

Mr Daniel Simms
Chief Executive Officer
City of Wanneroo
Locked Bag 1
WANNEROO WA 6946

Our Ref: CMS17725
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Dear Mr Simms

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

SCHEME:	City of Wanneroo District Planning Scheme 2 Amendment 177
LOCATION:	Portion Lot 9193 Joseph Banks Boulevard, Banksia Grove.
RESPONSIBLE AUTHORITY:	City of Wanneroo
DECISION:	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. Advice Given. (Not Appealable)

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

18 November 2019

Encl. Scheme Advice and Recommendations
Chairman's Determination

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

City of Wanneroo District Planning Scheme 2 Amendment 177

Location: Portion Lot 9193 Joseph Banks Boulevard, Banksia Grove.

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

Determination Published: 18 November 2019

Summary

The City of Wanneroo (the City) has initiated Amendment 177 to rezone a portion of Lot 9193 Joseph Banks Boulevard, Banksia Grove (the amendment area) from Special Residential to Urban Development, and modify Schedule 11 by deleting 'Portion of Lot 9189 Flynn Drive, Banksia Grove' (now described as 'Portion of Lot 9193 Joseph Banks Boulevard, Banksia Grove') from the Special Residential Zone No. 2 provisions.

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. Having considered this matter the following advice is provided.

Environmental Factors

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

- Flora and Vegetation; and
- Terrestrial Fauna.

Advice and Recommendations regarding Environmental Factors

The scheme amendment involves rezoning approximately 3.6 hectares (ha) of remnant vegetation that is likely representative of the Threatened Ecological Community (TEC) *Banksia Woodlands of the Swan Coastal Plain*. The remnant vegetation provides potential habitat for species of black cockatoo listed as Endangered under both the *Environmental Protection and Biodiversity Conservation Act 1999*, and the *Biodiversity Conservation Act 2016*. Future planning should aim to retain as much native vegetation as practical, particularly any large trees with the potential to provide quality foraging habitat for black cockatoos. Notwithstanding the above, the future development would be required to be compliant with bushfire planning requirements.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives for the above factors through future planning processes. Future development applications should identify, manage and protect the above environmental factors.