

Mr Daniel Simms
Chief Executive Officer
City of Wanneroo
Locked Bag 1
WANNEROO WA 6936

Our Ref: CMS 17876
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Dear Mr Simms

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

SCHEME	City of Wanneroo District Planning Scheme 2 Amendment 182
LOCATION	Lot 23 Mary Street Wanneroo
RESPONSIBLE AUTHORITY	City of Wanneroo
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. Advice Given. (Not Appealable)

Thank you for referring the above 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. I have also attached a copy of the Chairman's determination of the scheme.

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 the Chairman's determination, this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Hughes', enclosed in a thin black rectangular border.

Robert Hughes
Delegate of the Environmental Protection Authority
A/Executive Director
EPA Services

23 September 2020

Encl. Chairman's Determination
Scheme Advice and Recommendations

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

City of Wanneroo District Planning Scheme 2 Amendment 182

Location: Lot 23 Mary Street Wanneroo

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

Determination Published: 29 September 2020

Summary

The City of Wanneroo (the City) has initiated Amendment 182 to the district planning scheme to allow Retirement Village, Reception Centre, Aged and Dependent Persons' Dwelling as additional uses at Lot 23 Mary Street Wanneroo (Lot 23) currently operating as 'Bridgeleigh Reception Centre'.

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 noting that there are mechanisms available through the ensuing planning processes to avoid and mitigate the impacts of development on the environment. The EPA has based its decision on the documentation provided by the City, and having considered this matter, the following advice is provided.

Environmental Factors

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

- Flora and Vegetation
- Terrestrial Fauna

Advice and Recommendations regarding Environmental Factors

The EPA has previously considered the Urban Deferred Metropolitan Region Scheme (MRS) zoning of the Amendment 182 area, through MRS Amendment 1308/41 (East Wanneroo). In its advice of February 2016 the EPA advised that future local scheme amendments within the East Wanneroo area should contain specific mechanisms and provisions to adequately secure, protect and manage the environmental values and impacts to these values.

The Amendment 182 area contains environmental values such as overstorey remnant native vegetation which includes Banksia woodland and habitat for threatened species of black cockatoos. These values are particularly present adjacent to the vegetated neighbouring lot to the East. As initiated, the Amendment 182 scheme text requires future development to be in accordance with a local development plan, but does not contain any text provisions regarding management of the above values.

The EPA recommends the existing scheme text be modified to require the local development plan to identify consolidated areas of remnant native vegetation for retention in the south east and/or north east of Lot 23. The retention areas should not be impacted by any fire

management requirements for the future development, but may be utilised for passive recreation, consistent with the proposed future retirement village development.

The EPA also notes that a proposal to clear land within the amendment area may also require referral to the Commonwealth Department of Agriculture, Water and the Environment due to potential presence of the *Environment Protection and Biodiversity Conservation Act 1999* listed Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community.

Conclusion

The EPA concludes the scheme amendment can be managed to meet the EPA's environmental objectives through existing planning controls. The EPA recommends that the scheme text be modified to require the future local development plan to identify consolidated areas of remnant native vegetation for retention.