



MINISTER FOR THE ENVIRONMENT;  
LABOUR RELATIONS

Statement No.

000527

**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 ROCKINGHAM TOWN PLANNING SCHEME NO. 1  
AMENDMENT NO. 295 (BALDIVIS TOWN CENTRE)**

**Scheme Purpose:**

- (a) to rezone Lot 6, Lot 13, Part Lot 10 and Part Lot 26, corner Nairn Road and Safety Bay Road, Baldivis, from 'Rural' zone to 'Baldivis Town Centre' zone, and to amend the Scheme Maps accordingly; and
- (b) to introduce provisions for the Baldivis Town Centre in the Scheme Text.

**Responsible Authority:** City of Rockingham

**Responsible Authority Address:** PO Box 2142, Rockingham DC WA 6967

**Assessment Number:** 1120

**Report of the Environmental Protection Authority:** Bulletin 906

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 City of Rockingham Town Planning Scheme No. 1 Scheme Text:

**“ Part X Environmental Conditions**

10.1 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:

- Clauses 10.1 to 10.3 inclusive;
- Table XI; and
- appropriate modifications to the Scheme Maps.

Published on

13 DEC 1999

- 10.2 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.
- 10.3 The local government shall maintain a register of all the Statements published under Section 48F referred to in sub-clause 10.1 which shall be made available for public inspection at the offices of the local government."
- 2 The following Table shall be inserted into the City of Rockingham Town Planning Scheme No. 1 Scheme Text:

**"Table XI Environmental Conditions**

Amendment No.	Location of Land	Environmental Conditions Associated with the Area Identified in "Location of Land"
295	Baldivis Town Centre - Lot 6, Lot 13, Part Lot 10 and Part Lot 26, corner Nairn Road and Safety Bay Road, Baldivis	<p><b>1 Environmental Management Plans</b></p> <p>1-1 The following Environmental Management Plans shall be prepared 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"> <li>• Drainage and Nutrient Management Plan;</li> <li>• Soil and Groundwater Contamination Remediation Plan; and</li> <li>• Pipeline Protection Plan.</li> </ul> <p>1-2 The above Environmental Management Plans shall be implemented in accordance with the provisions of the Plans, to the requirements of the local government.</p> <p><b>2 High Pressure Natural Gas Pipeline</b></p> <p>2-1 The following activities, land uses and developments are prohibited within the high pressure natural gas pipeline easement:</p> <ol style="list-style-type: none"> <li>1 ground-disturbing activities, other than for the purposes for which the easement was created, and for uses and developments that comply with condition 2-2 of this Table;</li> <li>2 temporary residence (including caravans, camping and similar);</li> <li>3 storage of materials and equipment;</li> <li>4 fires and barbecues;</li> <li>5 explosives, inflammables and corrosives (including storage of liquefied petroleum gas and fuel oil);</li> <li>6 refuse disposal and land fill;</li> </ol>

		<ol style="list-style-type: none"> <li>7 service stations, fuel lines and storage of fuel;</li> <li>8 vegetation with an expected growth exceeding one metre in height, and plantings within one metre of the centre of the pipeline (with the exception of lawn); and</li> <li>9 large obstructions to line of sight along the easement.</li> </ol> <p>2-2 The following land uses and developments may be permitted within the high pressure natural gas pipeline easement, with the written approval of the local government on advice of the pipeline operator, subject to compliance with the Pipeline Protection Plan referred to in condition 1-1 of this Table:</p> <ol style="list-style-type: none"> <li>1 cycleways and footpaths;</li> <li>2 road crossings and services (with minimum depth of cover over the pipeline of 1.2 metres);</li> <li>3 public open space;</li> <li>4 signage and other facilities that are necessary to comply with the Pipeline Protection Plan referred to in condition 1-1 of this Table; and</li> <li>5 car parking during the time that the adjoining land is being developed (with minimum depth of cover over the pipeline of 1.2 metres).</li> </ol> <p>2-3 Minimum setbacks for land uses and developments from the centre of the high pressure natural gas pipeline shall be:</p> <ol style="list-style-type: none"> <li>1 96 metres, in the case of sensitive development as determined by the local government on advice of the Department of Environmental Protection and the pipeline operator, and including aged persons accommodation, child care centres, schools and hospitals;</li> <li>2 32 metres to the boundary of each residential lot, in the case of residential development; and</li> <li>3 at the local government's discretion, following consultation with the Department of Environmental Protection and the pipeline operator, in the case of all other land uses and developments which facilitate the gathering of people within 96 metres of the centre of the pipeline.</li> </ol>
--	--	---

- 3 The Scheme Map for the City of Rockingham Town Planning Scheme No. 1 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.

#### NOTES

The Responsible Authority has undertaken to prepare a Wetland Management Plan for that portion of the Parks and Recreation Reserve that abuts the Baldivis Town Centre.

The Management Plan is to include:

- 1 a description of the potential impacts of the development of the Baldivis Town Centre Zone on the wetland;
- 2 specific measures to manage the impacts on the wetland, associated vegetation and fauna habitats; and
- 3 a timeline and responsibilities for the implementation of those measures identified in 2.

CHERYL EDWARDES (Mrs) MLA  
MINISTER FOR THE ENVIRONMENT

13 DEC 1999

**Attachment 1 of the 'Statement That A Scheme May Be Implemented'  
for the City of Rockingham Town Planning Scheme No. 1 Amendment  
No. 295**

**1 Drainage and Nutrient Management Plan**

- 1-1 Prior to commencement of site works for subdivision or development, the subdivider or developer shall prepare a Drainage and Nutrient Management Plan for the whole of the amendment area to ensure that the rate, quantity and quality of water leaving the amendment area will not adversely impact on Tamworth Hill Swamp, the Stakehill Groundwater Area groundwater supply and the Peel-Harvey estuarine system, to the requirements of the local government with the concurrence of the Water and Rivers Commission, on advice from the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall:

- 1 define the catchment of Tamworth Hill Swamp in relation to the amendment area;
- 2 provide measures to facilitate the removal of pollutants and nutrients in accordance with Water Sensitive Urban Design best practices;
- 3 incorporate Water Sensitive Urban Design best practice principles to maximise on-site water infiltration generally;
- 4 include measures to prevent surface water runoff from entering Tamworth Hill Swamp and the Peel-Harvey estuarine system;
- 5 review the siting, design and size of the stormwater infiltration basin adjacent to Tamworth Hill Swamp so as to achieve a satisfactory separation between the bottom of the basin and groundwater;
- 6 ensure that the objectives of the Statement of Planning Policy No 2: The Peel-Harvey Coastal Plain Catchment and the Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992 are met;
- 7 include a monitoring program to measure the performance of the implemented Plan against objectives and performance criteria; and
- 8 include contingency plans in the event that criteria are not achieved.

**2 Soil and Groundwater Contamination Remediation Plan**

- 2-1 Prior to commencement of site works for subdivision or development on any land that has previously been used for intensive horticulture purposes, the subdivider or developer shall prepare a Soil and Groundwater Contamination Remediation Plan to the requirements of the local government with the concurrence of the Department of Environmental Protection for the portion of the land previously utilised for intensive horticulture purposes.

This Plan shall:

- 1 identify the extent and nature of the soil and groundwater contamination;

- 2 identify areas where contamination levels exceed criteria recognised by the Environmental Protection Authority;
- 3 specify actions to ensure that remediation:
  - occurs prior to the commencement of any subdivision or development;
  - 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
- 4 specify management plans for contaminated areas, where necessary.

### **3 Pipeline Protection Plan**

- 3-1 Prior to commencement of site works for subdivision or development on any land within or abutting the high pressure natural gas pipeline easement, the subdivider/developer shall prepare a Pipeline Protection Plan to the requirements of local government with the concurrence of the Department of Minerals and Energy on advice from the Department of Environmental Protection and the high pressure natural gas pipeline operator.
- 3-2 The Plan referred to in 4-1 shall detail measures to ensure public safety and protection of the high pressure natural gas pipeline in accordance with the Petroleum Pipelines Act 1969-70, the Australian Pipeline Code AS 2885-1997, SAA HB105 and the Environmental Protection Authority's guidance statement for achieving its risk criteria for development in proximity to existing and proposed high pressure gas transmission pipelines, or the most recent equivalents recognised by the Environmental Protection Authority.