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Published on: 17 September 2010

Statement No. 836

**STATEMENT THAT A SCHEME MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF DIVISION 3 OF PART IV OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

SHIRE OF HARVEY LOCAL PLANNING SCHEME NO. 1 AMENDMENT NO. 63
LOTS 195, 304 AND PART LOT 9003 LAKES PARADE, BINNINGUP
REZONING FROM RESIDENTIAL, GENERAL FARMING AND RECREATION TO
RESIDENTIAL DEVELOPMENT AND RECREATION

Scheme Purpose: Amendment No. 63 to the Shire of Harvey Local Planning Scheme No.1 to rezone Lots 195, 304 and Part Lot 9003 Lakes Parade, Binningup from Residential, General Farming and Recreation to Residential Development and Recreation.

Responsible Authority: Shire of Harvey

Responsible Authority Address: 102 Uduc Road, Harvey WA 6220

Assessment Number: 1772

Appeal Determination: 321 to 322 of 2009

Report of the Environmental Protection Authority: Report 1344

Subject to the following conditions, there is no known environmental reason why the town planning Scheme Amendment to which the above report of the Environmental Protection Authority relates should not be implemented:

**CONDITIONS TO BE INCORPORATED INTO THE LOCAL PLANNING SCHEME
OR AMENDMENT**

1 Local Scheme Reserve for Conservation

1-1 A Local Scheme Reserve purpose of 'Conservation' shall be added to the Scheme Map Legend.

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2 Schedule 19 - Additional Requirements - Area 6: Binningup Beach South

2-1 Figure 1 (below) shall be inserted into the Scheme Amendment under Schedule 19 - Additional Requirements - Area 6: Binningup Beach South.

2-2 The following provisions shall be inserted into the Scheme Amendment under Schedule 19 - Additional Requirements - Area 6: Binningup Beach South (not necessarily in this order):

‘The Structure Plan shall identify Local Scheme Reserves for the purpose of Conservation as delineated in Figure 1’;

‘The Local Scheme Reserves for Conservation shown in the Structure Plan may be increased but not decreased from that shown in Figure 1’;

‘Prior to the first subdivision approval, the developer shall prepare a Rehabilitation Plan for the Conservation Reserves shown in the approved Structure Plan to the satisfaction of the Shire of Harvey with advice from the Department of Environment and Conservation’;

‘The subdivider shall implement the Rehabilitation Plan to achieve minimum rehabilitation criteria defined in the Rehabilitation Plan’; and

‘The Structure Plan shall identify a minimum of 24.3 hectares as ‘Residential - Bushland Conservation area’.

Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

Figure 1: Reserve for Conservation

