



MINISTER FOR THE ENVIRONMENT AND HERITAGE

Statement No.

000578

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

**CITY OF ARMADALE TOWN PLANNING SCHEME NO. 2 AMENDMENT NO. 134
(RESIDENTIAL "DEVELOPMENT AREA" ZONE, LOT 1 HILBERT ROAD,
BROOKDALE)**

Scheme Purpose:

- (a) to rezone part of Lot 1 Hilbert Road, Brookdale, from Rural "X" to Residential "Development Area"; and
- (b) to introduce provisions associated with the development of Lot 1 Hilbert Road into the Scheme Text.

Responsible Authority: City of Armadale

Responsible Authority Address: Locked Bag No. 2, Armadale WA 6992

Assessment Number: 1094

Report of the Environmental Protection Authority: Bulletin 1009

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 SCHEME BY INSERTION OF
PROVISIONS IN SCHEME TEXT**

1 Wungong Brook

- 1-1 In the event that urban subdivision of Lot 1 Hilbert Road, Brookdale, is approved by the Western Australian Planning Commission, the subdivision in the vicinity of Wungong Brook shall provide for.

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- (1) a buffer of at least 50 metres in width from the top of the defined Wungong Brook channel bank to all private development on land adjacent to the Brook to provide for flood plain storage;
- (2) a foreshore reserve to be not less than 35 metres in width from the top of the defined Wungong Brook channel bank and not less in width than the Parks and Recreation reserve;
- (3) the foreshore reserve referred to in (2) above to be vested in the Crown upon subdivision of the land; and
- (4) the foreshore reserve referred to in (2) above to be predominantly bound by road frontages, to the satisfaction of the City of Armadale.

2 Outline Development Plan/Structure Plan

- 2-1 Strategic land requirements for drainage and information on urban water management to the satisfaction of the Environmental Protection Authority on advice of the Water and Rivers Commission and the Water Corporation shall be incorporated into the Outline Development Plan/Structure Plan which contains Lot 1 Hilbert Road.
- 2-2 The Environmental Protection Authority in considering approval for the strategic land requirements for drainage and information on urban water management as required by condition 2-1 requires demonstration that the drainage/urban water management system will be adequate to prevent unacceptable impacts on groundwater resources, wetlands and the relevant river and estuarine systems.

3 Environmental Management Plans

- 3-1 A Foreshore Management Plan and an Integrated Stormwater and Nutrient Management Strategy shall be prepared in accordance with the specifications set out in Attachment 1 in the Minister for the Environment's "Statement that a Scheme may be Implemented" No. [insert relevant Statement Number] published on [insert date], and shall be subsequently implemented in accordance with the provisions of the Plans, to the satisfaction of the City of Armadale.

CONDITIONS TO BE INCORPORATED INTO THE SCHEME BY MODIFICATIONS TO THE SCHEME MAP

4 Scheme Map

- 4-1 The Scheme Map for the City of Armadale Town Planning Scheme No. 2 shall be amended by inserting the symbol EC and an appropriate modification to the legend of the Scheme Map, to show that environmental conditions apply to Lot 1 Hilbert Road, Brookdale.

NOTE

To introduce environmental conditions into the City of Armadale Town Planning Scheme No. 2, new clauses are required to be inserted in the Scheme Text following on from the existing clauses which deal with "Provisions relating to Specified Areas" and with suitable renumbering of the subsequent clauses of the Scheme. Clauses are numbered below to suit the Scheme as it was gazetted at 1 January 2001. It is noted that other Scheme Amendments currently being processed may be gazetted prior to Amendment No. 134 and therefore the Scheme Clauses or Schedules may require renumbering to suit the Scheme as it is gazetted at the time of finalisation of Amendment No. 134. The following clauses are required to be inserted in the Scheme Text:

- "5.10.1 Environmental conditions to which the Scheme is, or amendments to the Scheme are, subject are incorporated into the Scheme by Schedule 2 of the Scheme.
- 5.10.2 The environmental conditions in the 2nd Schedule shall be complied with notwithstanding any other requirements of the Scheme.
- 5.10.3 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.
- 5.10.4 The City of Armadale is to-
 - (a) maintain a register of all relevant statements published under sections 48F and 48G of the Environmental Protection Act; and
 - (b) make the statements available for public inspection at the offices of the City of Armadale."

ATTACHMENT 1

STATEMENT THAT A SCHEME MAY BE IMPLEMENTED, CITY OF ARMADALE TOWN PLANNING SCHEME NO. 2 AMENDMENT NO. 134

1 Foreshore Management Plan

- 1-1 The preparation of a Foreshore Management Plan for the foreshore reserve referred to in environmental conditions 1-1(2), 1-1(3) and 1-1(4) and initial implementation of the Plan shall be required as a condition of subdivision in the event that a subdivision application for urban development of Lot 1 Hilbert Road, Brookdale, is approved by the Western Australian Planning Commission.
- 1-2 The Foreshore Management Plan shall be prepared to the satisfaction of the Western Australian Planning Commission on advice of the City of Armadale, the Environmental Protection Authority, the Water and Rivers Commission and the Water Corporation.
- 1-3 The Foreshore Management Plan shall include, but is not limited to:
 - (1) provision for rehabilitation of the watercourse banks and foreshore reserve;
 - (2) provision for the movement of riparian fauna; and
 - (3) details of responsibilities and schedules for implementation of the Plan, including ongoing maintenance.

2 Integrated Stormwater and Nutrient Management Strategy

- 2-1 Prior to the commencement of works to develop land or to subdivide land for urban purposes, an Integrated Stormwater and Nutrient Management Strategy shall be prepared by the subdivider/developer and approved by the City of Armadale with the concurrence of the Environmental Protection Authority on advice of the Water and Rivers Commission and the Water Corporation. The City of Armadale may require this Strategy to be subject to an independent audit undertaken to the satisfaction of the City by suitably qualified consultant professionals approved by the City and at the expense of the subdivider/developer.
- 2-2 The objectives of the Integrated Stormwater and Nutrient Management Strategy are to ensure that the subdivision/development meets the environmental objectives defined in the Environmental Protection Authority Report on Amendment No. 134 (Bulletin 1009), and that the overall development protects, preserves and, wherever possible, enhances the beneficial uses defined under the relevant catchment, environmental protection and state planning policies.

2-3 The Integrated Stormwater and Nutrient Management Strategy shall define the responsibilities of the developer, the City of Armadale and any third parties on matters including the following:

- (1) ongoing management and maintenance which shall include provision by the developer of a guarantee and/or bond for a period of two years following endorsement of final approval of subdivision for the final stage of subdivision in the developer's landholding within the Development Area as surety for the maintenance and monitoring of the Integrated Stormwater Drainage and Nutrient Stripping Systems;
- (2) ongoing monitoring of water quality and performance of nutrient stripping systems;
- (3) refurbishment when monitoring shows a reduction in the systems' performances;
- (4) implementation of contingency plans; and
- (5) periodic review of the Strategy.

2-4 The Integrated Stormwater and Nutrient Management Strategy shall include designs and details addressing the following matters and performance criteria:

- (1) consistency with regional urban water management planning;
- (2) identification of predevelopment baseline water quality standards and post-development water quality targets, and methods of measuring the performance of the stormwater drainage and nutrient stripping systems;
- (3) provision for maintaining, monitoring and refurbishment of the stormwater drainage and nutrient stripping systems;
- (4) contingency plans, included as part of management best practice which may be implemented in the event that the nutrient stripping system does not meet the appropriate water quality targets;
- (5) sufficient details of roads, drainage and subsoil drainage design to demonstrate that the Integrated Stormwater Drainage, Nutrient Stripping Systems and Contingency Plans are workable and incorporating kerbed roads and piped stormwater road drainage;
- (6) erosion controls during and after construction;
- (7) minimisation of mosquito and midge breeding opportunities;
- (8) flood mitigation and protection, including provision for adequate separation from Average Annual Maximum Groundwater Level such that building floor levels are a minimum of 0.3 metres above the 100 year flood level or 1.2 metres above the post-development Average Annual Maximum Groundwater Level, whichever is the higher, unless the City of Armadale approves a variation;
- (9) implementation and staging of the strategy;
- (10) performance such that the Average Annual Maximum Groundwater Level as determined by the Water and Rivers Commission is not altered as a result of the development unless the Water and Rivers Commission approves a variation; and

(11) performance such that post-development hydrograph and outflow volumes to the Wungong Brook are similar to pre-development conditions, unless it can be demonstrated that modified flows would enhance the beneficial uses of the Wungong Brook.

2-5 Relevant components of the Integrated Stormwater and Nutrient Management Strategy shall be implemented to the satisfaction of the City of Armadale in consultation with the Water and Rivers Commission, the Department of Environmental Protection and the Water Corporation prior to the clearance of the relevant subdivision condition of any Diagram of Survey by the City of Armadale or the occupation of any newly created lot.

DR JUDY EDWARDS MLA
MINISTER FOR THE ENVIRONMENT AND HERITAGE

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