



WESTERN AUSTRALIA  
MINISTER FOR THE ENVIRONMENT

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

**PROPOSED SPECIAL USE REZONING, SUBDIVISION AND DEVELOPMENT  
LOTS 3, 4, 5, 6 AND 8 DOUGLAS PLACE BARRAGUP  
SHIRE OF MURRAY (521)**

**SHIRE OF MURRAY**

This proposal may be implemented subject to the following conditions:

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.
2. The proponent shall amend the Shire of Murray's Town Planning Scheme to indicate that uses permitted in the Barragup Special Use Zone are restricted to uses which would not result in any additional nutrient application to Lots 3, 4, 5, 6 and 8 Douglas Place Barragup (such as Saddlery, Veterinary Surgery, Stockfeed Supply, Grower's Mart, Plant Nursery, Caretaker's House, Shop, Open Air Display, and Sales, Bank, Office, Consulting Room(s), Showrooms, and Liquor Store) than occurred with the uses permitted prior to this proposed rezoning (namely Saddlery, Veterinary Surgery, Stockfeed Supply, Grower's Mart and Plant Nursery).
3. The proponent shall not permit any development with an effluent discharge other than sewage disposal unless the developer has previously demonstrated that excessive nutrients will not be discharged to the groundwater or off-site to the satisfaction of the Environmental Protection Authority.
4. The proponent shall ensure that sewage disposal systems are located and installed such that there is at least a two metre vertical separation between the base of the leach drain and the highest recorded groundwater level and at least a 100 metre horizontal separation between the disposal system and the nearest water body, to the satisfaction of the Environmental Protection Authority on advice of the Shire of Murray.

Additionally, to satisfy the two metre vertical separation requirement, the proponent shall ensure that fill for the site has a phosphorus retention index at least equal to that of Spearwood Sands.

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5. The proponent shall ensure that the design and construction of the stormwater disposal system is capable of containing at least a one-in-ten year storm event on-site, and also capable of adequate management of any chemical releases, to the satisfaction of the Environmental Protection Authority on advice of the Shire of Murray and the Waterways Commission.
6. 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.
7. 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).

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Bob Pearce, MLA  
MINISTER FOR THE ENVIRONMENT

31 OCT 1991