

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

City of Joondalup Local Planning Scheme 3 Amendment 15

Location: Lots 28 and 36 Woodvale Drive, Woodvale

Determination: Scheme Not Assessed – Advice Given (not appealable)

Determination Published: 5 February 2024

Summary

The amendment proposes to rezone portions of Lots 28 and 36 Woodvale Drive, Woodvale from 'Rural' and 'Private Community Purposes' to 'Residential' and to introduce provisions at Table 6 of the Scheme. The proposed amendment is to facilitate future residential development consistent with the City of Joondalup's Local Planning Strategy.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the original referral documentation and additional information provided by the City of Joondalup (the City) to this amendment. Having considered this matter, the following advice is provided.

Environmental Factors

Having regard to the EPA's (2021) *Statement of Environmental Principles, Factors, Objectives and Aims of Environmental Impact Assessment*, the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters

Advice and Recommendations regarding the Environmental Factors

The EPA considers that the portion of Lot 28 within the amendment area, is completely void of native vegetation and development is unlikely to cause significant environmental impact. EPA advice is not required to assist in the mitigation of potential impacts at this location. As such, the advice provided below pertains to the western portion of Lot 36 subject of the proposed amendment (hereafter referred to as the amendment area).

Flora and Vegetation and Terrestrial Fauna

The amendment area consists largely of mature scattered trees with mostly cleared understorey. The provided Environmental Assessment Report (EAR) states that potential habitat (foraging/roosting and future breeding) for threatened species of black cockatoo is located within the amendment area. A geographic information systems search indicates that the nearest recorded black cockatoo roost site is approximately 2.5 kilometres (km) to the west. The amendment area also abuts the mapped extent of Bush Forever Site No. 299 to the east, which includes a portion of the Yellagonga Regional Park.

The EPA considers that implementation of the amendment may result in the clearing of native vegetation and potential threatened fauna habitat to facilitate subsequent residential development. The EPA notes that the City has proposed scheme text for insertion at Table 6 of Local Planning Scheme 3 (LPS 3) to facilitate the mitigation of potential impacts to black cockatoo habitat values at future planning stages. The EPA supports the inclusion of the proposed scheme text, with additional modifications as written below, and recommends that designation of future 'Public Open Space' (POS) areas prioritise the retention of remnant habitat for threatened fauna species within the amendment area and reflect the EPA's (2021) [Guidance for planning and development – protection of naturally vegetated areas in urban and peri-urban areas](#).

Proposed scheme text to be considered by Council for inclusion at Table 6 of LPS 3:

No. 5 - Lot 28 (No. 67) and 36 (No. 95) Woodvale Drive, Woodvale

1. *Any application for subdivision or development of the site shall include the following:*
 - a. *Identification of potential threatened fauna habitat trees within the site proposed for retention.*
 - b. *'Public Open Space' areas identified with an objective of retaining key environmental values.*
 - c. *Management plans which are to be endorsed by the City of Joondalup, with or without conditions, prior to any site works, and thereafter implemented:*
 - i. *Urban Water Management Plan demonstrating on-site retention and treatment of stormwater.*
 - ii. *Wetland Management Plan, including wetland buffer assessment.*
 - iii. *Re-vegetation Management Plan including proposed planting of native vegetation that may provide future habitat for threatened fauna species, within the wetland buffer and 'Parks and Recreation' reserve.*

The EPA also notes part 3 of the Council's resolution which requests revegetation works within the eastern portion of Lot 36 zoned for 'Parks and Recreation' reserve under the Metropolitan Region Scheme (MRS), should future development result in complete removal of the remnant trees from the amendment area. The EPA considers that the scope of the revegetation works could be expanded to maximise mitigation of potential impacts, through requirements for additional revegetation within the proposed amendment area in future POS areas.

Inland Waters

As aforementioned, the proposed amendment area abuts the Yellagonga Regional Park, which contains Wallubuenup Swamp – a mapped Conservation Category Wetland (CCW) (UFI: 15458). The EAR noted that groundwater and surface water flows at the amendment area are generally easterly, towards the CCW.

The EPA considers that implementation of the scheme amendment may result in degradation of the CCW and contribute to a modified hydrological regime. The EPA supports the management of potential impacts to inland water values through the mechanisms described by the proposed scheme text (above). The EPA considers that the proposed text is consistent with its [previous public advice](#) provided to the City's LPS 3, which included recommendations for:

- provision of a buffer to the CCW
- inclusion of provisions in LPS 3 to guide future planning processes to minimise impacts to the CCW and Bush Forever site

- consultation with relevant government and technical agencies prior to the finalisation of structure planning and subdivision.

The EPA also recommends that potential impacts to the CCW and local hydrological regime could be further reduced by:

- locating future stormwater drainage infrastructure outside the mapped CCW and buffer
- utilising locally endemic wetland species for any revegetation works undertaken within the eastern portion of Lot 36 at the wetland interface. Revegetation of the wetland interface may also provide for improved environmental outcomes through the biofiltration of stormwater water discharging from the amendment area towards the CCW.

Conclusion

The EPA concludes the scheme amendment can be managed to be consistent with the EPA's environmental objectives for the above factors through the proposed scheme text. The EPA notes that further impacts may be mitigated through its further modified scheme text, future planning requirements, and other statutory processes. The EPA recommends its advice is implemented to further mitigate potential impacts to the above factors.