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WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

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

**PORT BOUVARD URBAN & CANAL DEVELOPMENT
STAGE 2 - NORTHPORT & EASTPORT (771)**

WANNUNUP DEVELOPMENT NOMINEES PTY LTD

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.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Public Environmental Review and in response to issues raised following public submissions. These commitments are consolidated in Environmental Protection Authority Bulletin 671 as Appendix 2. (A copy of the commitments is attached.)

2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 Subject to these conditions, 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 Coastal Dunes

- 3-1 The proponent shall ensure that the coastal dunes in the vicinity of the Northport development are not degraded and any disturbance to the dunes is minimised.

- 3-2 Prior to construction of the canal estate, the proponent shall prepare detailed design and rehabilitation measures to protect the dune system during and following construction of the canal estate, in consultation with the Department of Planning and Urban Development, to achieve the following objectives:

- 1 minimisation of the impact on native vegetation;
- 2 restoration of degraded dune areas;
- 3 provision of public and vehicle access paths and car parks; and
- 4 minimisation of the modification of the existing dune landform.

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- 3-3 The proponent shall include the measures required by condition 3-2 within the proposed Foreshore Management Plan for Northport which shall be completed prior to construction of the canal estate.
- 4 Maintenance of Existing Viewshed**
The Northport development includes a proposal to raise existing ground contour levels on land adjacent to Buckingham Drive to a higher level than currently exists.
- 4-1 The proponent shall ensure that during the construction of the Northport development, final contour levels are determined on advice of the City of Mandurah to ensure that they do not exclude the viewshed for existing residents of Buckingham Drive.
- 5 Waterway Management**
- 5-1 Prior to canal estates at Northport and/or Eastport becoming operational, the proponent shall ensure that an agreement, acceptable to the Minister for the Environment, regarding the long-term management of the artificial waterway (i.e. post five years) has been finalised.
- 6 Dewatering Activities**
Dewatering activity associated with construction of the canal estates is likely to affect local groundwater levels in the vicinity of the development.
- 6-1 Prior to construction of the canal estates, the proponent shall liaise with the Water Authority of Western Australia and the Department of Marine and Harbours to determine any detrimental impacts dewatering activities may have on existing groundwater users in the vicinity of the canal estates.
- 6-2 The proponent shall make provision for the protection and continued availability of groundwater to existing users in the vicinity of the canal estates in the event that dewatering activities have an adverse impact on groundwater during and following construction.
- 7 Proponent**
These conditions legally apply to the nominated proponent.
- 7-1 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.
- 8 Time Limit on Approval**
The environmental approval for the proposal is limited.
- 8-1 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.)

9 Compliance Auditing

In order to ensure that environmental conditions and commitments are met, an audit system is required.

- 9-1 The proponent shall prepare periodic "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

- 5 APR 1993

PROPONENT'S COMMITMENTS

**PORT BOUVARD URBAN & CANAL DEVELOPMENT
STAGE 2 - NORTHPORT & EASTPORT
(ASSESSMENT NO. 771)**

WANNUNUP DEVELOPMENT NOMINEES PTY LTD

A copy of environmental commitments proposed to be undertaken by the proponent is attached.

1.0 COMMITMENTS

The Proponent makes the following commitments:

1.1 Pre-Construction

The following management plans will be prepared prior to construction of the relevant components:

1.1.1 Foreshore Management Plan

A foreshore management plan will be prepared for the coastal dunes for the extent of the proponents land and will detail:

- areas to be managed and rehabilitated;
- the nature of rehabilitation including earthworks, temporary stabilisation including earthworks, temporary stabilisation measures, stockpiling of vegetation, revegetation species and techniques;
- location, design and management of accessways; and
- maintenance requirements;

The management plan would be prepared as a condition of subdivision approval for the land immediately adjoining the coast and would be prepared to the satisfaction of the EPA and the Coastal Planning Branch of the Department of Planning and Urban Development.

1.1.2 Water Quality Management and Monitoring Plan

A water quality management and monitoring programme will be prepared to confirm the predictions concerning water quality in the proposed canals. The programme will be prepared following the lands rezoning to "Canal Zone". The design of the programme will be undertaken in consultation with PIMA and the EPA and will include the following:

Summer and winter monitoring of the water quality at four sites in the canal estates and two reference stations. One reference station would be located in the ocean and the other in the estuary. The surface and bottom water at each site would be analysed for salinity, temperature pH, dissolved oxygen, total phosphorus phosphate, total nitrogen and copper.

The surface sediments from all six sites would be analysed for build up of total of phosphorous and copper. This would be undertaken two years after the completion of construction of the canal estates.

The plan will also include procedures for the investigation and introduction of appropriate measures if unacceptable water quality occurs.

The monitoring programme would span five years and the results submitted to PIMA and the EPA for review.

1.1.3 Waterway Management Plan

In accordance with the Department of Planning and Urban Development Policy for Canal Estates (Policy No. DC1.8) a management agreement will be prepared with the City of Mandurah to address responsibilities for a long term maintenance of the canal estates. This normally requires the proponent to attend to general maintenance for the first 5 years and the Local Authority thereafter. The Management Agreement would be prepared as part of the statutory documentation for the "Canal Zone" and would be prepared in consultation with the Mandurah City Council and the Department of Planning and Urban Development.

1.2 During Construction

1.2.1 Dune Protection

Where development enters the dunes the area of disturbance will be minimised to ensure that the majority of existing vegetation cover is retained. Vegetation which is cleared to facilitate roads, pathways, and residential development will be stockpiled to be used as stabilising brush cover on areas which are to be rehabilitated.

1.2.2 Estuary Foreshore Vegetation

Where the existing estuary foreshore vegetation is not affected by proposals for development it will be protected and included in the newly created foreshore reserve.

1.2.3 Noise, Traffic Management and Dust Control Measures

Work involved in the bulk earthworks and residential subdivision development will be undertaken in accordance with the Local Authority's standards and where required the Environmental Protection Authority's standards for noise, traffic management and dust control measures.

1.2.4 Community Awareness

The proponent will respond to local enquires or complaints regarding elements relevant to the construction of the canals and urban development.

1.3 Post Construction

- All development within the Port Bouvard project will be undertaken in accordance with the requirements and conditions of the Peel-Harvey Statement of Planning Policy 1992 and the Environmental Protection Policy (Peel-Harvey Estuarine System) 1992.

- The Water Quality Management and Monitoring Plan as referred to in Section 1.1.2 will be implemented to provide a management and monitoring programme for five years following construction of the respective canals.
- The Waterway Management Plan (Section 1.1.3) will be implemented in accordance with the requirements of the Department of Planning and Urban Development Policy Number DC 1.8 and to the satisfaction of the Mandurah City Council and the Department of Planning and Urban Development.