



Chief Executive Officer
City of Joondalup
PO Box 21
JOONDALUP WA 6919

Your Ref 103935
Our Ref 14-801096
Enquiries Angela Coletti
Phone 6145 0806

Attn: Brian Gray

Dear Sir/Madam

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

SCHEME AMENDMENT TITLE: City of Joondalup District Planning Scheme 2
Amendment 74 - Zoning to Urban
Development
LOCATION: Lot 9021 (3) Lochnagar Way, Kinross
RESPONSIBLE AUTHORITY: City of Joondalup
DECISION: Scheme Amendment Not Assessed – Advice
Given (no appeals)

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

After consideration of the information provided by you, the Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the following advice and recommendations.

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- Flora and Vegetation

2. Advice and recommendations regarding Environmental Issues

The EPA's records indicate that the vegetation within the amendment area may provide habitat for Carnaby's black cockatoo. Carnaby's black cockatoos are protected under both the *Wildlife Conservation Act 1950* and *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The EPA expects that habitat trees within the amendment area be retained as part of the detailed design of the structure plan. Scheme provisions and subdivision conditions requiring the retention of habitat trees to the satisfaction of the Department of Parks and Wildlife and other relevant agencies are recommended.

The landowner should be made aware of the requirement under the EPBC Act to refer a proposal to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities if a proposal is likely to impact on matters of national environmental significance.

3. General Advice

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, 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 on the level of assessment of scheme amendments.
- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully



Darren Foster
Director
Strategic Policy and Planning Division

3 June 2014