



WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

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

**SPECIAL RURAL REZONING, SUBDIVISION AND DEVELOPMENT,
SWAN LOCATIONS 2829, 2383 & 2482, PORTION LOCATION 934 AND LOT 2
BADGERUP ROAD, BADGERUP (395)**

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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. Development conditions for wetland protection - defining the System 6 area**
Prior to survey documents being cleared by the State Planning Commission, the proponent shall set aside an area of public open space which includes that portion of Lake Badgerup located on this land and an adequate buffer of native vegetation to the satisfaction of the Minister for the Environment
- 3. 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 Diagrams of Survey.
- 4. 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.

Published on

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5. 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).

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 his determination.

Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

14 APR 1992

NOTE: ADVICE REGARDING SUBSEQUENT PLANNING APPROVAL

You are advised that this environmental approval, provided under the provisions of the Environmental Protection Act, does not imply that planning approval will follow automatically.

APPENDIX A

Planning statement

1. WETLAND PUBLIC OPEN SPACE AREA

- 1.1. Where native vegetation is absent or degraded within the public open space buffer, the proponent shall rehabilitate the area with appropriate indigenous trees and shrubs as required.**

2. STORMWATER

- 2.1. A storm water drainage 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. This drainage system should be design so that no direct drainage enters either Lake Badgerup or Little Badgerup Swamp.**

3. LOT SIZES

- 3.1. Lot sizes to be no less than 1 hectare and contain an appropriately sized building envelope.**

4. DOMESTIC WASTEWATER

- 4.1. Conventional septic systems shall be located at least 100m from either of the two wetlands with a minimum of 2m vertical separation between the base of the leach drain or soakwell and the highest known groundwater level or bedrock. For those lots where the separation criteria are not achievable, a Health Department of Western Australia approved alternative domestic wastewater treatment system with adequate phosphorus retention capacity could be installed provided that the base of the system or modified irrigation area are above the highest known water table or installed in accordance with Health Department guidelines.**

5. LAND USE

- 5.1 The proposed lots shall be used only for residential purposes.**
- 5.2 Ancillary land uses on the site shall only be approved where they do not involve the clearing of land (other than building envelopes, fences, firebreaks, access and servicing), and/or further significant application of nutrient.**
- 5.3 Determination as to whether or not additional nutrient application is significant shall be consistent with guidelines agreed to between the Local Authority and the Environmental Protection Authority.**

6. TRANSITION ZONE

- 6.1 Each lot that abuts the public open space buffer area must have a transition area between the public open space area and the remaining land of the lot. The transition area shall not contain any building envelopes, and any ancillary land use activities are also to be excluded, including the keeping of stock. The width of this area is to be determined on advice from the Environmental Protection Authority.**

7. STOCK

- 7.1 Livestock be allowed at a rate that will not cause further degradation of the land in accordance with guidelines agreed to between the Local Government Authority and the Environmental Protection Authority.**

8. REMNANT NATIVE VEGETATION

- 8.1 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.**
- 8.2 Satisfactory arrangements shall be made with the Local Authority to ensure the ongoing maintenance of both the existing vegetation and the revegetation established by the developer outside the areas cleared for building envelopes, fences, firebreaks, access and servicing.**