



Ass # 564

Bull # 551

State # 245

WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

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

**SPECIAL RESIDENTIAL DEVELOPMENT
LOT 125 DOLEY ROAD AND LOT 126 ORTON ROAD BYFORD (564)**

M LYON, D G & E D HUTCHESON

This proposal may be implemented subject to the following conditions:

1. Detailed implementation

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. 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.

3. 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.

4. Time limit on approval

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).

Published on

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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. LAND USE

- 1.1 The proposed lots shall only be used for residential purposes, with no more than one (1) residence on each lot unless it can be demonstrated that an additional residence would not result in any significant additional nutrient application.
- 1.2 Ancillary land uses on the site shall only be approved where they would not involve the clearing of land (other than for building envelopes, fences, firebreaks, access and servicing), and/or result in any significant additional nutrient application.
- 1.3 Determination as to whether nutrient application is significant (as referred to in 1.1 and 1.2) shall be consistent guidelines agreed between the Local Government Authority and the Environmental Protection Authority

2. VEGETATION

- 2.1 Perennial vegetation shall be retained on all areas of the site that are not required to be cleared for building envelopes, fences, firebreaks, access and servicing.
- 2.2 Perennial, indigenous vegetation shall be established and maintained for the first three years or until the lots are sold, on all areas of the site already cleared and not required to be cleared for building envelopes, fences, firebreaks, access and servicing, in accordance with the guidelines to be provided by the Local Government Authority.
- 2.3 Satisfactory arrangements shall be made with the Local Government Authority to ensure the ongoing maintenance of both existing vegetation and revegetation established by the developer outside the areas cleared for building envelopes, fences, firebreaks, access and servicing.
- 2.4 Retention, management and revegetation of areas (as referred to in 2.1, 2.2 and 2.3) shall be consistent with guidelines to be agreed between the Local Government Authority and the Environmental Protection Authority.

3. STOCK

- 3.1 Livestock are only permitted in accordance with guidelines to be agreed between the Local Government Authority and the Environmental Protection Authority.
- 3.2 Where livestock is to be kept on any lot, the landholder shall, prior to the introduction of livestock, fence off existing vegetation and re-vegetated areas so as to protect vegetation from damage by grazing livestock.

4. DOMESTIC WASTE WATER

Provision shall be included for any residence to have installed a domestic waste water treatment system in accordance with the Health Department of WA requirements. The system shall have an adequate phosphorus retention capacity such that the base of the system or the modified irrigation area is above the highest known water table or is installed in accordance with Health Department guidelines.

5. LOT SIZES & BUILDING ENVELOPES

Lot sizes shall be no less than 2 hectares and contain a building envelope no greater than 2000 m².

6. STORMWATER

A stormwater disposal system shall be designed and constructed for the site in accordance with guidelines to be provided by the Local Government Authority and agreed to by the Environmental Protection Authority.