



Environmental Protection Authority

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

Your Ref:
Our Ref: CMS15318
Enquiries: Angela Coletti, 6145 0800
Email: Angela.Coletti@epa.wa.gov.au

Dear Sir/Madam

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

SCHEME: City of Joondalup - Local Planning Scheme 3
LOCATION: Text Amendment
RESPONSIBLE AUTHORITY: City of Joondalup
DECISION: Referral examined, preliminary investigations and inquiries conducted. Scheme not to be assessed under Part IV of EP Act. Advice given.

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

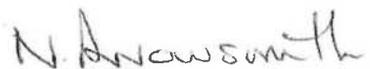
After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

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 this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely

A handwritten signature in black ink that reads "Naomi Arrowsmith". The signature is written in a cursive style with a small dot at the end.

Naomi Arrowsmith
A/Director
Strategic Policy and Planning Division

Delegate of the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 33 published 17 December 2013

16 May 2016

Encl. Scheme Advice and Recommendations

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

City of Joondalup Local Planning Scheme No.3

Location: City of Joondalup

Determination: Scheme Not Assessed – Advice Given (no appeals)

Determination Published: 16 May 2016

Summary

The City of Joondalup has initiated Local Planning Scheme (LPS) No. **3** and the Environmental Protection Authority (EPA) has considered the scheme in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act).

Having regard to the EPA's significance framework referred to in Environmental Assessment Guideline (EAG) No.9 *Application of a significance framework in the environmental impact assessment process*, the EPA considers that the environmental impacts of the scheme amendment are not so significant as to warrant formal assessment under Part IV of the EP Act, providing the following advice is implemented.

1. Environmental Factors

Having regard to Environmental Assessment Guideline No.8 *Environmental principles, factors and objectives* (EAG 8), the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- a) Flora and Vegetation;
- b) Hydrological Processes; and
- c) Inland Waters Environmental Quality.

2. Advice and Recommendations regarding Environmental Factors

The EPA has reviewed LPS **3** in the context of the changes from the existing District Planning Scheme 2.

The EPA has examined the City of Joondalup's referral documentation and conducted investigations. Subsequently the EPA has decided not to assess the scheme. The EPA expects that the environmental factors described below will be addressed through the planning process.

Flora and Vegetation, Hydrological Processes and Inland Waters Environmental Quality

The EPA objectives for these factors are:

- to maintain representation, diversity, viability and ecological function at the species, population and community level;
- to maintain the hydrological regimes of groundwater and surface water so that existing and potential uses, including ecosystem maintenance are protected; and
- to maintain the quality of groundwater and surface water, sediment and biota so that the environmental values, both ecological and social, are protected.

The EPA acknowledges that the majority of the proposed zoning changes are to bring the Local Planning Scheme No.3 into line with the *Planning and Development (Local Planning Schemes) Regulations 2015*. The EPA notes there are two remaining lots zoned 'Rural' in the District Planning Scheme (DPS) 2 that are proposed to be rezoned, being Lots 67 and 36 Woodvale Drive, Woodvale.

Lot 67 Woodvale Drive, Woodvale which has existing buildings, is proposed to be rezoned to 'Private Clubs, Institutions and Place of Worship'.

Lot 36 (95) Woodvale Drive, Woodvale is zoned 'Rural' and 'Parks and Recreation' under the Metropolitan Region Scheme (MRS). The land within the 'Parks and Recreation' zone is also Bush Forever Site 299 (BF 299), which contains a Conservation Category Wetland (CCW) and is within the Yellagonga Regional Park.

Under LPS3 it is proposed to rezone the portion of Lot 36 (95) Woodvale Drive, Woodvale outside of the 'Parks and Recreation' zone to 'Residential'. Development of this amendment area has the potential to impact the values of the adjacent BF 299 and the CCW. Provision of a 50 metre buffer to the CCW with a natural and aesthetic interface to BF 299 including hard edges with passive surveillance is recommended.

The EPA recommends that provisions be included in this planning scheme to guide future planning so as to minimise impacts on the CCW and BF 299.

Further advice can be sought from the EPA's Guidance Statement No. 33 *Environmental Guidance for Planning and Development* which provides an overview of environmental protection processes and information, to assist land use planning and development in Western Australia.

Recommendation

The EPA concludes that the Scheme can be managed to meet the EPA's environmental objectives, through the preparation of scheme provisions and structure planning for Lot 36 (95) Woodvale Drive, Woodvale to manage and protect the identified environmental factors of Flora and Vegetation, Hydrological Processes and Inland Waters Environmental Quality.

The EPA recommends:

- that provisions be included in this scheme to guide future planning so as to minimise impacts on Bush Forever Site 299 and CCW;

- that the Department of Parks and Wildlife, Department of Water and other relevant agencies be consulted prior to the finalisation of Structure Planning and Subdivision; and
- the Department of Planning and the City of Joondalup liaise at the subsequent stages of planning to ensure development is consistent with the EPA's Guidance and Policies.