

BAYSHORE GARDEN ESTATE, SINGLETON, FORESHORE MANAGEMENT PLAN

**1127. Hon DERRICK TOMLINSON to the minister representing the Minister for the Environment and Heritage:**

I refer to a residential property development in Singleton in the City of Rockingham of approximately 600 residential lots, including a resort hotel, shopping centre and other commercial facilities. It is known as the Bayshore Garden Estate, and is owned and managed by Temwood Holdings Pty Ltd, a wholly owned subsidiary of a Liberian registered company, Goldcore Investments.

- (1) Has Temwood Holdings Pty Ltd lodged its annual returns since 1994 on the implementation of the foreshore management plan for Bayshore Garden Estate in Singleton?
- (2) If not, why not?
- (3) What action will the minister take to ensure compliance with the Environmental Protection Act?

**Hon TOM STEPHENS replied:**

The Minister for the Environment and Heritage has provided the following response.

- (1) The Minister for the Environment and Heritage has been advised by the Department of Environmental Protection that compliance documentation was lodged in 1995. A site audit and exchange of documentation was conducted in 2001, which constituted a compliance report. In the 2001 audit it was determined with some qualification that the foreshore management plan was implemented satisfactorily and the condition was recommended for clearance. However, the City of Rockingham indicated that it had no record of the city taking over the management of the reserve. Its position appears to be that until the proponent cedes the land to the Crown, the City of Rockingham will not take over the vesting, and hence the management of the reserve.
- (2) The new project managers who took over Temwood Holdings indicated that they were not aware of the requirement to submit annual compliance reports. The submission of annual reports was not shown as a statutory ministerial requirement. However, it is now included in the Department of Environmental Protection's audit process for this development.
- (3) On 8 January 2001 the DEP requested a compliance report under section 47(2) of the Environmental Protection Act. That led to the site audit and various recommendations. Further enforcement action has been postponed, pending a High Court appeal by the Western Australian Planning Commission regarding a development approval condition on the ceding of the foreshore reserve area.