



MINISTER FOR THE ENVIRONMENT WESTERN

Ass # 828

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State # 419

file TP 93.14

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

REMLAP RANCH RESORT, MYALUP (828)

GREENVALE ENTERPRISES PTY LTD

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments made in the Consultative Environmental Review and in response to public submissions; provided that the commitments and environmental management measures are not inconsistent with the conditions or procedures contained in this statement.

The proponent's consolidated environmental management commitments were published in Environmental Protection Authority Bulletin 813, Appendix 4, and a copy is attached.

2 Implementation

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

- 2-1 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.
- 2-2 Where, in the course of the detailed implementation referred to in condition 2-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority 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.

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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.

4 Time Limit on Approval

The environmental approval for the proposal is limited.

- 4-1 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.

Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Department of Environmental Protection that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years.

5 Compliance Auditing

To help determine environmental performance and compliance with the conditions, periodic reports on the implementation of the proposal are required.

- 5-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponent.

Procedure

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance of conditions.
- 2 Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.

Hon Peter Foss QC MLC
MINISTER FOR THE ENVIRONMENT

24 JUN 1996

Proponent's Environmental Management Commitments

April 1996

REMLAP RANCH RESORT, MYALUP (828)

GREENVALE ENTERPRISES PTY LTD

PROPONENT'S COMMITMENTS

The commitments given by Greenvale Enterprises Pty Ltd in the Consultative Environmental Review and following consideration of the public submissions upon the Consultative Environmental Review are as follows:

(These commitments are made by the proponent for the construction, completion and ongoing management of the Remlap Resort development.)

LAGOON CONSTRUCTION

- (1) The lagoon will be designed and constructed according to the principles and guidelines specified in this document, to the requirements of the DEP.
- (2) The proponent will ensure that construction of the lagoon will be undertaken by a cut and fill operation employing appropriate site supervision and management procedures so as to minimise construction impacts (including noise, dust, erosion, spread of weeds, soil contamination), to the requirements of the DEP and the Shire of Harvey.
- (3) At all times prior to and during construction, the proponent will ensure that existing endemic vegetation is retained wherever possible and appropriate, with the advice of CALM and to the satisfaction of the DEP.
- (4) The proponent will replace all native wetland vegetation removed by construction of the lagoon, using appropriate species (sedges, reeds, groundcover, shrubs and trees) of the Yoongarillup Association wherever possible, with the advice of CALM and to the satisfaction of the DEP.
- (5) The proponent will ensure that at least 50% of the lagoon shoreline/perimeter is established with appropriate fringing vegetation, on the advice of CALM and the Health Department of WA, to the requirements of the DEP.
- (6) The proponent will landscape the islands and lagoon banks to appropriate grades according to specific site context, but not exceeding a slope of 20% (1 in 5) in any instance, for the purpose of establishment of fringing vegetation, with the advice of CALM and to the requirements of the DEP.
- (7) The proponent will amend selected portions of the newly excavated lagoon bottom with 0.2m (approximate and indicative only) organic material (taken from the topsoil organic layer removed during construction on site) in order to encourage invertebrate colonisation and biological activity, with the advice of CALM and to the requirements of the DEP.

PROJECT MANAGEMENT

- (8) The proponent will appoint a resort/property manager/caretaker upon completion of construction of the Remlap Resort development (stage 2), to oversee post-construction commitments and management undertakings. Project management of the lagoon construction phase (stage 1) will be directed by the owner/proponent of the property, with the advice of Consultants.
- (9) The proponent will include in the by-laws of the Strata Company to be formed by the lot owners, provision for the implementation of an Environmental Management Plan (EMP) and Nutrient Management Plan (NMP).

The NMP will include the following components:

- 1 recommendations for low water/nutrient requirement grass/vegetation types;
- 2 restriction of fertiliser applications on all garden and landscaped areas;
- 3 management strategies to minimise nutrient export from the chalet sites; and
- 4 an annual fertiliser application audit.

The NMP will be formulated in conjunction with, and to the requirements of, the DEP.

BUSHFIRE PREVENTION

- (10) The proponent will implement a minimum 100 m development set-back from the State Forest pine plantation for all structures/buildings, to the requirements of CALM and the Bush Fires Board of Western Australia.

DRAINAGE RUN-OFF POTENTIAL

- (11) The proponent will ensure that, at the time of construction, swale drains and culverts are incorporated in appropriate positions (e.g. between chalets and roads, etc.), so as to divert drainage from the artificial lagoon, to the requirements of the DEP and the Shire of Harvey.

SEWAGE AND EFFLUENT DISPOSAL

- (12) The proponent will install:
- 1 a bioMax C10 AWTS (or equivalent treatment system) or a septic tank and leach drain to serve lots 1 to 10, 63 and 64; and
 - 2 bio Max AWTS (or equivalent treatment system) to all other site buildings;
- for sewage treatment to the requirements of the Health Department and the DEP.

- (13) The proponent will amend the soil of the common effluent disposal area and plant with nutrient-retaining vegetation during construction, with the advice of the Health Department and to the requirements of the DEP.
- (14) The proponent will produce a contingency plan to ensure the lake is not contaminated in the event of a sewage pump station malfunction.

GENERAL CONSTRUCTION WORKS

- (15) The proponent will construct the development limiting the hours to those acceptable to Council.

HABITAT CONSERVATION

- (16) The proponent will ensure that in the operation of the Remlap Resort facility public access to the island habitats is either controlled or restricted as appropriate so as to minimise impact on fauna habitats.
- (17) The proponent will ensure that there will be preservation of existing endemic vegetation, use of dry landscaping methods, and planting of species common to the Yoongarillup Association throughout the site, wherever possible and as appropriate, with the advice of CALM and to the requirements of the DEP.

GROUNDWATER AND LAGOON WATER QUALITY MONITORING PROGRAMME

- (18) The proponent will monitor groundwater and lagoon quality quarterly for a period of five years following completion of the development's lagoon construction and will present the findings of the monitoring to the WRC and DEP annually. Three additional groundwater bores will be installed on the property boundary to monitor quality of groundwater entering and leaving the property.
- (19) The proponent will monitor groundwater levels each quarterly period for five years following completion of the development's lagoon construction, and present the findings to the WRC and DEP annually.
- (20) The proponent will prepare an EMP for the management of the lagoon to the requirements of the DEP and CALM prior to commencement of construction.

The EMP will undertake, but not be limited to:

- 1 groundwater and lagoon water quality monitoring and reporting;
- 2 a contingency plan in the event that groundwater or lagoon water quality declines;
- 3 monitoring and reporting on the success of vegetation establishment around the foreshore and on the islands;

- 4 wetland enhancement by increasing the number of wetland functions as outlined in EPA Bulletin 686;
 - 5 monitoring of the wetland enhancement, including reporting to the DEP five years after completion of the lagoon construction;
 - 6 mosquito monitoring;
 - 7 a contingency plan in the event that mosquitoes become a severe problem;
 - 8 monitoring the impact of site groundwater abstraction on groundwater levels at nearby properties;
 - 9 a contingency plan in the event that site groundwater abstraction causes any reduction in the groundwater levels at nearby properties. The contingency plan is to include reduction of the site groundwater abstraction to an acceptable quantity such that no nearby property bore suffers a decline in groundwater levels or a quantity reduction; and
 - 10 monitoring the site bore abstraction amount and rainfall received, including reporting to the DEP on whether the drought predictions made in the CER were accurate.
- (21) The proponent will implement the approved EMP to the requirements of the DEP on advice of CALM.
- (22) The proponent will prepare and submit to the DEP a detailed review of monitoring results and audit the performance of monitoring and management programmes after the first five years following construction of the development to determine whether further monitoring is warranted.
- (23) Findings of the detailed review of environmental performance will be undertaken to the requirements of the DEP.