



MINISTER FOR THE ENVIRONMENT AND HERITAGE

Statement No.

000609

**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. 143
(LOTS 6, 7 AND 8 WOLFE ROAD, LOTS 421 AND 449 TAYLOR ROAD AND LOTS 27,
432 AND 501 OXLEY ROAD, FORRESTDALE)

Scheme Purpose:

- (a) to rezone part of Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from "General Rural" to "Special Use – Rural/Residential" zone; and
- (b) to introduce provisions associated with the development of Lot 449 and Part of Lot 421 Taylor Road, Lots 501 and 432 Oxley Road, and Lots 6, 7 and 8 Wolfe Road, Forrestdale into the Scheme Text through a Subdivision Guide Plan.

Responsible Authority: City of Armadale

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

Assessment Number: 1183

Report of the Environmental Protection Authority: Bulletin 1045

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 Subdivision Guide Plan

- 1-1 Subdivision shall generally be in accordance with a Subdivision Guide Plan prepared in accordance with Clause 5.2.1 of the Scheme, excluding Lot 27 Oxley Road, as agreed by the Environmental Protection Authority.

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- 1-2 The Subdivision Guide Plan for the City of Armadale Town Planning Scheme No. 2, Amendment 143, shall be amended by ensuring that all building envelopes are located at least 50 metres from the boundary of the Conservation Category Wetland on Lot 501 Oxley Road, as defined by the Water and Rivers Commission.
- 1-3 The Subdivision Guide Plan shall be amended by removing Lot 27 Oxley Road and by removing those lots depicted within the 300 metre buffer from the poultry farm as shown on the plan included at Attachment 2.

2 Environmental Management Plans

- 2-1 Prior to approval of subdivision for rural residential uses, the following Environmental Management Plans shall be prepared by the subdivider(s) in accordance with the specifications set out in Schedule 1 and shall subsequently be implemented in accordance with the provisions of the Plans, to the satisfaction of the City of Armadale on the advice of the Department of Environmental Protection and the Water and Rivers Commission:

- Rehabilitation and Landscape Plan;
- Declared Rare and Priority Flora Management Plan;
- Fire Management Plan;
- Drainage and Nutrient Management Plan;
- Site Contamination Assessment and Remediation Plan; and
- High Pressure Natural Gas Pipeline Management Plan.

3 Effluent Disposal

- 3-1 No effluent disposal system shall be permitted within:

- 50 metres of the Conservation Category Wetland on Lot 501 Oxley Road as determined by the Water and Rivers Commission;
- 300 metres of Water Corporation production bores J10 and J20 as shown in the plan included with Attachment 2; and
- 500 metres of Water Corporation production bore J30 as shown in the plan included with Attachment 2, unless otherwise approved by the Water Corporation.

- 3-2 Prior to approval of subdivision for rural residential uses, the applicant shall demonstrate that the proposed lots within the application area will comply with the Government Sewerage Policy, to the satisfaction of Council and the Department of Health. Any lots which are not supported on this basis are to be excluded from the Amendment or Subdivision Guide Plan.

- 3-3 All dwellings are to be provided with Alternative Wastewater Treatment Systems capable of retaining phosphorus to the satisfaction of the City of Armadale.

4 Poultry Farm Buffer

- 4-1 The 300 metre buffer around the existing poultry sheds on Lot 434 Taylor Road, Forrestdale is to be enlarged to reflect all approved extensions to the poultry farm at the time of gazettal of the Amendment.
- 4-2 No new building or development is to be permitted within 300 metres of the existing poultry/broiler farm on Lot 434 Taylor Road without the prior approval of Council in consultation with the Department of Health, the Department of Environmental Protection and the Western Australian Planning Commission. Relaxation of the 300 metre buffer for new development may be permitted where the potential for any adverse impact on the quality of rural residential living can be demonstrated to be minimal through appropriate odour and noise assessments by competent and reputable analysts on the advice of the Department of Environmental Protection.

5 Livestock

- 5-1 The keeping of livestock, including horses, is not permitted within the Zone or the Subdivision Guide Plan area.

6 Fencing

- 6-1 All boundary and other fencing shall be of open post and rail and wire construction and shall be installed by the subdivider and maintained to the satisfaction of Council. Side and rear boundary fencing is prohibited where those boundaries fall within a Conservation Category Wetland and 50 metre buffer identified in the Subdivision Guide Plan to ensure no unnecessary clearing is undertaken and wildlife movement is not constrained.

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT AND HERITAGE

16 OCT 2002

ATTACHMENT 1

STATEMENT THAT A SCHEME MAY BE IMPLEMENTED, CITY OF ARMADALE TOWN PLANNING SCHEME NO. 2 AMENDMENT NO. 143

1 Rehabilitation and Landscape Plan

1-1 A Rehabilitation and Landscape Plan shall be prepared in consultation with the Department of Environmental Protection and the Water and Rivers Commission.

1-2 The Rehabilitation and Landscape Plan shall include:-

- Rehabilitation of the 50 metre buffer areas for the Conservation Category Wetland on Lot 501 Oxley Road;
- The provision of appropriate buffers for the Resource Enhancement category wetlands and rehabilitation of these buffers;
- Revegetation strategies to be applied to other parts of the subdivision area;
- Maintenance of the rehabilitated areas; and
- Allocation of responsibilities and timing for implementation of the Plan.

2 Declared Rare and Priority Flora Management Plan

2-1 A Declared Rare and Priority Flora Management Plan shall be prepared in consultation with the Department of Conservation and Land Management and the Department of Environmental Protection.

2-2 Prior to subdivision and/or development approval, the landowner shall undertake a spring survey for Declared Rare and Priority Flora in the proposed subdivision area including the unmade portions of adjoining road reserves.

2-3 If any Declared Rare and Priority Flora are located, appropriate protective measures pursuant to the provisions of the *Wildlife Conservation Act 1950* shall be undertaken on the advice of the Department of Conservation and Land Management and the Department of Environmental Protection prior to final subdivision approval.

3 Fire Management Plan

3-1 A Fire Management Plan shall be prepared in consultation with the Fire and Emergency Services Authority and the Department of Conservation and Land Management. The Fire Management Plan shall include:

- Strategies to limit the spread of fire and protect residents and areas of significant vegetation, including the location and dimensions of fire breaks;
- Mechanisms to avoid or minimise the affects of firebreak installation on remnant vegetation, including siting firebreaks in areas without significant vegetation and using methods of installing firebreaks, such as slashing, which reduce the requirement for clearing;

- Maintenance to be undertaken to ensure the continued effectiveness of fire breaks or other management measures; and
- Allocation of responsibilities and timing for implementation of the Plan.

4 Drainage and Nutrient Management Plan

4-1 A Drainage and Nutrient Management Plan shall be prepared to ensure the maintenance of water levels and quality in the Conservation Category wetland and the maintenance or enhancement of surface water quality discharging from the site, on the advice of the Water and Rivers Commission and the Department of Environmental Protection.

4-2 The Drainage and Nutrient Management Plan shall include:

- Management actions and objectives consistent with the *Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992, Statement of Planning Policy No. 2 (1992)* and best management practices;
- Mechanisms to protect the water quality and water levels in Conservation Category wetlands;
- A monitoring program, including definition of performance criteria, to demonstrate that the management objectives are being achieved;
- Contingency measures to be implemented in the event that performance criteria are not being met; and
- Allocation of responsibilities and timing for implementation of the Plan.

5 Site Contamination and Remediation Plan

5-1 Prior to subdivision or development approval on Lot 432 Oxley Road and Lot 449 Taylor Road, a Site Contamination Assessment and Management Plan shall be prepared, on advice from the Land and Water Quality Branch of the Department of Environmental Protection, to ensure the rehabilitation of the site appropriate with the intended land use.

5-2 The Plan shall be designed and implemented in accordance with the Department of Environmental Protection current series of guidelines, *Contaminated Sites Management Series* (Department of Environmental Protection, 2001), and shall include:

- Sampling and analysis in areas identified through the Preliminary Site Assessment as being potentially subject to contamination from previous market gardening or chemical storage;
- Assessment of the risk to public health posed by any significant contamination identified by the sampling and analysis;
- Development of management measures to be applied prior to change of ownership of subdivided blocks in any contaminated areas identified as posing a significant risk to public health; and
- Allocation of responsibilities and timing for implementation of the management measures and appropriate criteria and mechanisms to verify their success.

6 High Pressure Natural Gas Pipeline Management Plan

- 6-1 Prior to subdivision or development on any land within or abutting a high pressure natural gas pipeline easement, the subdivider shall prepare a High Pressure Natural Gas Pipeline Management Plan to ensure the protection of the pipeline during construction activities, to the requirements of the Department of Mineral and Petroleum Resources, on advice of the City of Armadale, the Department of Environmental Protection and the CMS Gas Transmission of Australia.
- 6-2 The plan shall be designed in accordance with the *Petroleum Pipelines Act 1969-70*, the Australian Pipeline Code AS 2885-1997, SAA HB 105 and the Environmental Protection Authority Guidance Statement No. 50 for achieving its risk criteria in proximity to existing and proposed high pressure gas transmission pipelines, or the most recent equivalents recognised by the Environmental Protection Authority.
- 6-3 Ground-disturbing activities are prohibited within the gas pipeline easement as are the following facilities:
- Temporary residence (including caravans, camping and similar);
 - Storage of materials and equipment;
 - Fires and barbecues;
 - Explosives, inflammables and corrosives (including storage of liquefied petroleum gas and fuel oil);
 - Refuse disposal and landfill;
 - Service stations, fuel lines and storage of fuel;
 - Trees or shrubs with an expected growth exceeding one metre in height; and
 - Large obstructions to line of sight along the easement.
- 6-4 Minimum development setbacks from the centre of the gas pipeline shall be 32 metres to the building envelope boundary of residential lots and all other development (excluding roads, car parks, cycleways, footpaths and landscaping) to be in accordance with the relevant Special Use zone requirements.

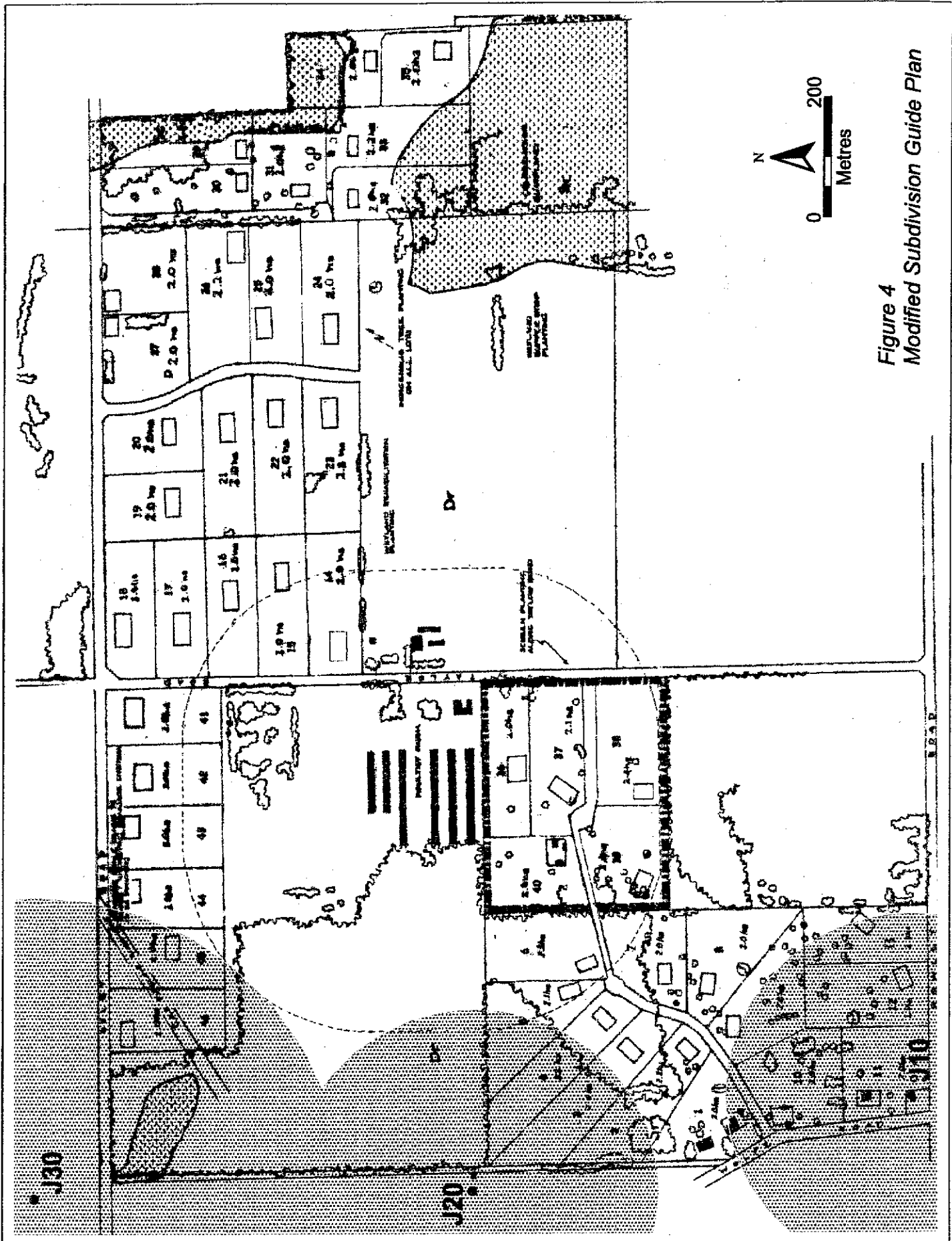


Figure 4
Modified Subdivision Guide Plan