



Environmental Protection Authority

Mr Ray Tame
Chief Executive Officer
City of Armadale
Locked Bag 2
ARMADALE WA 6992

Our Ref: CMS17399
Enquiries: Tiffany Culinane, 6364 7600
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Dear Mr Tame

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

SCHEME: City of Armadale – Town Planning Scheme 4 – Amendment 88
LOCATION: Lots 1-3 Bay Court, Lot 101 Lake Road and Lots 102-105 Arabian Court, Champion Lakes
RESPONSIBLE AUTHORITY: City of Armadale
DECISION: Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. Advice Given. (Not Appealable)

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



Anthony Sutton
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

30 July 2018

Encl. Scheme Advice and Recommendations

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

City of Armadale - Town Planning Scheme 4 - Amendment 88

Location: City of Armadale

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

Determination Published: 30 July 2018

Summary

The City of Armadale proposes to amend Town Planning Scheme (TPS) No. 4 to rezone Lots 1-3 Bay Court, Lot 101 Lake Road and Lots 102-105 Arabian Court, Champion Lakes from 'Rural Living 2' to 'Urban Development'.

The Environmental Protection Authority (EPA) has considered the scheme 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 documentation provided by the City of Armadale (the City). Having considered this matter the following advice is provided.

1. Environmental Factors

Having regard to EPA's *Statement of Environmental Principles, Factors and Objectives*, the EPA has identified the following preliminary environmental factor relevant to this scheme:

- Inland Waters
- Flora and Vegetation

2. Advice and Recommendations regarding Environmental Factors

The EPA notes that the Amendment 88 area (subject area) contains a Resource Enhancement (REW) Wetland, with the Wungong River, a Conservation Category (CCW) Wetland and tributary of the Southern River, located adjacent to the subject area. The EPA considers that CCW and REW and their buffers should be fully protected and that all reasonable measures are to be undertaken to minimise potential impacts to these wetlands. Therefore, the EPA advises that the Amendment 88 Schedule No. 8 Development Area '2. Structure Plan approval' text provision should be modified to also require the preparation and implementation of both a Foreshore Management Plan and a Wetland Management Plan. These plans should address buffer requirements for the Wungong River foreshore and REW and revegetation of these areas. The preparation of the Foreshore Management Plan should also consider the requirements of the '*Operational Policy 4.3 – Identifying and Establishing Waterways Foreshore Areas*' (Department of Water, 2012).

The EPA notes that a Local Water Management Strategy (LWMS) has been prepared for the amendment area, as required by the proposed scheme text. The EPA advises that the LWMS should address:

- the revegetation of open drains and channels as living streams rather than piping existing drains to manage surface water flows;
- the management of stormwater to retain overland flow paths as living streams or vegetated swales rather than piping to the Wungong River; and
- fit-for-purpose Water Sensitive Urban Design (WSUD) measures to manage surface water.

The EPA advises that further consultation should be undertaken between the future developer, the City of Armadale, DWER Swan-Avon region, the Department of Biodiversity, Conservation and Attractions (DBCA), Rivers and Estuaries Division and DBCA Swan regional offices to finalise the LWMS.

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through implementation of the above advice, proposed scheme amendment provisions and management actions.