



Statement No.

000499

**MINISTER FOR THE ENVIRONMENT;
LABOUR RELATIONS**

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

**SHIRE OF SERPENTINE-JARRAHDALÉ TOWN PLANNING SCHEME NO. 2
AMENDMENT NO. 77**

- Scheme Purpose:**
- (a) to rezone Part Lots 521 and 523 South Western Highway, Byford, from "Rural" to "Residential", "Commercial", "Public Open Space Reserve", "Public and Community Purpose Reserve" and "Mixed Use";
 - (b) to add new provisions to the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 Scheme Text; and
 - (c) to amend the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 Scheme Maps accordingly.

Responsible Authority: Shire of Serpentine-Jarrahdale

Responsible Authority Address: 6 Paterson Street, Mundijong WA 6123

Assessment Number: 1102

Report of the Environmental Protection Authority: Bulletin 900

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:

- 1 The following clauses shall be inserted into the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 Scheme Text:

X.X Environmental Conditions

- X.X.1 In accordance with Section 7A4 of the Town Planning and Development Act, environmental conditions imposed by the Minister for the Environment on the Scheme or amendments to the Scheme and contained in Statements under Section 48F Environmental Protection Act, are incorporated into the Scheme by Schedule Y of the Scheme.
- X.X.2 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.
- X.X.3 The Council shall maintain a register of all the Statements published under Section 48F referred to in sub-clause X.X.1 which shall be made available for public inspection at the offices of the Council.

Published on

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2 The following schedule shall be inserted into the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 Scheme Text:

Schedule Y Environmental Conditions

| Amendment No. (gazettal date) | Location of Land | Environmental Conditions |
|-------------------------------|---|--|
| 77 X/X/199X | Parts of Lots 521 and 523 South Western Highway, Byford | <p>1 Environmental Management Plans</p> <p>1-1 Prior to submission of an application for subdivision approval, the developer shall prepare the following environmental management plans in accordance with the specifications set out in attachment 1 of the Minister for the Environment's Statement that a Scheme may be Implemented No. [insert relevant statement number] published on [insert date]:</p> <ul style="list-style-type: none"> • Vegetation Management Plan; • Drainage and Nutrient Management Plan; • Soil and Groundwater Contamination Remediation Plan; • Aboriginal Heritage Management Plan; and • Unexploded Ordnance Remediation Plan. <p>1-2 The above environmental management plans shall be implemented in accordance with the provisions of the Plans, to the requirements of Council.</p> <p>2 Areas Affected by Gaseous Emissions, Dust and Noise</p> <p>2-1 Residential development is not permitted within the areas shown as follows on figures 1-3 inclusive in the Minister for the Environment's Statement No. [insert relevant statement number]:</p> <ul style="list-style-type: none"> • gaseous emissions - residential development exclusion area; • particulates and dust - residential development exclusion area; and • noise - residential development exclusion area; <p>unless the Council and the Department of Environmental Protection agree in writing that appropriate modelling or monitoring of the emissions has been undertaken and that a modified residential development exclusion area is appropriate.</p> <p>3 Conceptual Subdivision Plan</p> <p>3-1 The conceptual subdivision plan for the subject land shall show residential development exclusion zones consistent with the requirements of condition 2 of this schedule, and a vegetation protection area adjoining Cardup Brook as shown on figure 4 in the Minister for the Environment's Statement No. [insert relevant statement number].</p> |

- 3 The Scheme Map for the Shire of Serpentine-Jarrahdale 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 the subject land.
- 4 The Scheme Map for the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 shall be amended by reserving the land adjoining Cardup Brook for the purposes of Public Open Space Reserve so that the Public Open Space Reserve is not less in width than the Cardup Brook vegetation protection area shown on figure 4 of this statement.

CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

- 8 MAR 1999

ATTACHMENT 1

1 Vegetation Management Plan

- 1-1 The subdivider shall prepare a Vegetation Management Plan to ensure the long term viability of remnant vegetation that may be affected directly or indirectly by development of the amendment area, to the requirements of Council with the concurrence of the Department of Environmental Protection.

This Plan shall include:

- 1 retention of vegetated areas in the eastern part of the amendment area;
- 2 retention of vegetated areas along Cardup Brook and revegetation where appropriate using native trees and shrubs to protect the long term health and viability of Cardup Brook;
- 3 provision for rehabilitation of degraded areas;
- 4 provision of walking trails to reduce disturbance of vegetation;
- 5 clear delineation of vegetated areas through use of dual use paths, roads and the like; and
- 6 allocation of responsibilities for the implementation of the Vegetation Management Plan.

2 Drainage and Nutrient Management Plan

- 2-1 The subdivider shall prepare a Drainage and Nutrient Management Plan for the whole of the amendment area to ensure that:

- the rate, quantity and flow regime of surface water leaving the amendment area will be maintained at or below pre-development levels; and
- the quality of surface water is maintained or improved;

to the requirements of Council with the concurrence of the Water and Rivers Commission and the Department of Environmental Protection.

This Plan shall:

- 1 provide measures to facilitate the removal of pollutants and nutrients;
- 2 incorporate best practice Water Sensitive Urban Design principles to maximise on-site water infiltration generally, and especially adjacent to Cardup Brook;
- 3 ensure adequate seepage from the amendment area to maintain the viability of dependent wetlands within the Cardup Brook buffer;
- 4 ensure that the quantity of surface water leaving the site is largely unchanged from pre-development levels;
- 5 include measures to prevent excessive surface water runoff from entering Cardup Brook;
- 6 ensure that the quality of water leaving the site meets the criteria specified by the Environmental Protection (Peel Inlet-Harvey Estuary) Policy (see note below);
- 7 include a monitoring and reporting program to measure and report on the performance of the implemented Plan against performance criteria; and
- 8 include contingency plans in the event that the criteria are temporarily not achieved.

Note: The criteria referred to in item 6 above are deemed to be met for phosphorus if the discharge of total phosphorus from the amendment area does not exceed 0.225 kilograms of total phosphorus per hectare per year.

3 Soil and Groundwater Contamination Remediation Plan

- 3-1 The subdivider shall prepare a Soil and Groundwater Contamination Remediation Plan to the requirements of Council with the concurrence of the Department of Environmental Protection.

This Plan shall:

- 1 identify areas of soil and groundwater contamination resulting from previous activities in the amendment area;
- 2 specify actions to ensure that remediation of contaminated areas by the subdivider :
 - occurs prior to the subdivider lodging plans/diagrams of survey for final endorsement;
 - is to a standard that is suitable for the intended land uses; and
 - is consistent with remediation guidelines recognised by the Environmental Protection Authority; and
- 3 specify management plans for contaminated areas, where necessary.

Note: Criteria for assessment and remediation recognised by the EPA include those in the ANZECC and NHMRC "Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites" (1992), the EPA "Draft Western Australian Water Quality Guidelines for Fresh and Marine Waters" Bulletin 711 (October 1993), NHMRC and ARMCANZ "Australian Drinking Water Guidelines - National Water Quality Management Strategy (1996) or their latest equivalents.

4 Aboriginal Heritage Management Plan

- 4-1 The subdivider shall prepare an Aboriginal Heritage Management Plan to the requirements of Council with the concurrence of the Aboriginal Affairs Department.

This Plan shall include:

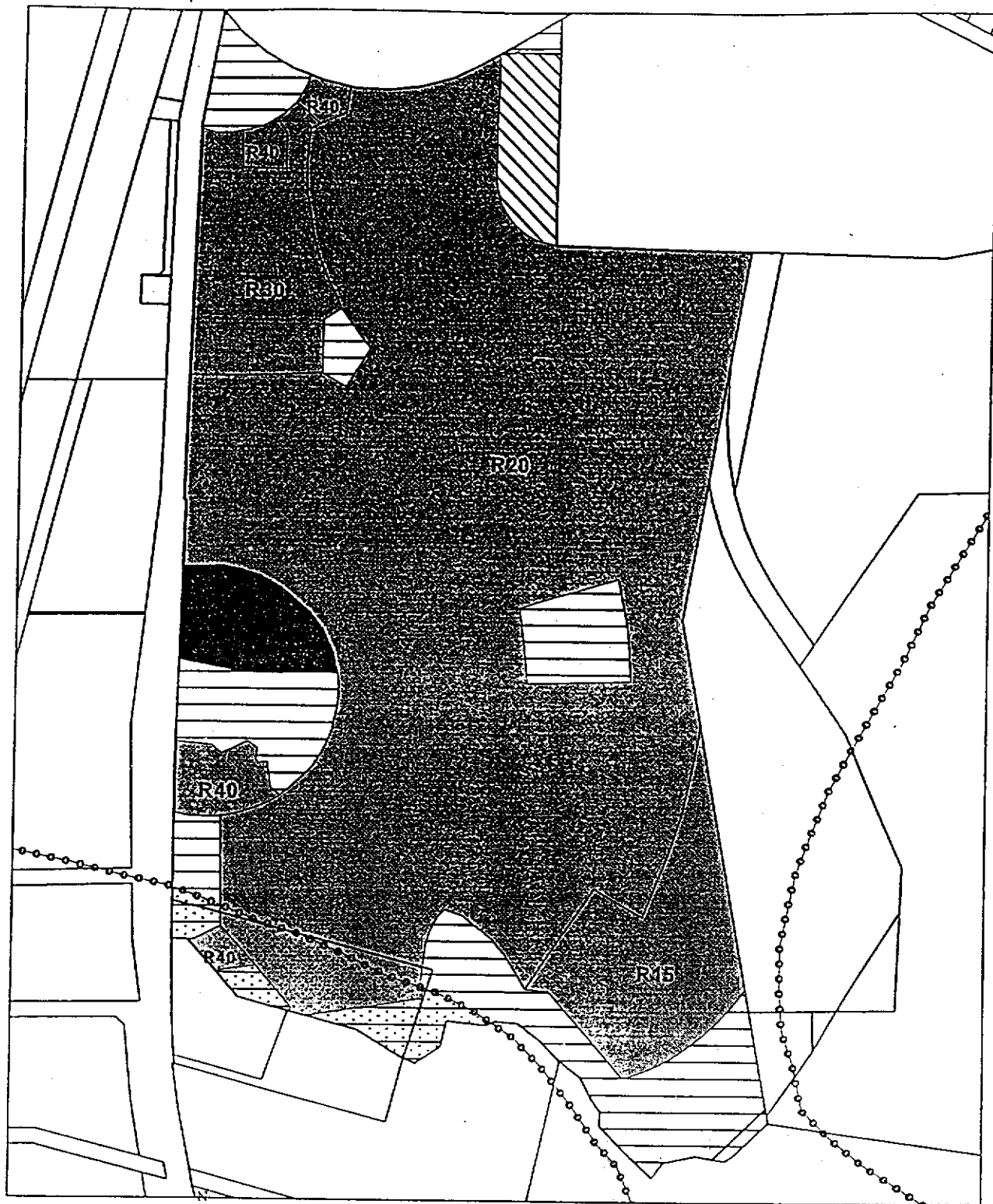
- 1 Aboriginal archaeological and ethnographic studies of the area to be subdivided;
- 2 management strategies for sites of significance where appropriate; and
- 3 timings for the implementation of the management strategies by the subdivider to be prior to the subdivider lodging plans/diagrams of survey for final endorsement.

5 Unexploded Ordnance Remediation Plan

- 5-1 The subdivider shall prepare an Unexploded Ordnance Remediation Plan to render the amendment area safe for the intended land uses to the requirements of Council with the concurrence of the West Australian Police Service (Unexploded Ordnance Unit) on advice of the Department of Environmental Protection and the Department of Minerals and Energy.

This Plan shall include:

- 1 the results of investigations of the amendment area to determine the presence of any unexploded ordnance and/or explosive wastes;
- 2 a remediation plan to address the findings of the investigations required by item 5-1-1 above; and
- 3 timing for remediation to be prior to the subdivider lodging plans/diagrams of survey for final endorsement and prior to any other ground disturbing works.



0 100 200 300 400 Meters

This map has been produced using various data from other agencies. No responsibility is accepted for any error or omission.

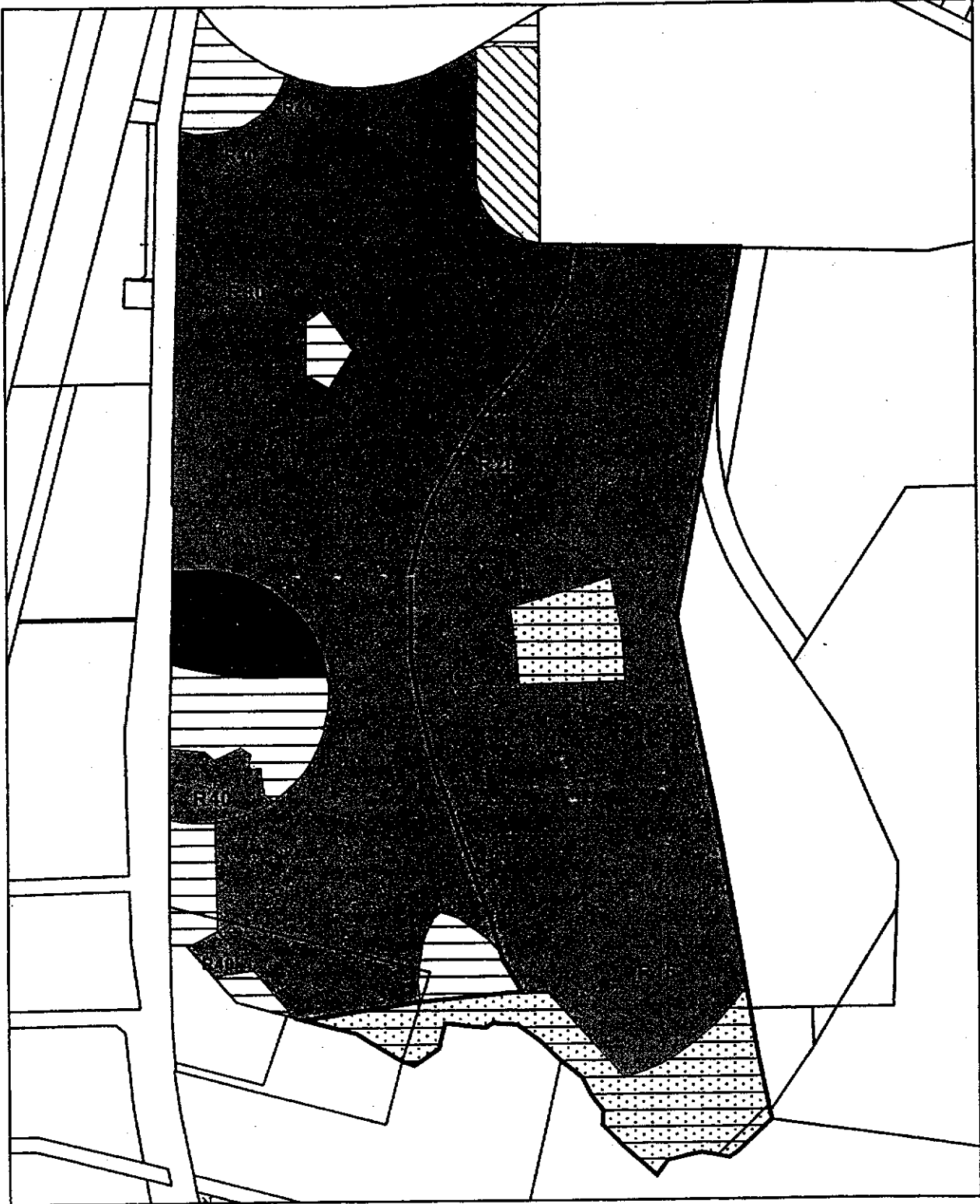
Gaseous emissions - residential development exclusion area
 Gaseous emissions buffer boundary
 Cadastral Boundaries



Department of Environmental Protection, Western Australia

FIGURE 1: GASEOUS EMISSIONS - RESIDENTIAL DEVELOPMENT EXCLUSION AREA

Projection: Australian Map Grid



0 100 200 300 400 Meters

~ Cadastal Boundary

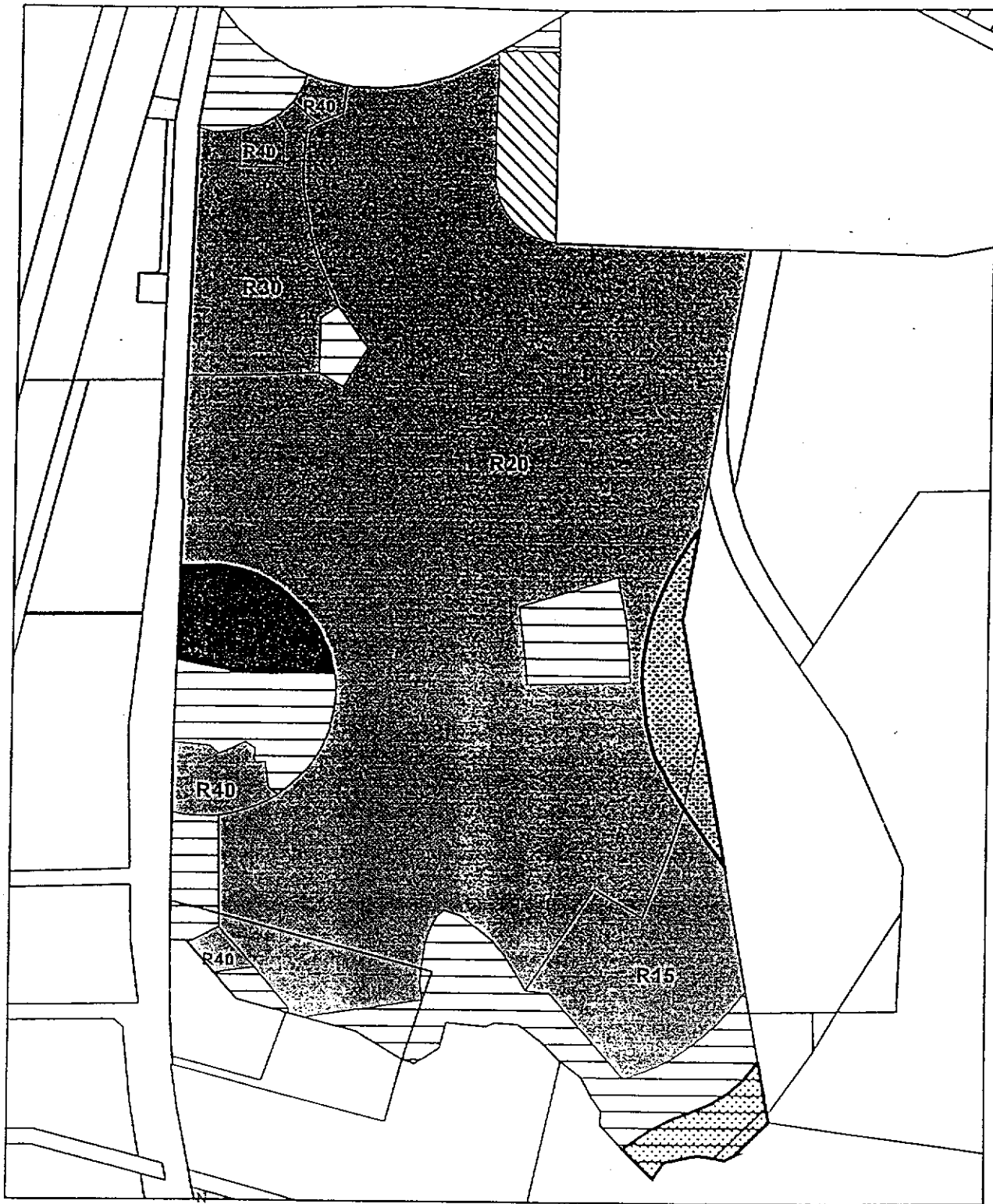
■ Particulates and dust - residential development exclusion area

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Projection: Australian Map Grid



FIGURE 2: PARTICULATES AND DUST - RESIDENTIAL DEVELOPMENT EXCLUSION AREA



0 100 200 300 400 Meters

~ Cadastrial Boundaries

■ Noise - residential development exclusion area

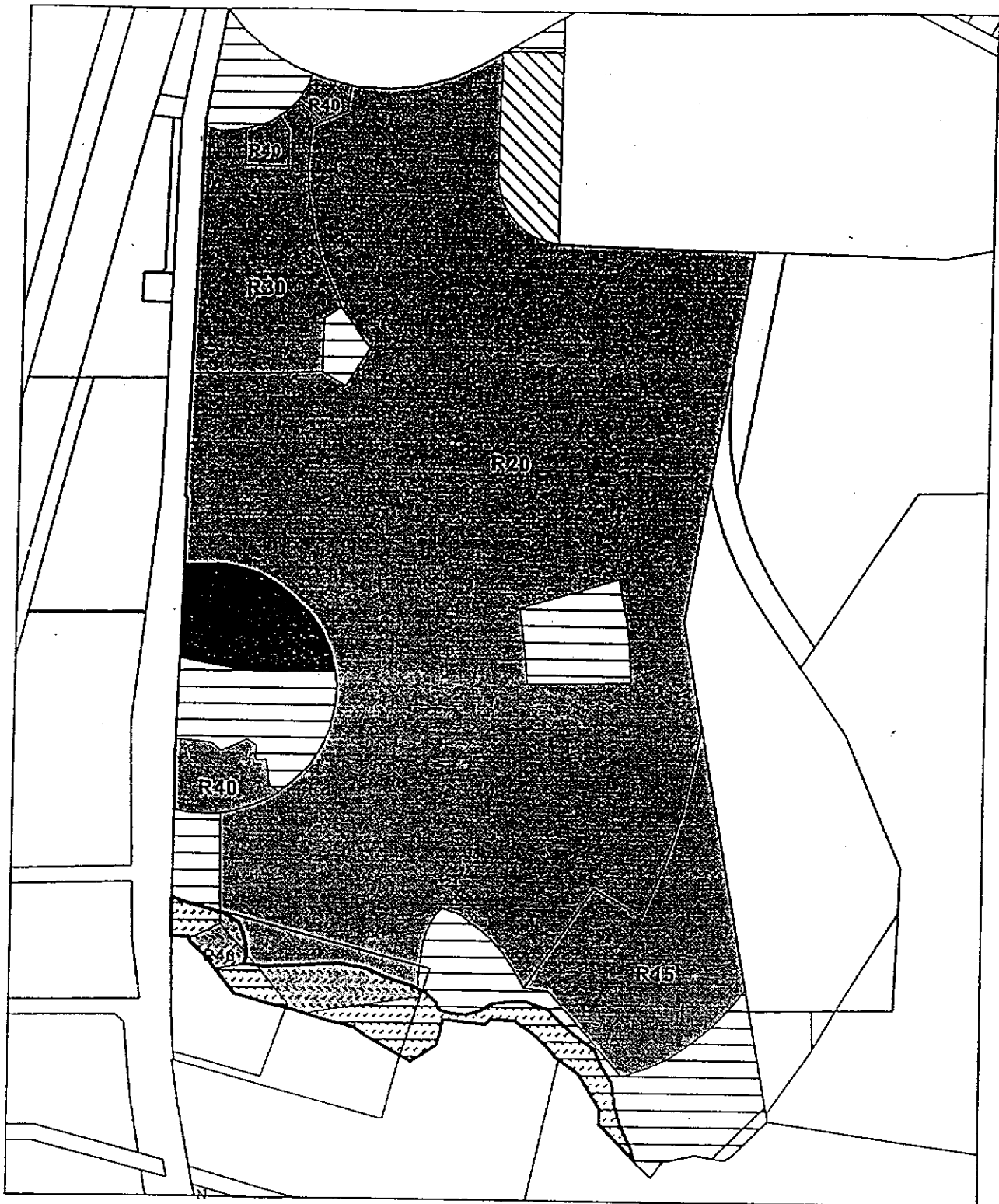
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Projection: Australian Map Grid

FIGURE 3: NOISE - RESIDENTIAL DEVELOPMENT EXCLUSION AREA



0 100 200 300 400 Meters

∕ Cadastral Boundaries

■ Cardup Brook - vegetation protection area

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Projection: Australian Map Grid

FIGURE 4: CARDUP BROOK VEGETATION PROTECTION AREA