

Chief Executive Officer
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6000

Your Ref:
Our Ref: CMS15262
Enquiries: Gerard O'Brien, 6145 0800
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Dear Sir/Madam

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

SCHEME: Metropolitan Region Scheme Amendment 1304-57
LOCATION: Lots 28 & 29 Belgrade Road and Lots 10 & 11
Dundebar Road Wanneroo
RESPONSIBLE AUTHORITY: Western Australian Planning Commission
DECISION: Scheme Not Assessed: Advice Given (no appeals)

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



Ray Masini
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

9 November 2015

Encl. Scheme Advice and Recommendations

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

Metropolitan Region Scheme Amendment 1304/57

Location: Wanneroo

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

Determination Published: 9 November 2015

Summary

The Western Australian Planning Commission (WAPC) proposes to rezone **9.34** hectares of land in Wanneroo from Rural to Urban Deferred zone in the **Metropolitan Region Scheme**.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). In making its decision on whether to assess the scheme amendment, the EPA has applied its 'Significance Framework' which relates to the extent to which the scheme amendment meets the EPA's environmental objectives for the environmental factors.

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 noting that there are mechanisms available through the ensuing planning processes to avoid and mitigate the impacts of urban development on the environment. The potential impacts from the scheme amendment can be adequately managed to meet the EPA's objectives through the development and implementation of future district structure plans, local planning scheme provisions and associated management plans that specifically address the environmental factors of Flora and Vegetation, and Terrestrial Fauna.

1. Environmental Factors

The EPA has identified the following environmental factors as relevant to this scheme amendment:

- a) Flora and vegetation; and
- b) Terrestrial fauna.

2. Advice and Recommendations regarding Environmental Factors

The EPA has based its decision on the scheme amendment documentation provided by the WAPC. The EPA expects that further detailed scheme provisions to address the environmental factors will occur at the local scheme amendment stage.

The EPA also notes that a proposal to clear land within the amendment area may require referral to the Department of the Environment (DotE) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Flora and vegetation, and terrestrial fauna.

The remnant vegetation within the amendment area is identified as Karrakatta Complex Central and South, which currently only has 23.9% of its original extent remaining. The remnant vegetation also provides potential habitat for Carnaby's Black Cockatoos. This species is listed as 'Endangered' under the EPBC Act. These matters are currently being considered through the Strategic Assessment of the Perth-Peel regions.

The proposed amendment does not contain any scheme provisions to manage impacts to these values, which is consistent with most region scheme amendments. However, several mechanisms could be implemented by the City of Wanneroo to manage potential impacts, specifically through a future local scheme amendment, and structure planning stages.

The EPA understands that through a resolution of the WAPC, a concurrent amendment to the region and local planning schemes under section 126 of the Planning and Development Act 2005 could be undertaken to amend the local scheme maps so that they are consistent with the region scheme. The EPA does not support this approach, as it would not allow for the local scheme text to be amended to insert provisions which would allow for the retention, protection and management of the significant areas of native vegetation, flora and fauna values. The EPA's decision not to assess the MRS amendment is on the expectation that a separate local scheme amendment will be referred to the EPA for its consideration under section 48A of the EP Act.

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through the preparation of future local planning scheme provisions and structure plans to manage and protect the identified environmental factors of Flora and Vegetation, and Terrestrial Fauna; particularly as they relate to Carnaby's Black Cockatoos.

The EPA recommends that the future City of Wanneroo local scheme amendment will need to contain specific mechanisms and provisions to adequately secure, protect and manage the environmental values within the amendment area. The EPA recommends that the Department of Planning liaise with the City of Wanneroo to develop appropriate mechanisms which can be included in the local scheme and to ensure that the future Structure Plan for the area is consistent with work undertaken for the Strategic Assessment of the Perth and Peel Region.