

Ms Joanne Abbiss  
Chief Executive Officer  
City of Armadale  
Locked Bag 2  
**ARMADALE WA 6967**

Our Ref: CMS17604  
Enquiries: Steve Pavey, 6364 7600  
Email: [Steve.Pavey@dwer.wa.gov.au](mailto:Steve.Pavey@dwer.wa.gov.au)

Dear Ms Abbiss

**DECISION UNDER SECTION 48A(1)(a)**  
***Environmental Protection Act 1986***

<b>SCHEME:</b>	<b>City of Armadale Town Planning Scheme 4 Amendment 105</b>
<b>LOCATION:</b>	<b>Champion Drive Precinct</b>
<b>RESPONSIBLE AUTHORITY:</b>	<b>City of Armadale</b>
<b>DECISION:</b>	<b>Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. Advice Given. (Not Appealable)</b>

Thank you for referring the above proposed scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations. I have also attached a copy of the Chairman's determination of the scheme.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.

- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of the Chairman's determination, this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely



**Anthony Sutton**  
**Delegate of the Environmental Protection Authority**  
Executive Director  
EPA Services

16 December 2019

Encl. Scheme Advice and Recommendations  
Chairman's Determination

**ADVICE UNDER SECTION 48A(1)(a)  
ENVIRONMENTAL PROTECTION ACT 1986**

**City of Armadale Town Planning Scheme 4 Amendment 105**

**Location:** Champion Drive Precinct

**Determination:** Scheme Not Assessed – Advice Given (not appealable)

**Determination Published:** 16 December 2019

**Summary**

The City of Armadale proposes to introduce zones and reserves over the Champion Drive Precinct as part of the process of reintroducing the precinct into the City's Town Planning Scheme No. 4. The precinct is currently within the Armadale Redevelopment Scheme 2 with the Metropolitan Redevelopment Authority as the authority responsible for planning.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the documentation provided by the City of Armadale and having considered this matter, the following advice is provided:

**1. Environmental Factors**

The EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Flora and Vegetation;
- Terrestrial Fauna; and
- Inland Waters.

**2. Advice and Recommendations regarding Environmental Factors**

**Inland Waters**

The EPA supports the retention of the vegetated Conservation Category Wetland in the northern section of the Champion Drive Precinct as part of the proposed Public Open Space.

**Flora and Vegetation, Terrestrial Fauna**

Champion Drive Precinct south of Westfield Road contains remnant native vegetation, including vegetation which is potentially representative of *Banksia Woodlands of the Swan Coastal Plain*, a threatened ecological community listed as Endangered under the *Environmental Protection and Biodiversity Conservation Act 1999*, and Priority 3 by the Department of Biodiversity, Conservation and Attractions. This section of the Champion Drive Precinct is known to be used by Forest Red Tailed Black Cockatoos and may provide foraging, roosting and nesting habitat for all three species of black cockatoo.

The EPA supports the City's proposed scheme text provisions for Schedule 8 - Development (Structure Planning) Areas, as provided by the City 22 November 2019. These provisions

require the retention of 3 hectares of high quality Eucalypt Woodland habitat, 2.3 hectares of high quality Open Eucalypt Grassland habitat and 113 potential black cockatoo breeding trees:

a) "Public Open Space areas are to be designated in the Structure Plan to protect the vegetation mapped as Eucalypt Woodland and Open Eucalypt Grassland on Figure 3.3 of the Champion Drive Black Cockatoo Habitat Assessment and Level 1 Fauna Assessment prepared by Biologic Environmental Survey and dated October 2019 (Revision No. 3):

- i. At Lot 13 Seville Drive identified on Diagram D017641;
- ii. In the north-western corner of Lot 7 Seville Drive identified on Diagram D016112; and
- iii. In the south-eastern half of Lot 9002 Westfield Road identified on Plan P401883.

b) Prior to any earthworks Black Cockatoo habitat trees outside of the areas identified in a) above, will be identified for retention to be retained and protected in accordance with AS 4970-2009. It is recommended native vegetation (particularly Black Cockatoo foraging species), potential breeding trees and all trees containing hollows are retained wherever possible.

c) If clearing is proposed to be undertaken during the Black Cockatoo breeding season a survey will be undertaken immediately prior to clearing to inspect the hollows of all trees identified as having potential nesting hollows to confirm the nesting status of each. If any trees are identified as being used by Black Cockatoo for breeding at the time, the tree will not be removed until the Black Cockatoo have relocated."

The habitat Assessment report also notes there is an existing dam on site which may act as a water source for black cockatoos. The EPA recommends future planning considers the provision of a water source for black cockatoos to use.

## **Conclusion**

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through the implementation of the proposed local planning scheme provisions, and structure planning requirements.

The EPA recommends the proposed local planning scheme provisions as provided by the City 22 November 2019 are inserted into the scheme. In the event these provisions are not inserted into the scheme, any proposals which involve clearing of vegetation on Lots 7 and 13 Seville Drive and Lot 9002 Westfield Road as identified above should be referred to the EPA.