of the Department of Environment and Conservation and shall be prepared and submitted in a format acceptable to the CEO of the Department of Environment and Conservation.
- 4-3 The environmental compliance reports shall:
- 1 be endorsed by signature of the proponent's Director or a person, approved in writing by the CEO of the Department of Environment and Conservation, delegated to sign on behalf of the proponent's Director;
 - 2 state whether the proponent has complied with each condition and procedure contained in this statement;
 - 3 provide verifiable evidence of compliance with each condition and procedure contained in this statement;
 - 4 state whether the proponent has complied with each key action contained in any environmental management plan or program required by this statement;

- 5 provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by this statement;
 - 6 identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance;
 - 7 review the effectiveness of all corrective and preventative actions taken; and
 - 8 describe the state of implementation of the proposal.
- 4-4 The proponent shall make the environmental compliance reports required by condition 4-1 publicly available in a manner approved by the CEO of the Department of Environment and Conservation.

5 Excavation Program

- 5-1 The proponent shall not excavate beyond the co-ordinates listed in Schedule 2 (attached) as demonstrated in Figure 1 of Schedule 1 (attached).
- 5-2 The proponent shall not commence excavation of stages 1 and 2 until excavation of stages 8 to 5 has been completed.
- 5-3 The proponent shall only undertake excavation in stages 1 and 2 between January and July (inclusive) in any year.

Excavation in stages 3 to 8 may take place throughout the year.

- 5-4 Prior to commencement of a third stage of excavation, during the excavation of stage 8 to 5, the proponent shall design a fence in liaison with the Shire of Murray and the Department of Agriculture and Food, and shall subsequently construct and maintain the fence for the life of the project, in order to prevent stock entering West Corio Swamp.”
- 5-5 The proponent may, in liaison with the Shire of Murray and the Department of Agriculture and Food, create a soak to provide water for stock within the area to be excavated.

6 Decommissioning and Rehabilitation

- 6-1 The proponent shall decommission the site and remove all plant and installations, and shall rehabilitate the site and its environs, to the requirements of the Department of Environment and Conservation on advice of the Shire of Murray.

Procedures

1. Where a condition states “on advice of the Environmental Protection Authority”, the Environmental Protection Authority will provide that advice to the Department of Environment and Conservation 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 and Conservation.
3. The Minister for Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.
4. Where a condition lists advisory bodies, it is expected that the proponent will obtain the advice of those listed as part of its compliance reporting to the Department of Environment and Conservation.

Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

Schedule 1

The Proposal (Assessment No. 1760)

The proposal is to extract sand from Lot 242 Corio Road, Pinjarra. The project area covers approximately 16 hectares of pasture land.

A 50 metre setback will be maintained between the excavation and the edges of the surrounding wetland vegetation as demonstrated in Figure 1.

Excavation in stages 1 and 2 of the proposal will be restricted to between January and July in order to minimise impact on birds nesting in West Corio Swamp.

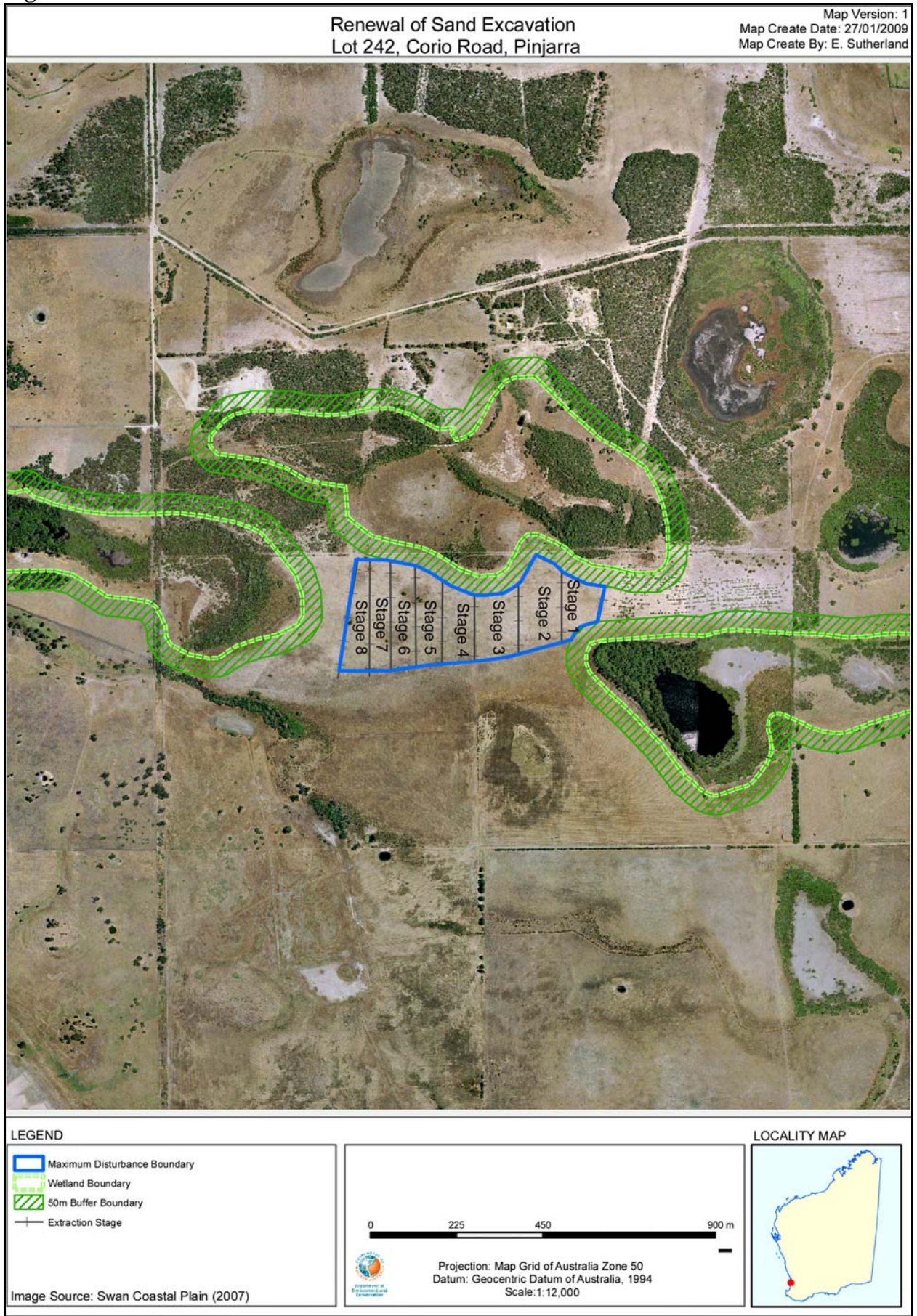
The main characteristics of the proposal are summarised in Table 1 below.

Table 1 - Key Proposal Characteristics

| Element | Description |
|---------------------|--|
| Proposal | Extraction of sand |
| Area of disturbance | 16 hectares |
| Transport | Transport of product along a limestone road to Corio Road. An average of 10 laden vehicle movements per day with maximum 40 vehicle movements in any given day. |
| Set-backs | 50-metre buffer between edge of wetland geomorphic boundaries and the excavation. |
| Rehabilitation | Final contours of the excavation to be a relatively flat surface, at an elevation of 2 metres above the water table. Weed control to be undertaken until self sustaining cover of pasture is achieved. |

Attached:
Figure 1 – Site location and boundaries

Figure 1 – Site location and boundaries



Schedule 2

Coordinates of the approved maximum disturbance boundary.
GDA94 MGA Zone 50

| ID | X Coordinate | Y Coordinate |
|----|--------------|--------------|
| 1 | 393658.72 | 6399325.92 |
| 2 | 393740.12 | 6399325.12 |
| 3 | 393817.08 | 6399308.88 |
| 4 | 393856.77 | 6399290.00 |
| 5 | 393905.35 | 6399257.17 |
| 6 | 393963.21 | 6399235.19 |
| 7 | 393972.59 | 6399232.98 |
| 8 | 393995.53 | 6399233.71 |
| 9 | 394038.07 | 6399237.24 |
| 10 | 394045.98 | 6399239.64 |
| 11 | 394054.07 | 6399243.54 |
| 12 | 394075.84 | 6399257.57 |
| 13 | 394086.45 | 6399266.02 |
| 14 | 394089.87 | 6399270.34 |
| 15 | 394094.00 | 6399276.27 |
| 16 | 394128.14 | 6399339.04 |
| 17 | 394175.98 | 6399315.48 |
| 18 | 394201.70 | 6399291.74 |
| 19 | 394252.06 | 6399267.10 |
| 20 | 394263.22 | 6399262.78 |
| 21 | 394308.55 | 6399256.25 |
| 22 | 394288.69 | 6399164.17 |
| 23 | 394252.11 | 6399153.70 |
| 24 | 394242.81 | 6399148.83 |
| 25 | 394235.88 | 6399143.08 |
| 26 | 394228.65 | 6399134.23 |
| 27 | 394220.69 | 6399117.41 |
| 28 | 394057.82 | 6399072.65 |
| 29 | 394019.41 | 6399067.85 |
| 30 | 393975.60 | 6399061.25 |
| 31 | 393901.18 | 6399054.65 |
| 32 | 393840.56 | 6399048.65 |
| 33 | 393795.55 | 6399042.64 |
| 34 | 393747.54 | 6399034.84 |
| 35 | 393614.31 | 6399035.44 |
| 36 | 393658.72 | 6399325.92 |