



MINISTER FOR THE ENVIRONMENT

Statement No.

000629

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

**METROPOLITAN REGION SCHEME AMENDMENT No. 992/33
CLARKSON-BUTLER (Assessment No. 1139)**

Scheme Purpose: To amend the Metropolitan Region Scheme to accommodate modifications to the zones and reserves in the Clarkson-Butler district, including the following:

- (a) to rezone the south-eastern portion of the 'western cell' of Pt Lot 2 Burns from "Rural" zone to "Urban" zone and "Parks and Recreation" reservation;
- (b) to rezone the northern portion of Lot 17 Marmion Avenue, Clarkson from "Rural" and "Parks and Recreation" zone to "Urban Deferred" zone;
- (c) to reserve two proposed east-west district distributor roads (Hester Avenue and Neerabup Road) between the Mitchell Freeway and Wanneroo Road for "Other Regional Roads";
- (d) to adjust the existing "Primary Regional Roads" reservation for Wanneroo Road; and
- (e) to reserve the proposed Mitchell Freeway Transportation Corridor for "Primary Regional Roads" to enable future proposed extensions to the Mitchell Freeway, and Northern Suburbs Railway north of Hester Avenue, Butler; the reservation of land for "Railways" for the proposed Clarkson Railway Station near Neerabup Road and a possible station north of Lukin Drive; and land surplus to Freeway requirements being transferred from "Rural" and "Parks and Recreation" to "Urban" zone.

Published on

~ 8 JUL 2003

Conditions are set for the abovementioned modifications. These modifications are referred to below as:

- (a) "Urban" zoning Burns Beach (Proposal 1);
- (b) "Urban Deferred" zoning Clarkson (Proposal 2);
- (c) Reservation of the two east-west roads (Proposal 3);
- (d) Adjustments to Wanneroo Road reservation (Proposal 4); and
- (e) Alignment for Mitchell Freeway and part of the Northern Suburbs Rail System (Proposal 5).

Responsible Authority: Western Australian Planning Commission

Responsible Authority Address: 469 Wellington Street
PERTH WA 6000

Report of the Environmental Protection Authority: Bulletin 971

Subject to the following conditions, there is no known environmental reason why the remainder of the Metropolitan Region 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 THE SCHEME TEXT

"Urban" zoning Burn's Beach

1 Modification to Amendment

- 1-1 Metropolitan Region Scheme Amendment 992/33 shall not proceed to finalisation unless the Western Australian Planning Commission modifies Proposal 1 to decrease the area of the proposed urban zone to the maximum extent shown on Attachment 1.

2 Buffer from Tamala Park Landfill

- 2-1 Provisions are to be included in the Local Scheme Amendment text within the proposed "Urban Deferred" zoning Clarkson to preclude residential land uses from within 500 metres of the active face of any existing or proposed putrescible wastes filling area. Encroachments within this buffer may be accepted if it is demonstrated to the Environmental Protection Authority, through appropriate studies and investigations, that odour, noise, landfill gas and dust will not adversely impact on future residents.

3 Management Plans

3-1 The following Management Plans are to be prepared in accordance with the specifications set out in Attachment 2 in the Minister for the Environment's "Statement that a Scheme may be Implemented" No. XXX published on XXX and shall subsequently be implemented in accordance with the provisions of those Management Plans:

1. "Urban Deferred" zoning Clarkson

- Environmental Management Plan
- Stygofauna and Troglobitic Fauna Management Plan

2. Reservation of the two east-west roads

- Vegetation and Fauna Management Plan
- Construction Management Plan

3. Adjustments to Wanneroo Road reservation

- Vegetation and Fauna Management Plan
- Construction Management Plan

4. Alignment for Mitchell Freeway and part of the Northern Suburbs Rail System.

- Vegetation and Fauna Management Plan
- Construction Management Plan
- Noise, Vibration and Light Management Plan

Dr Judy Edwards MLA
MINISTER FOR THE ENVIRONMENT




- 8 JUL 2003



PROPOSAL 1 - URBAN ZONING AT BURNS : MRS AMENDMENT NO. 992/33

MINISTERIAL STATEMENT THAT A SCHEME MAY BE IMPLEMENTED

LEGEND

-  Maximum Extent of Urban Zoning (Area Environmentally Acceptable for Urban Development)
-  Area Environmentally Unacceptable for Urban Development
-  'As Advertised' Urban Zone Boundary

EPA ASSESSMENT 1139 JUNE 2003

ATTACHMENT 2 OF STATEMENT THAT A SCHEME MAY BE IMPLEMENTED

METROPOLITAN REGION SCHEME AMENDMENT No. 992/33
CLARKSON-BUTLER (Assessment No. 1139)

SPECIFICATIONS FOR MANAGEMENT PLANS

1 "Urban Deferred" zoning Clarkson

1.1 Environmental Management Plan

- 1.1.1 Prior to the lifting of the "Urban Deferred" zone on any part of the amendment area, an Environmental Management Plan shall be prepared for the proposed "Urban Deferred" zoning Clarkson, to ensure the protection and management of biodiversity in Tamala Park and Neerabup National Park, that may be affected directly or indirectly by development within the amendment area, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall include:

1. retention of good quality remnant vegetation giving consideration to the reservation status of the vegetation communities in the amendment area and the aim to strengthen the east-west linkage from Neerabup National Park to the coast;
2. management of remnant vegetation, including public access, recreation, weeds, feral animals, fire, drainage, fencing and signage;
3. management of the interface between urban development and the adjacent conservation reserves in terms of "edge effects" and fauna movement;
4. control of off-road vehicle use and dumping of rubbish;
5. a spring flora survey of the area to determine the presence of Declared Rare and Priority Flora, with particular searches for *Hibbertia spicata* and *Jacksonia sericea*, and provision of appropriate management measures, to the satisfaction of the Department of Conservation and Land Management;
6. management of Specially Protected (Threatened) Fauna;
7. nature and compatibility of land development adjacent to the conservation reserves;
8. proposals for revegetation;

9. promotion of community awareness of bushland protection; and
 10. allocation of responsibilities and timing for implementation.
- 1.1.2 The Environmental Management Plan required in 1.1.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plans, to the requirements of the Responsible Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

1.2 Stygofauna and Troglobitic Fauna Management Plan

- 1.2.1 In the event that karst formations are discovered within the proposed "Urban Deferred" zoning Clarkson which indicate the likelihood of significant stygofauna and/or troglobitic fauna assemblages being present in or immediately adjacent to the amendment area, the landowner (with assistance from relevant scientific experts) shall undertake a survey to assess the nature and extent of any population/s, and if population/s are identified, a Management Plan shall be prepared to address the potential impacts on this/these population/s.

The survey and Management Plan shall be undertaken and prepared, respectively, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Conservation and Land Management, the Western Australian Museum and the University of Western Australia (Department of Zoology).

- 1.2.2 The Management Plan referred to in 1.2.1 of Attachment 2 shall be implemented to the requirements of the Responsible Authority on advice of the Department of Conservation and Land Management.

2 Reservation of the Two East-West Roads

2.1 Vegetation and Fauna Management Plan

- 2.1.1 Prior to the finalisation of detailed design plans for the construction of the two east-west roads, a Vegetation and Fauna Management Plan shall be prepared in consultation with conservation groups (including the Quinn's Rocks Environmental Group), to ensure the protection and management of biodiversity in Neerabup National Park that may be affected directly or indirectly by development within the amendment area, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall include:

1. provision for revegetation;

2. a weed control program;
3. a dieback management plan including dieback survey within the proposed alignments;
4. a fire management plan;
5. a fauna survey to be undertaken along and adjoining the proposed alignments to delineate usage and movement patterns within the project area;
6. relocation of individual scheduled and priority fauna if their ranges lie within or overlap the area of the proposed alignment;
7. investigation into the alternatives for facilitation of fauna movement across each alignment;
8. investigation into measures that will reduce pressures, such as introduced species, disease and increased road deaths, on fauna populations within Neerabup National Park;
9. identification of design and construction elements required to minimize impacts on fauna and park management;
10. monitoring of fauna movement across each alignment;
11. the use of lighting along the roads to assist in the reduction of road deaths of nocturnal terrestrial fauna species; and
12. allocation of responsibilities and timing for the implementation.

2.1.2 The Vegetation and Fauna Management Plan required in 2.1.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plan, to the requirements of the Responsible Authority on advice of the Department of Conservation and Land Management.

2.2 Construction Management Plan

2.2.1 Prior to the finalisation of detailed design plans for the two east-west roads, a Construction Management Plan shall be prepared in consultation with conservation groups (including Quinn's Rocks Environmental Group) to ensure the protection and management of biodiversity in Neerabup National Park, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall include:

1. management of drainage incorporating best practice Water-Sensitive Design principles, in consultation with the Water and Rivers Commission, which considers the implications to existing vegetation and groundwater quality from both sumps and altered surface hydrology to minimise potential for waterlogging and infiltration of pollutants to groundwater;
 2. investigation for the presence of caves prior to and during clearing for construction, and management of discovery;
 3. investigation of the potential impacts on any cave or karst system encountered in areas cleared or cut during construction, and designation of appropriate management measures;
 4. the erection of exclusion fencing of the alignment area as designated by the 'extent-of-works' prior to any clearing for construction;
 5. provision for meeting the requirements of the *Wildlife Conservation Act*;
 6. a summary of the management measures identified in 2.1.1 of Attachment 2 which require action during construction; and
 7. allocation of responsibilities and timing for implementation.
- 2.2.2 The Construction Management Plan required in 2.2.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plan, to the requirements of the Responsible Authority on advice of the Department of Conservation and Land Management.

3 Adjustments to Wanneroo Road Reservation

3.1 Vegetation and Fauna Management Plan

- 3.1.1 Prior to the detailed design plans for the construction of the proposed adjustments to Wanneroo Road, a Vegetation and Fauna Management Plan shall be prepared to ensure the protection and management of biodiversity in Neerabup National Park and Nowergup Lake Fauna Sanctuary that may be affected directly or indirectly by development within the amendment area, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall include:

1. a comprehensive spring survey for Declared Rare Flora, Priority and other significant taxa;
2. provision for revegetation of cleared or degraded areas;
3. a weed control program;

4. a dieback management plan including dieback survey within the proposed alignments;
5. a fire management plan;
6. a fauna survey for scheduled and priority fauna species, to be undertaken in the appropriate seasons along the affected areas prior to commencement of any site works to delineate usage of sites within the project area by rare fauna;
7. relocation of individuals if their ranges lie within or overlap the area of the proposed alignment adjustments; and
8. allocation of responsibilities and timing for implementation.

3.1.2 The Vegetation and Fauna Management Plan required in 3.1.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plan, to the requirements of the Responsible Authority on advice of the Department of Conservation and Land Management.

3.2 Construction Management Plan

3.2.1 Prior to the finalisation of detailed design plans for the construction of the adjustments to Wanneroo Road, a Construction Management Plan shall be prepared to ensure the protection and management of biodiversity in Neerabup National Park and Nowergup Lake Fauna Sanctuary, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Conservation and Land Management.

This Plan shall include:

1. management of drainage incorporating best practice Water-Sensitive Design principles, in consultation with the Water and Rivers Commission, which considers the implications to existing vegetation, nearby wetlands, karst areas and groundwater quality from both sumps and altered surface hydrology to minimise potential for waterlogging and infiltration of pollutants to surface water and groundwater;
2. investigation for the presence of caves prior to and during clearing for construction, management of discovery, and designation of appropriate management measures;
3. design of the vertical and horizontal alignment of the road to reduce the extent of cut and fill required and to fit in with the landscape setting;
4. the erection of exclusion fencing along areas as designated by the 'extent-of-works' prior to any clearing for construction;
5. a summary of the management measures identified in the Vegetation and Fauna Management Plan required in 3.1.1 of Attachment 2 which require action during construction; and
6. allocation of responsibilities and timing for implementation.

- 3.2.2 The Construction Management Plan required in 3.2.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plan, to the requirements of the Responsible Authority on advice of the Department of Conservation and Land Management.

4 Alignment for Mitchell Freeway and Part of the Northern Suburbs Rail System

4.1 Vegetation and Fauna Management Plan

- 4.1.1 Prior to commencement of site works, a Vegetation and Fauna Management Plan shall be prepared in consultation with conservation groups (including Quinn's Rocks Environmental Group) for the alignment for the Mitchell Freeway, and Northern Suburbs Rail System north of Hester Avenue, Butler to ensure the protection and management of biodiversity in Neerabup National Park that may be affected directly or indirectly by development within the amendment area, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall include:

1. further flora survey work in relation to the Mitchell Freeway alignment between Burns Beach Road and Hester Avenue to identify populations of Declared Rare Flora or Priority taxa;
2. targeted flora survey for *Acacia benthamii* and *Eucalyptus argutifolia* within Neerabup National Park and designation of appropriate management measures;
3. provision for revegetation of cleared or degraded areas within and adjacent to the amendment area;
4. a weed control program;
5. a dieback management plan including dieback survey within the proposed alignment;
6. a fauna survey for scheduled and priority fauna species, to be undertaken along and adjacent to the proposed alignment to delineate usage of sites within the project area;
7. relocation of individual scheduled and priority fauna if their ranges lie within or overlap the area of the proposed alignment;
8. investigation into the alternatives for facilitation of fauna movement across each alignment;
9. monitoring of fauna movement across each alignment;
10. control of the use of lighting along the alignment to assist in the reduction of deaths of nocturnal terrestrial fauna species; and
11. allocation of responsibilities and timing for implementation of the Vegetation and Fauna Management Plan.

- 4.1.2 The Vegetation and Fauna Management Plan required in 4.1.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plan, to the requirements of the Responsible Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

4.2 Construction Management Plan

- 4.2.1 Prior to the finalisation of detailed design plans for the proposed freeway, and railway north of Hester Avenue, Butler, a Construction Management Plan shall be prepared in consultation with conservation groups (including Quinn's Rocks Environmental Group) to ensure the protection and management of biodiversity in Neerabup National Park, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall include:

1. management of drainage incorporating best practice Water-Sensitive Design principles, in consultation with the Water and Rivers Commission, which considers the implications to existing vegetation and groundwater quality from both sumps and altered surface hydrology to minimise potential for waterlogging and infiltration of pollutants to groundwater;
 2. investigation for the presence of caves before and during clearing for construction, and management of discovery;
 3. investigation for the presence of subterranean fauna within any cave or karst system encountered in areas cleared or cut during construction, and designation of appropriate management measures on advice of the Department of Environmental Protection;
 4. the erection of exclusion fencing of the alignment area as designated by the 'extent-of-works' prior to any clearing for construction, paying particular attention to retaining as many mature trees as possible;
 5. control of the use of lighting along the alignment to assist in the reduction of deaths of nocturnal terrestrial fauna species;
 6. compliance with appropriate dust, noise, vibration, and light standards and guidelines during construction; and
 7. allocation of responsibilities and timing for implementation.
- 4.2.2 The Construction Management Plan required by 4.2.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plan, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

- 4.2.3 The Construction Management Plan required by 4.2.1 of Attachment 2 shall be made publicly available to the requirements of the Environmental Protection Authority.

4.3 Noise, Vibration and Light Management Plan

- 4.3.1 Prior to the finalisation of detailed design plans for the proposed freeway, or railway north of Hester Avenue, Butler, a Noise, Vibration and Light Management Plan shall be prepared to ensure that noise and vibration do not adversely impact on existing and future residents in the vicinity of the proposed alignment for the Mitchell Freeway, and railway north of Hester Avenue, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection.

This Plan shall include:

1. predictions of noise levels from vehicles and trains along the length of the alignment, but focussing primarily on urban areas;
 2. details of noise management measures to ensure compliance with current Main Roads WA and Western Australian Government Railways Commission standards;
 3. procedures for monitoring the effectiveness of noise management measures once implemented;
 4. further investigation to determine the potential level of vibration in adjacent urban areas and designation of appropriate controls to comply with Australian Standard 2670.2-1990: Evaluation of human exposure to whole-body vibration – Part 2: Continuous and shock-induced vibration in buildings (1 to 80 Hz);
 5. a complaints response procedure;
 6. management measures to ensure that light overspill meets the requirements of Australian Standards; and
 7. allocation of responsibilities and timing for implementation.
- 4.3.2 The Noise, Vibration and Light Management Plan required by 4.3.1 of Attachment 2 shall be implemented in accordance with the provisions of the Plan, to the requirements of the Responsible Authority with the concurrence of the Environmental Protection Authority on advice of the Department of Environmental Protection.