



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 SUBDIVISION & DEVELOPMENT
SWAN LOCATION 887, SYDNEY ROAD, GNANGARA (704)

MIDLAND BRICK COMPANY PTY LTD

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. Wetland Protection

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 Gnangara 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

15 JUL 1992

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

The conditions contained in this statement are to be complied with to the satisfaction of the Environmental Protection Authority except where they are required to be carried out to the satisfaction of either the Minister for the Environment or any other government agency.

Should the Environmental Protection Authority, other government agency and/or proponent be unable to resolve any dispute that occurs concerning these conditions and commitments, that dispute will be determined by the Minister for the Environment.

Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

14 JUL 1992

Note: Advice regarding subsequent planning approval

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

APPENDIX A (704)
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 stormwater drainage system shall be designed and constructed for the site which is capable of retaining on-site for three to four days a one-in-ten year flood event in accordance with guidelines to be provided by the Local Government Authority. This drainage system should be designed so that no direct drainage enters Lake Gngangara.

3. LOT SIZES

- 3.1. Lots shall be no less than 1 hectare in area and each lot shall contain only one residence within an appropriately sized building envelope.

4. DOMESTIC WASTEWATER

- 4.1. Conventional septic systems shall be located at least 100m from Lake Gngangara 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 100m separation criterion and/or 2m vertical separation criterion is/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 is 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. Such land uses shall be restricted to the building envelopes only.
- 5.3 Determination as to whether or not additional nutrient application is significant shall be consistent with guidelines agreed to between the Local Government Authority and the Environmental Protection Authority.

6. TRANSITION ZONE

- 6.1 Each lot that abuts the public open space buffer area shall 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. The width of this area is to be determined on advice from the Environmental Protection Authority.

7. STOCK

- 7.1 Livestock are not permitted on the lots.

8. 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 Areas cleared of native vegetation shall be rehabilitated with native perennial species in accordance with guidelines developed by the Local Government Authority to the satisfaction of the Environmental Protection Authority.
- 8.3 Satisfactory arrangements shall be made with the Local Government 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.