



WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

Ass # 879

Bull # 755

State # 392

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

**LAND USE CHANGES AFFECTING KWINANA ENVIRONMENTAL PROTECTION
POLICY BUFFER
METROPOLITAN REGION SCHEME AMENDMENT NO. 939/33A**

**LOT 112 HOBSON AVENUE, LOT 113 ROCKINGHAM ROAD,
LOT 114 BUTTON STREET, LOTS 115 & 52 FROBISHER AVENUE, MUNSTER (879)**

M MIHALJEVICH	Lot 112 Hobson Avenue & Lot 113 Rockingham Road, Munster
P & S HILLIARD	Lot 114 Button Street, Munster
D & N MARINOVICH	Lot 115 Frobisher Avenue, Munster
A & C CARCIONE	Lot 52 Frobisher Avenue, Munster

This proposal may be implemented subject to the following conditions:

1 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

1-1 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 Development in Area B of the Environmental Protection (Kwinana)
(Atmospheric Wastes) Policy 1992**

2-1 The proponent shall not develop any part of any lot which is totally or partially within Area B of the Environmental Protection (Kwinana)(Atmospheric Wastes) Policy 1992 for the following purposes:

1 construction of residential dwellings requiring the subdivision of land;

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- 2 short-stay accommodation (eg hotels and motels); and
- 3 developments which compel the public to remain on the lot(s) for long periods of time (eg primary schools and hospitals).

Note:

The following land uses are currently permitted under the City of Cockburn Town Planning Scheme Number 2, and are acceptable within Area B of the Environmental Protection (Kwinana)(Atmospheric Wastes) Policy 1992:

- 1 reasonable extensions to, and the construction of ancillary accommodation for, existing single residential dwelling(s);
- 2 the construction of single residential dwelling(s) and / or ancillary accommodation on existing vacant lots.

3 Proponent

These conditions legally apply to the nominated proponent.

- 3-1 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.

Procedure

- 1 The Department of Environmental Protection 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 public authority.
- 2 If the Department of Environmental Protection, other public authority 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.

Hon. Peter Foss, MLC
MINISTER FOR THE ENVIRONMENT

24 AUG 1995