



WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

Ass # 367
Bull # 480
State # 244

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

**INDUSTRIAL REZONING, SUBDIVISION AND DEVELOPMENT, HENDERSON
CNR RUSSELL AND ROCKINGHAM ROADS, HENDERSON (367)**

G CARATTI, J ANDERSON & S SAWLE

This proposal may be implemented subject to the following conditions:

1. Proponent commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

In implementing the proposal, the proponents shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Consultative Environmental Review.

2. Detailed implementation

Changes to the proposal as described in the Public Environmental Review and resulting from questions and issues raised in submissions, which are not substantial may be carried out with the approval of the Minister for the Environment.

Subject to these conditions and procedure, the manner of detailed implementation of the proposal 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 proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material 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.

3. Planning statement

To achieve the environmental objectives through the planning process, the proponent shall fulfil the requirements listed in the attached Appendix A to the satisfaction of the State Planning Commission prior to finalisation of the rezoning of the land and/or the endorsement of Diagram of Survey. In implementing any of these requirements, the State Planning Commission may seek advice from the Environmental Protection Authority.

4. Decommissioning

The satisfactory decommissioning of the project and removal of the plant and installations and rehabilitation of the site and its environs is the responsibility of the proponent.

- 4-1 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan, to the satisfaction of the Environmental Protection Authority.
- 4-2 The proponent shall implement the plan required by condition w-1 to the satisfaction of the Environmental Protection Authority.

5. Proponent

The ministerial conditions legally apply to the nominated proponent.

No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

6. Time limit on approval

The environmental approval of the proposal is limited.

If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority).

PROCEDURE

Regardless of responsibility nominated in the above conditions, if there is any question regarding the conditions set under this statement, the matter shall be referred to the Minister for the Environment for determination.

Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

13 APR 1992

Note: Advice regarding subsequent planning approval

This environmental approval under the provisions of the Environmental Protection Act does not imply that planning approval will follow automatically.

APPENDIX A - Planning statement

1. LANDSCAPE PROTECTION

- 1.1 To ensure that the landscape quality of the Beeliar Regional Park is maintained, appropriate development control provisions shall be put in place.
- 1.2. The proponent shall prepare a plan for the establishment and maintenance of a vegetation and buffer screen between the industrial development and the Beeliar Regional Park. In preparing the plan the proponent shall liaise with the Department of Conservation and Land Management and the City of Cockburn. The plan will provide designs, specifications and locations and include but not necessarily be limited to details of landscape, selection of plant species, location, timing and maintenance.
- 1.3. The proponent shall implement the approved plan as referred to in 1.2.

2. BROWNMEN SWAMP

- 2.1 The proponent shall prepare a revegetation plan for the wetland periphery. The proponent shall liaise with the Environmental Protection Authority, the Department of Conservation and Land Management and other relevant management authorities in the preparation of the plan.
- 2.2 The proponent shall implement the revegetation plan as referred to in 2.1.

3. STORMWATER DRAINAGE

- 3.1 Prior to subdivision approval, the proponent shall prepare a drainage management and monitoring plan consistent with the land management objectives of the Beeliar Regional Park and in liaison with the Department of Conservation and Land Management, the Water Authority of Western Australia and the City of Cockburn. The plan will provide designs, specifications and locations and will include, but not necessarily be limited to:
 - the size, location and design of sedimentation basins, and criteria used to determine the size of the basins (eg size of storm event to be held entirely within the basin);
 - identification of potential pollution sources and pathways within the industrial development;
 - design features that will enhance removal of nutrients and other pollutants (oil, solvents, wastes) from drainage waters;
 - a contingency plan for accidental spillages;
 - a discussion of the likely hydrological effects of the proposed development with particular reference to wetland water levels, water quality of Brownman Swamp and the groundwater, groundwater levels and surface water flows; and
 - monitoring/management measures proposed with respect to likely changes in wetland vegetation due to changes in local hydrology;
- 3.2 The proponent shall implement the drainage management and monitoring plan as referred to in 3.1.

4. **LANDUSE**

- 4.1 Premises prescribed under the Environmental Protection Act 1986 or any which involve the use of potentially polluting substances such as heavy metals, pesticides or nutrient-rich materials should be specifically prohibited in the north eastern portion of the development area as indicated in Figure 2 of the Authority's Report (Figure 2 attached).

PROPONENT'S COMMITMENTS

**INDUSTRIAL REZONING, SUBDIVISION AND DEVELOPMENT, HENDERSON
CNR RUSSELL AND ROCKINGHAM ROADS, HENDERSON (367)**

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The proponent has made the following environmental commitments:

1. Drainage will be intercepted to provide sedimentation and storage to avoid direct discharge into the wetland.
2. The wetland perimeter on the subject land will be restored to enhance habitat and recreation areas.
3. Impacts of dust and noise will be minimised through the use of appropriate guidelines.
4. Free drainage between water bodies will be restored and controlled access provided where appropriate.
5. The adopted boundaries of the Beeliar Regional Park will be observed and the affected land transferred to public ownership as public open space contribution.