

**Urban rezoning, subdivision and development,
Ellenbrook, Shire of Swan**

Homeswest and Sanwa Vines Pty Ltd

Proposed change to environmental conditions

**Report and recommendations
of the Environmental Protection Authority**

THE PURPOSE OF THIS REPORT

This report contains the Environmental Protection Authority's environmental assessment and recommendations to the Minister for the Environment on the environmental acceptability of the proposal.

Immediately following the release of the report there is a 14-day period when anyone may appeal to the Minister against the Environmental Protection Authority's report.

After the appeal period, and determination of any appeals, the Minister consults with the other relevant ministers and agencies and then issues his decision about whether the proposal may or may not proceed. The Minister also announces the legally binding environmental conditions which might apply to any approval.

APPEALS

If you disagree with any of the contents of the assessment report or recommendations you may appeal in writing to the Minister for the Environment outlining the environmental reasons for your concern and enclosing the appeal fee of \$10.

It is important that you clearly indicate the part of the report you disagree with and the reasons for your concern so that the grounds of your appeal can be properly considered by the Minister for the Environment.

ADDRESS

Hon Minister for the Environment
12th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

CLOSING DATE

Your appeal (with the \$10 fee) must reach the Minister's office no later than 5.00 pm on 9 December, 1993.

ISBN 0 7309 5653 9
ISSN 1030 - 0120
Assessment No 842

1. Introduction

Sanwa Vines and Homeswest (the proponents), received a statement from the Minister for the Environment for approval to implement urban rezoning, subdivision and development of the Ellenbrook land within the Shire of Swan on 13 October 1992, subject to a number of legally binding environmental conditions (see Appendix 1).

A one-time proponent for the proposal Mt Lawley Pty Ltd, owns land adjacent to the Sanwa Vines Pty Ltd and Homeswest land. Although no longer a proponent for the proposal, the land owned by Mt Lawley is also included as part of the Minister for the Environment's statement.

The proponents have written to the Minister for the Environment asking that the environmental conditions be amended to allow orderly implementation of the Ellenbrook proposal. The proponents consider that the changes requested by them recognise that Mt Lawley Pty Ltd is no longer associated with the Ellenbrook Joint Venture (comprising Sanwa Vines Pty Ltd and Homeswest) and is pursuing other plans for its land.

The proponents do not want the environmental conditions set to be contingent upon the land owned by Mt Lawley. However, there is a clear understanding on the part of the proponents that the intent of the original conditions should remain unaltered.

2. Background

At the time of initial referral of the Ellenbrook project to the Environmental Protection Authority, Mt Lawley Pty Ltd, Multiplex Pty Ltd, Sanwa Vines Pty Ltd and Homeswest owned land within the area proposed to be rezoned from existing 'Rural' to 'Urban Deferred' within the Metropolitan Region Scheme (see Figure 1).

Of the four private landholders only Mt Lawley Pty Ltd, Sanwa Vines Pty Ltd and Homeswest were nominated proponents in the Public Environmental Review process. Although not a proponent in the Public Environmental Review, Multiplex were still included within the State Planning Commission's proposed amendment to the Metropolitan Region Scheme. As a result, the Authority indicated in its Report and Recommendations to the Minister for the Environment (Bulletin 642), that a separate assessment would be required for the Multiplex land prior to the lifting of 'Urban Deferred' zoning to 'Urban'.

A Consultative Environmental Review is currently in progress for the land owned by Multiplex and will address the environmental issues associated with proposed urbanisation of that land.

Following the release of Bulletin 642 on 14 August 1992, Mt Lawley Pty Ltd requested that it be withdrawn as a proponent. This was agreed to and the Minister for the Environment revoked its nomination as a proponent under Section 38(7) of the Environmental Protection Act on the 11 September 1992.

As stated above, Sanwa Vines and Homeswest (the current proponents), received approval from the Minister for the Environment to implement urban rezoning, subdivision and development of the Ellenbrook land within the Shire of Swan on 13 October 1992, subject to a number of legally binding environmental conditions (see Appendix 1). Although no longer a proponent, the land owned by Mt Lawley was retained as a part of the Ministerial statement of environmental conditions, as a procedure to be followed by government processes, due mainly to the high conservation value of the land. The setting aside of land for conservation, which included land owned by Mt Lawley Pty Ltd, was considered necessary to protect the conservation value in perpetuity.

The proponents, Sanwa Vines Pty Ltd and Homeswest, have now formed a joint venture. Ellenbrook Management Pty Ltd, a company owned by the joint venturers, has been created to co-ordinate the project and develop and market the land.

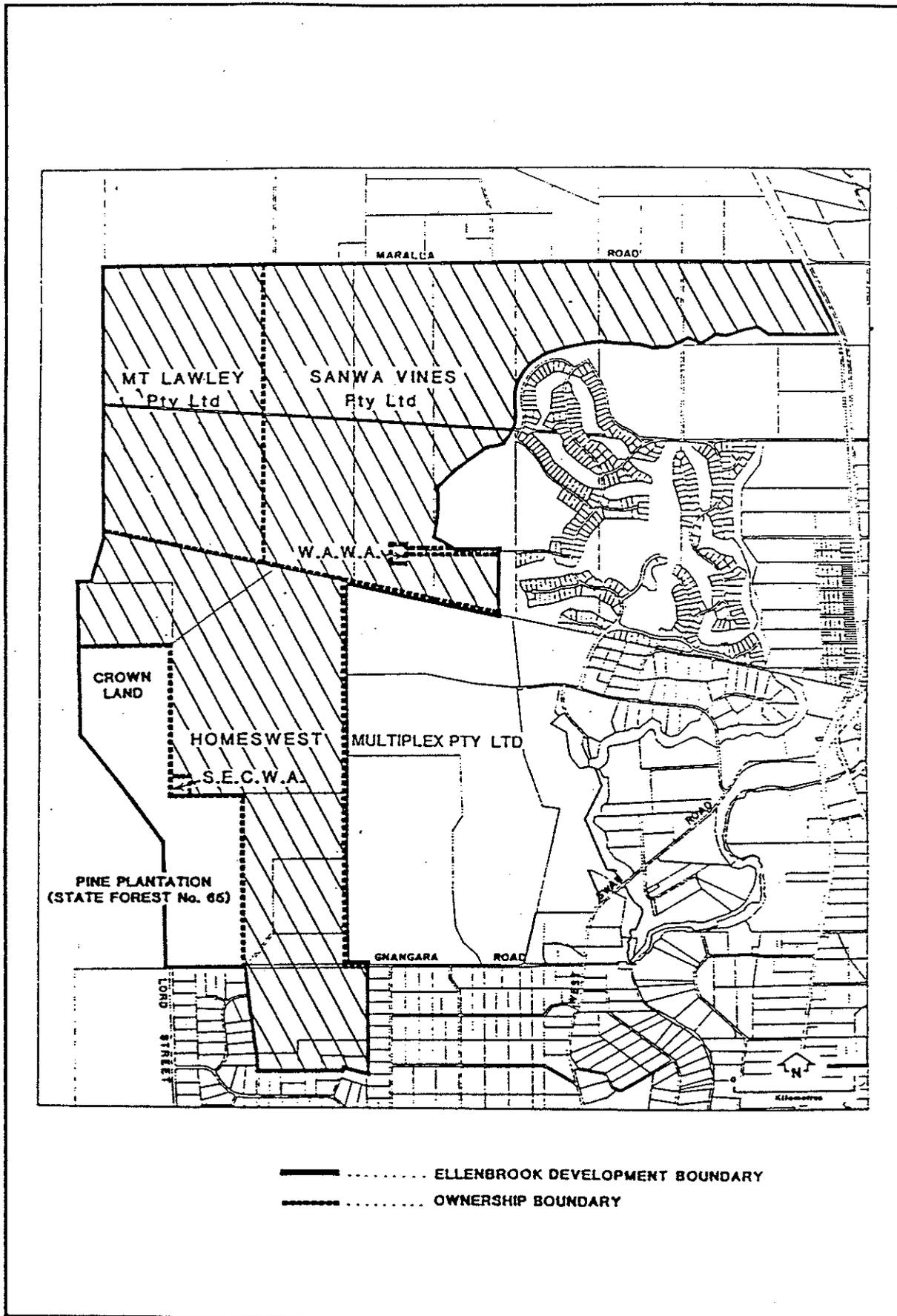


Figure 1. Area proposed for development and land ownership (from Feilman Planning Consultants, PER)

3. Progress of environmental clearances

Procedure 1-1 set on the proposal (see Appendix 1), requires approximately 450 hectares of land to be set aside for conservation of wetlands and other areas. This includes about 300 hectares of land owned by Mt Lawley Pty Ltd and 150 hectares of joint venture land. The State Planning Commission's Metropolitan Region Scheme Amendment for the area now includes the 450 hectares of land as 'Parks and Recreation Reservation'. The remainder of the land, with the exception of a portion of State Forest also included in the Public Environmental Review, is now zoned 'Urban Deferred' (see Figure 2).

A number of the other environmental conditions set on the proposal, including conditions 3 and 4 (see Appendix 1), required certain measures to be undertaken prior to the lifting of 'Urban Deferred' to 'Urban' zoning in the Metropolitan Region Scheme.

Condition 3 seeks to protect the declared rare flora *Caladenia huegelii* by setting aside any additional land on which it is found for conservation.

Condition 4 requires further detailed survey work be undertaken to determine the conservation value of about 500 hectares of land within the north and north east portions of the project area. This work needed to define in detail those areas which should have their conservation values protected and those which may be developed. The land required to be investigated further was additional to the 450 hectares currently zoned 'Parks and Recreation Reservation' in the Metropolitan Region Scheme.

The proponents have complied with Environmental Conditions 3 and 4 outlined above, and is undertaking the necessary steps to comply with the remaining conditions. As a result both Conditions 3 and 4 have been cleared by the Minister for the Environment and have resulted in an additional area of about 120 hectares (area a in Figure 3), being excluded from urban development and included within land to be set aside as conservation reserve. This additional 120 hectares is located entirely on land owned by the proponents and is currently zoned 'Urban Deferred'.

Mt Lawley Pty Ltd has also made a request to the Minister for the Environment for amendment of the environmental conditions under Section 46 of the Environmental Protection Act. The Mt Lawley proposal seeks to have its land managed as a private wildlife sanctuary. The Minister for the Environment has asked the Authority to report to him on the Mt Lawley request. The Authority has requested additional information from Mt Lawley on its proposal before reporting to the Minister, and currently awaits this information before proceeding further.

4. The amended proposal

The proponents are concerned at the potential delays which could arise in relation to the lifting of 'Urban Deferred' to 'Urban' zoning for the proposed development because some of the land affected by the existing environmental conditions is not owned or controlled by them. It is the proponents view that compliance with the conditions may be unreasonably delayed, due to the different objectives of a non-participating adjoining land owner, namely Mt Lawley Pty Ltd.

The proponents have written to the Minister for the Environment asking that environmental condition 10 part 3; and procedure 1-1 of the Statement, which affect land owned by Mt Lawley Pty Ltd, be amended to exclude the Mt Lawley land and allow implementation of the Ellenbrook proposal. Specifically, the proponents have asked that the reference to 450 hectares in the north-west corner of the site, which comprises about 300 hectares of Mt Lawley's land and 150 hectares of the proponents land, should be deleted and conditions and procedures amended to read as follows:

Condition 10 part 3: Arrangements are finalised for the acquisition of approximately 240 hectares of Joint Venture land with high conservation values in the northern sector of the site.

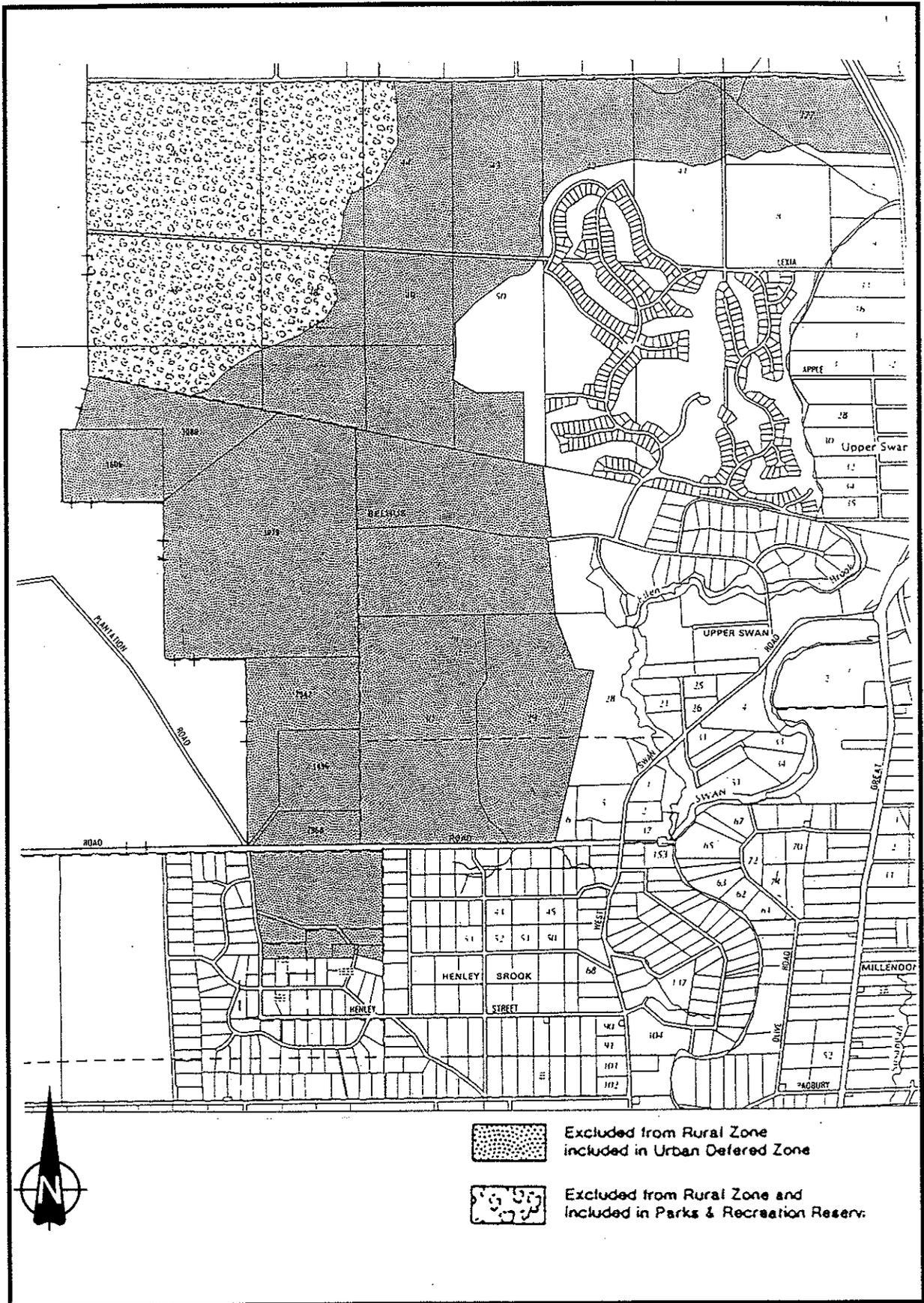


Figure 2. Metropolitan Region Scheme (from State Planning Commission 1:25000 plan).

Procedure 1-1 Prior to the lifting of 'Urban Deferred' to 'Urban zoning' in the Metropolitan Region Scheme, an area of approximately 240 hectares in the northern part of the Joint Venture land (as defined during clearance of Condition 4), should be set aside to be reserved and subsequently vested in the National Parks and Nature Conservation Authority, the final boundary of which shall be to the requirements of the Minister for the Environment on the advice of the Department of Conservation and Land Management and the Department of Planning and Urban Development.'

5. Advice of the Environmental Protection Authority

Approval for the proposal was given by the Minister for the Environment after an extensive investigation of the site, preparation of a Public Environmental Review (PER), receipt of public and government agency submissions, release of the Environmental Protection Authority's Report and Recommendations on the proposal (EPA Bulletin 642) and following consultation with other Ministers and agencies. The environmental conditions were published only after a process of consultation, where agreement on the conditions and procedures under which the proposal may proceed was reached, between the Minister for the Environment and the Ministers for Planning and Water Resources.

The environmental assessment process revealed that the conservation value of large sections of the Ellenbrook land including parts of the Mt Lawley land was very high and of regional conservation significance. The statement published by the Minister for the Environment incorporated conditions and procedures to ensure that the conservation value of the land specified was secured.

Procedure 1-1 of the statement secures approximately 450 hectares of land for conservation (see Figure 2). Procedure 1-1 is a procedure to be followed by Government process before the proposal can proceed to the lifting of urban deferred. It is therefore not a requirement which automatically or necessarily falls entirely upon the proponent to implement. There are mechanisms within the planning process which can ensure that the Government's commitment to meeting the conservation objectives for the subject land can be achieved.

However, the Authority recognises that the intentions of the different land owners affected by this environmental statement may differ and that this may cause unnecessary problems. The proponents consider that the current statement creates an impasse to the reasonable progress of the urban development proposal for Ellenbrook. Therefore, as long as any proposed amendments preserve the objectives of the original statement then such amendments would be considered environmentally acceptable by the Environmental Protection Authority.

It is considered that, provided future proposals for Mt Lawley's land are referred to the Authority for assessment as outlined in the position statement below that recommendations 1 and 2 in this report resolve the current impasse created by the existing statement, and will enable the proponents to meet their project timing objectives. The position statement seeks a commitment by the State Government towards ensuring that the conservation objectives for the remaining land, not owned by the proponent, are also realised. The position statement reflects the Authority's desire for the area to be set aside for its regional conservation values, which was also reflected in a substantial number of the 734 submissions received by the Authority for the original Public Environmental Review assessment.

Recommendation 1

The Environmental Protection Authority recommends that the lifting of the 'Urban Deferred' to 'Urban' zoning in the Metropolitan Region Scheme is conditional upon arrangements being finalised for the acquisition of approximately 240 hectares of land in the northern part of the site, (areas a and b indicated in figure 3 of this report), to meet the requirements of the Minister for the Environment on advice from the Environmental Protection Authority.

Recommendation 1 affects only the land owned by the proponents and excludes the land owned by Mt Lawley Pty Ltd. Implementation of this recommendation would require a change to condition 10 part 3 of the existing statement.

Recommendation 2

The Environmental Protection Authority recommends that, prior to the lifting of 'Urban Deferred' to 'Urban zoning' in the Metropolitan Region Scheme, an area of approximately 240 hectares in the northern part of the site (areas a and b indicated in figure 3 of this report), should be set aside to be reserved and subsequently vested in the National Parks and Nature Conservation Authority, the final boundary of which shall be to the requirements of the Minister for the Environment on the advice of the Department of Conservation and Land Management and the Department of Planning and Urban Development.

Recommendation 2 also includes land owned by the proponents and excludes the land owned by Mt Lawley Pty Ltd. Implementation of this recommendation would therefore require that procedure 1-1 of the existing statement be replaced by a new condition.

Position statement

The Environmental Protection Authority considers it essential that the conservation objectives for the 300 hectares of land zoned 'Parks and Recreation Reservation' in the Metropolitan Region Scheme (area c indicated in figure 3 of this report), should be maintained.

The conservation objectives include that the land be set aside and protected for conservation through:

- appropriate security of tenure;
- security of vesting/purpose; and
- security of management.

The Environmental Protection Authority recommends that the State Government pursue options which ensure that the objectives for conservation of the 300 hectares of land zoned 'Parks and Recreation Reservation' in the Metropolitan Region Scheme (area c indicated in figure 3 of this report), are realised.

It is recognised that there are a range of options which could be pursued by the State Government to achieve the above.

The Environmental Protection Authority has concluded that any proposal for this land inconsistent with the conservation objectives would require referral to the Authority for assessment.

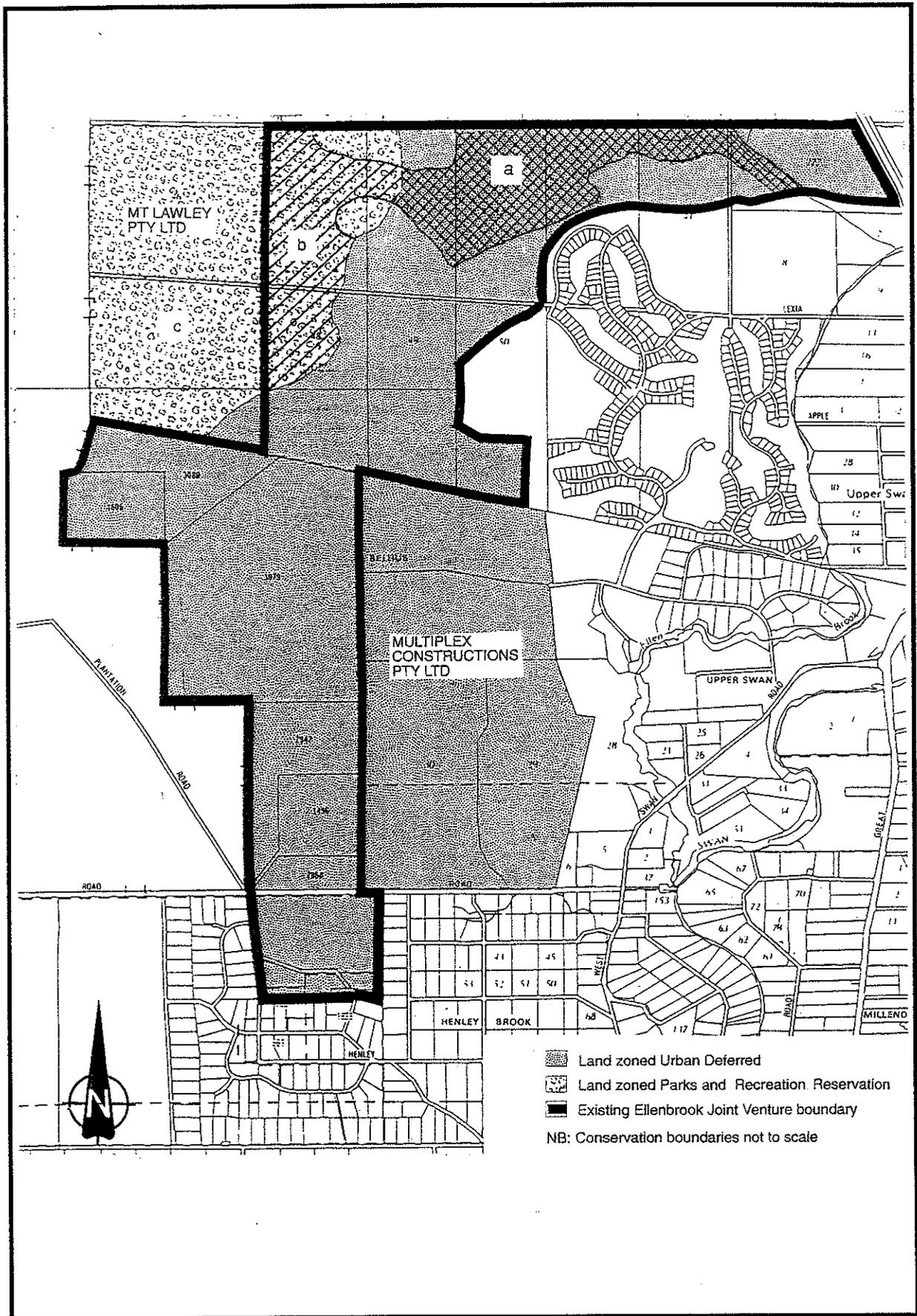


Figure 3. Proposed development and conservation areas.

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

PROPOSAL: ELLENBROOK URBAN REZONING, SUBDIVISION AND
DEVELOPMENT - SHIRE OF SWAN
CURRENT PROPONENT: SANWA VINES PTY LTD, HOMESWEST
CONDITIONS SET ON: 13 OCTOBER 1992

Condition 2 is amended to read as follows:

2 Implementation

Subject to the conditions in this amended statement, 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.

Condition 10 part 3 is amended to read as follows:

10 Lifting of 'Urban Deferred' Zoning

10 part 3 Arrangements being finalised for the acquisition of approximately 240 hectares of land with high conservation values in the northern sector of the site, indicated as area a and b in Figure 3 in Environmental Protection Authority Bulletin 722 (copy attached).

Procedure 1 is deleted and replaced by Condition 11

11 Conservation of Protected Lakes and Other areas

Lakes protected by the Environmental Protection (Swan Coastal Plain Wetlands) Regulations 1991, the fringing and surrounding vegetation and areas identified for conservation through Conditions 3 and 4 should be set aside for conservation.

11-1 Prior to the lifting of 'Urban Deferred' to 'Urban zoning' in the Metropolitan Region Scheme, an area of approximately 240 hectares in the northern part of the subject land as indicated by areas a and b in Figure 3 in Environmental Protection Authority Bulletin 722 (copy attached), should be set aside to be reserved and subsequently vested in the National Parks and Nature Conservation Authority, the final boundary of which shall be to the requirements of the Minister for the Environment on the advice of the Department of Conservation and Land Management and the Department of Planning and Urban Development.'

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.

Appendix 1

**Statement of Conditions of Approval for Urban Rezoning,
Subdivision & Development, Ellenbrook, Shire of Swan**



WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

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

URBAN REZONING, SUBDIVISION & DEVELOPMENT
ELLENBROOK, SHIRE OF SWAN (551)

HOMESWEST AND SANWA VINES 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 and included in Environmental Protection Authority Bulletin 642. (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 Conservation of Rare Flora

The land containing the declared rare flora *Caladenia huegelii* should be set aside for conservation as follows:

- 3-1 Prior to the lifting of "Urban Deferred" to Urban zoning in the Metropolitan Region Scheme, the proponent shall set aside for conservation, suitable land in the Sawpit Gully area indicated in Figure 4 in Environmental Protection Authority Bulletin 642 (copy attached) on which the rare orchid *Caladenia huegelii* is found, to be reserved and subsequently vested in the National Parks and Nature Conservation Authority, the final boundary of which shall be to the requirements of the Minister for the Environment on advice of the Department of Conservation and Land Management and the Department of Planning and Urban Development.

Published on

13 OCT 1992

4 Definition of Conservation Values

Further surveys are needed to define the conservation values of the northern part of the site.

- 4-1 Prior to the lifting of "Urban Deferred" to "Urban" zoning in the Metropolitan Region Scheme, the proponent shall undertake a survey, to define in detail the conservation value of that area in the north and north east indicated in Figure 4 in Environmental Protection Authority Bulletin 642 (copy attached), to determine that land which should have its conservation values protected and that land which may be developed; 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 Department of Planning and Urban Development.
- 4-2 Subsequent to condition 4-1 the proponent may incorporate within the development that land which has been identified as not requiring protection for conservation purposes by the Minister for the Environment on advice of the Environmental Protection Authority, the Department of Conservation and Land Management and the Department of Planning and Urban Development.

5 Interim Water Supply

Development of part of the Lexia borefield to provide an interim water supply may proceed in certain circumstances.

- 5-1 Subject to conditions 6-1 and 6-2 the proponent may develop part of the Lexia borefield to provide an interim water supply, to the requirements of the Environmental Protection Authority on advice of the Water Authority of Western Australia.

6 Groundwater, Drainage and Nutrient Management

Establishment of environmental criteria and objectives for groundwater and drainage management and implementation of programmes is required.

- 6-1 Prior to the lifting of "Urban Deferred" to Urban zoning in the Metropolitan Region Scheme, the proponent shall establish the environmental criteria and objectives for water quality and quantity listed below to meet the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Water Authority of Western Australia, the Department of Conservation and Land Management and the Shire of Swan:

- (1) water level criteria based on historic data and further groundwater modelling which will ensure the maintenance of minimum, maximum and optimum water levels and seasonal patterns in the Lexia wetlands and any other conservation areas;
- (2) water quality criteria for the wetlands to ensure the maintenance of appropriate water quality, based on existing characteristics;
- (3) water quality parameters for the protection of Priority 1 and 2 Groundwater Source Protection Areas;
- (4) water quality parameters for the minimisation of nutrient export to the Swan River (loads as well as concentrations); and
- (5) water quantity parameters for the protection of plantations and natural vegetation within the adjacent State Forest.

- 6-2 Prior to the lifting of "Urban Deferred" to Urban zoning in the Metropolitan Region Scheme, the proponent shall prepare a detailed Drainage Management Plan which complies with the environmental criteria and objectives established in condition 6-1 and which includes the development of a comprehensive monitoring, management and

reporting programme, to meet the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Water Authority of Western Australia, the Swan River Trust and the Shire of Swan.

6-3 Prior to the lifting of "Urban Deferred" to Urban zoning in the Metropolitan Region Scheme, the proponent shall prepare a detailed Nutrient Management Plan which complies with the environmental criteria and objectives established in condition 6-1 and which includes the development of a comprehensive monitoring, management and reporting programme, to meet the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Water Authority of Western Australia, the Swan River Trust and the Shire of Swan.

6-4 The Drainage Management Plan required by condition 6-2 shall be implemented to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Water Authority of Western Australia, the Swan River Trust and the Shire of Swan.

6-5 The Nutrient Management Plan required by condition 6-3 shall be implemented to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Water Authority of Western Australia, the Swan River Trust and the Shire of Swan.

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.

10 Lifting of "Urban Deferred" Zoning

The lifting of the "Urban Deferred" zoning over any portion of the Ellenbrook project would be conditional upon:

1 The additional survey work recommended by the Environmental Protection Authority being finalised and the outcomes determined.

2 Any conservation requirements resulting from the additional works being made the subject of a planning control area pending resolution of their acquisition either via the subdivision process or purchase;

3 Acquisition of the 450 hectares in the north-west corner of the project site being finalised; and

4 Any acquisition of land being determined on the basis of the pre-Public Environmental Review zoning.

All parts of this condition shall be met to the satisfaction of the Minister for the Environment.

Procedure

1 Conservation of Protected Lakes and Other Areas

Lakes protected by the Environmental Protection (Swan Coastal Plain Wetlands) Regulations 1991, and the fringing and surrounding vegetation should be set aside for conservation.

1-1 Prior to the lifting of "Urban Deferred" to "Urban zoning" in the Metropolitan Region Scheme, an area of approximately 450 hectares in the north west corner of the site as indicated in Figure 4 in Environmental Protection Authority Bulletin 642 (copy attached), should be set aside to be reserved and subsequently vested in the National Parks and Nature Conservation Authority, the final boundary of which shall be to the requirements of Minister for the Environment on the advice of the Department of Conservation and Land Management and the Department of Planning and Urban Development.

2 Urban Development within State Forest

Urban development on the area of State Forest No. 65 land shown in figure 2 of Environmental Protection Authority Bulletin 642 (copy attached), may proceed in certain circumstances.

2-1 Prior to rezoning and development of land excised from State Forest No 65, the following requirements shall be met:

(1) completion of studies to show that urban development in this area will not adversely affect the water quality and quantity of the Area of the Gnangara Water Reserve;

(2) finalisation of suitable arrangements with the Lands and Forests Commission for the land to be excised from State Forest; and

(3) finalisation of arrangements with the Water Authority of Western Australia for land to be excised from the Gnangara Water Reserve, which should not permit a reduction in the total area of Crown land of the Water Reserve, nor a reduction in water quality and quantity for public water supply from this area.

3 Implementation of the Statement

3-1 The conditions in this statement should be carried out to meet the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the

Water Authority of Western Australia, the Department of Conservation and Land Management and the Department of Planning and Urban Development, as appropriate.

- 3-2 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.
- 3-3 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.


Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

13 OCT 1992

PROPONENT'S COMMITMENTS

**URBAN REZONING, SUBDIVISION &
DEVELOPMENT**

ELLENBROOK, SHIRE OF SWAN (551)

● HOMESWEST & SANWA VINES PTY LTD

The proponent has made the following environmental commitments:

COMMITMENTS

The Ellenbrook urban development is currently in its very early stages. The proposal at present simply aims to rezone the land consistent with the DPUD Urban Expansion Policy and with Metroplan. This is a time consuming and uncertain process and the proponents are reluctant to commit further major resources to detailed planning and investigations prior to the achievement of this first step. It should be noted that any actual development after rezoning will still be subject to vigorous state and local government scrutiny. For these reasons the specific details of the project proposals have not yet been determined. The objective at this stage, and of this report, is to determine whether or not the land is generally suitable for urban purposes.

It is considered that this can be established by resolution of major issues, ie matters which would affect the viability of the whole site, or large parts of it. The synthesis section of this report (Section 9.0) indicates that there are two issues of this type (wetlands and groundwater/drainage). Proposals for dealing with these are set out in the body of the report and in the Appendices. In both cases management and administration will be by government agencies. Consequently, while the project proponents readily express a willingness to cooperate with the relevant agencies, it is inappropriate for them to make commitments in this document on behalf of those Agencies.

Commitments which can be made by the project proponents are as follows:

- an area of approximately 90ha illustrated on Figure 12 will be set aside for reservation for Regional Open Space [Parks and Recreation purposes];

- Planning and development of the area in the vicinity of the 90ha conservation zone will be consistent with the management policies for the conservation of that area.

- groundwater management and monitoring programmes will be implemented through the life of the project to ensure maintenance of environmental quality in these areas. The programmes will be based on material presented in detail in Appendix C of this report [with regard to groundwater levels and nutrient export] and generally similar to those which are currently in place in the Thomsons Lake area.

- The groundwater management programme will be incorporated into a comprehensive environmental management programme.

Commitments on matters of importance but which would not affect the viability of the total site can also be made as follows.

- . The practicality of a program to relocate Brown Bandicoots to the 90ha reservation from other parts of the site will be investigated and implemented if found to be reasonably achievable.
- . Areas of the Sawpit Creek drainage line where the rare orchid *Caladenia huegellii* has been found will be protected within the development.
- . Areas within the Banksia woodland in which the Priority species *Cartonema Phylloides* and *Conostephium minus* occur, as well as other areas of special interest which may be identified, will be considered for inclusion in public open space areas or other provision made for their preservation.
- . Areas and items of historical significance within the pine plantation area will be preserved where practical in consultation with CALM.

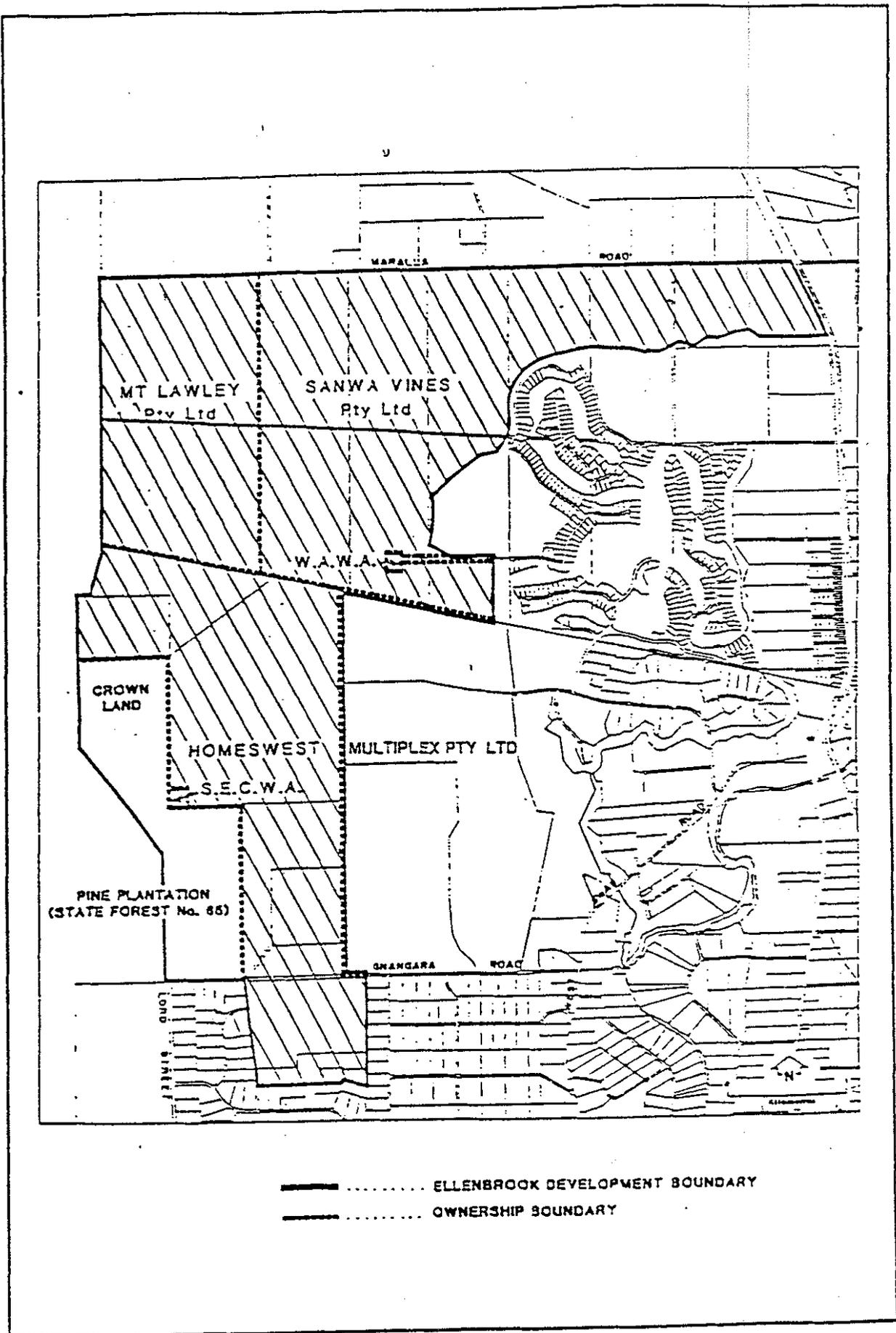


Figure 2. Area proposed for development and land ownership (from Feilman Planning Consultants, PER)

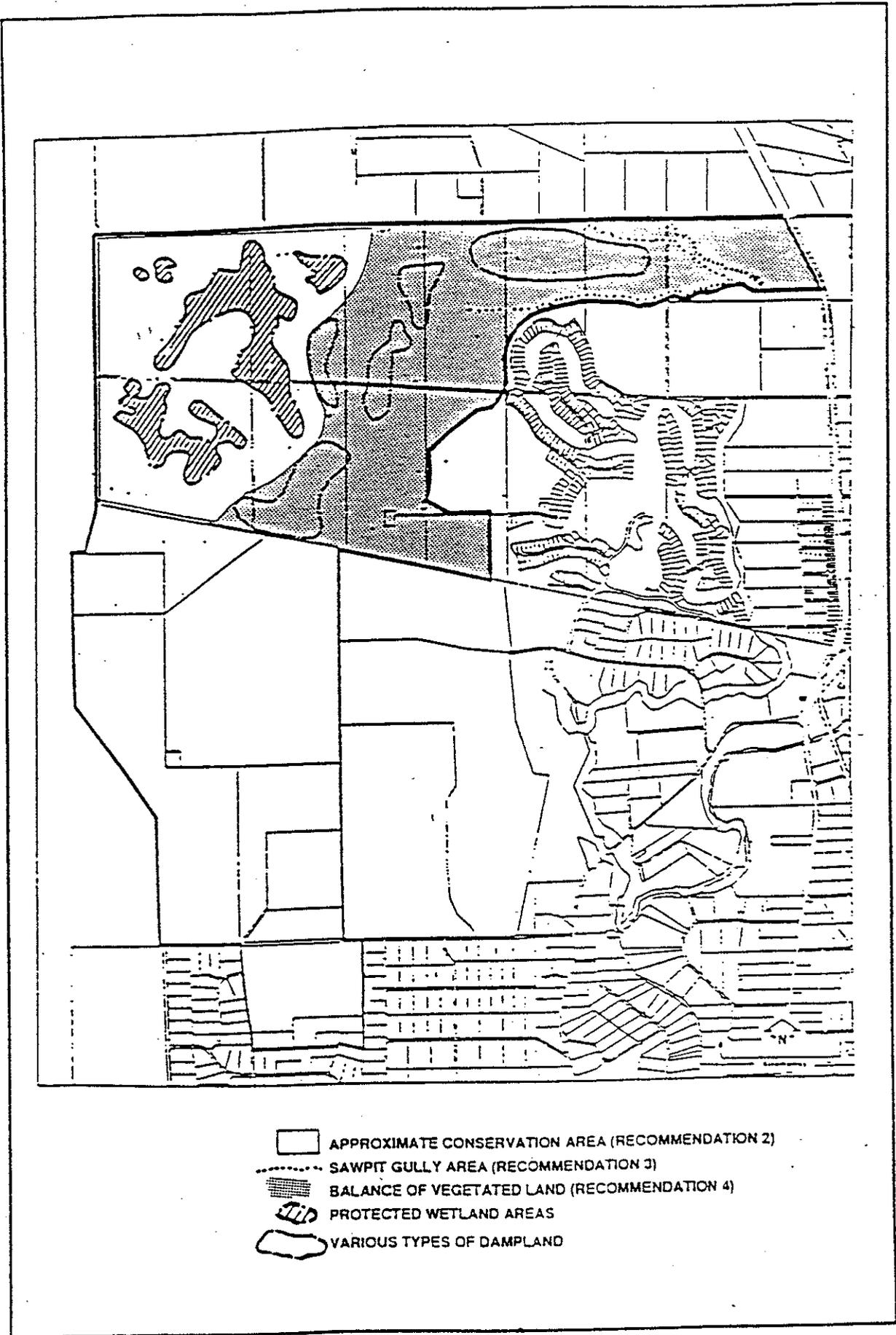


Figure 4. Areas of conservation value the subject of recommendations in this report