

**City of Armadale Town Planning Scheme No 2
Amendment 143, Rezoning Of Part Lot 449
Taylor Road And Lot 501 Oxley Road,
Forrestdale From “General Rural” To “Special
Use – Rural/ Residential”**

CITY OF ARMADALE

**Report and recommendations
of the Environmental Protection Authority**

**Environmental Protection Authority
Perth, Western Australia
Bulletin 1045
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Summary and recommendations

The City of Armadale proposes to amend Town Planning Scheme No 2 by rezoning Part Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from “General Rural” to “Special Use – Rural/Residential”. The Amendment documents also include a Subdivision Guide Plan for Lots 6, 7 and 8 Wolfe Road, 421 Taylor Road and Lot 432 Oxley Road, Forrestdale which are the subject of this assessment. This report provides the Environmental Protection Authority’s (EPA’s) advice to the Minister for the Environment and Heritage on the environmental factors, conditions and procedures relevant to the proposed scheme amendment.

Section 48D of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on the environmental factors relevant to the proposed scheme amendment and on the conditions and procedures to which the proposed scheme amendment should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

Relevant environmental factors

Although a number of environmental factors were considered by the EPA in the assessment, it is the EPA’s opinion that the following are the environmental factors relevant to the proposed scheme amendment, which require detailed evaluation in the report:

- (a) Vegetation - Declared Rare and Priority Flora;
- (b) Conservation Category Wetland on Lot 501 Oxley Road;
- (c) Groundwater Protection; and
- (d) Odour and noise impacts from the poultry farm on Lot 434 Taylor Road.

Conclusion

The EPA has considered proposed Amendment 143 to the City of Armadale Town Planning Scheme No 2, to rezone Part of Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from “General Rural” to “Special Use – Rural/Residential” zone. The EPA has concluded that the proposal can be implemented to meet the EPA’s objectives provided the conditions recommended in Section 4 and set out in Appendix 4 are imposed and enforced.

Recommendations

The EPA submits the following recommendations to the Minister for the Environment and Heritage:

1. That the Minister notes that the proposed scheme amendment being assessed is the City of Armadale Town Planning Scheme No 2 Amendment No 143 to Part Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from “General Rural” to “Special Use – Rural/Residential” zone;
2. That the Minister considers the report on the relevant environmental factors as set out in Section 3;
3. That the Minister notes that the EPA has concluded that the EPA’s objectives can be met, provided there is satisfactory implementation by the Responsible Authority of the recommended conditions set out in Section 4.
4. That the Minister imposes the conditions and procedures recommended in Appendix 4 of this report.

Conditions

Having considered the Responsible Authority's commitments and information provided in this report, the EPA has developed a set of conditions which the EPA recommends be imposed if the proposed scheme amendment is approved. These conditions are presented in Appendix 4. Matters addressed in the conditions include the preparation and implementation of the following:

- (a) Rehabilitation and Landscape Plan;
- (b) Declared Rare and Priority Flora Management Plan
- (c) Fire Management Plan;
- (d) Drainage and Nutrient Management Plan;
- (e) Site Contamination Assessment and Remediation Plan; and
- (f) High Pressure Natural Gas Pipeline Management Plan.

Contents

	Page
1. Introduction.....	1
2. The Amendment.....	1
3. Relevant environmental factors.....	6
3.1 Vegetation	6
3.2 Wetlands	7
3.3 Groundwater	10
3.3.1 Effluent Disposal	10
3.3.2 Wellhead Protection.....	11
3.4 Odour and Noise Impacts.....	13
4. Conditions.....	15
5. Conclusions.....	15
6. Recommendations.....	15

Figures

1. Location Plan.
2. Amendment 143 showing area proposed for rezoning and Subdivision Guide Plan area.
3. The proposed Subdivision Guide Plan.
4. Modified Subdivision Guide Plan.
5. Jandakot Underground Water Pollution Control Area.
6. Approved extension to poultry farm on Lot 434 Taylor Road, Forrestdale.

Appendices

1. List of submitters
2. References
3. Summary of assessment of relevant environmental factors
4. Recommended Environmental Conditions
5. Summary of submissions and Responsible Authority's Response to Submissions

1. Introduction

This report provides the advice and recommendations of the Environmental Protection Authority (EPA) to the Minister for the Environment and Heritage on proposed Amendment 143 to the City of Armadale Town Planning Scheme No 2. This amendment proposes to rezone Part Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from “General Rural” to “Special Use – Rural Residential”. The Amendment also introduces a text change into the schedule for a Subdivision Guide Plan (SGP) for Lots 6, 7 & 8 Wolfe Road, 421 Taylor Road and Lot 432 Oxley Road, Forrestdale which are the subject of this assessment. Lot 27 Oxley Road is shown on the SGP, however, it is a Bush Forever site and does not form part of the Amendment.

Section 48D of the Environmental Protection Act 1986 requires the EPA to report to the Minister for the Environment on the environmental factors relevant to the proposed scheme amendment and on the conditions and procedures to which the proposed scheme amendment should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

Further details of the proposal are presented in Section 2 of this report, while the environmental factors relevant to the proposal are discussed in Section 3. The environmental conditions to which the proposal should be subject, if the Minister determines that it may be implemented, are set out in Section 4. Section 6 contains the EPA’s Recommendations.

Appendix 5 contains a summary of submissions and the proponent’s response to submissions and is included as a matter of information only and does not form part of the EPA’s report and recommendations. The EPA considered issues raised in the submissions when identifying and assessing relevant environmental factors.

2. The Amendment

The City of Armadale’s Amendment No 143 to Town Planning Scheme No 2 proposes to rezone Part Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from “General Rural” to “Special Use-Rural/Residential”. The responsible authority for the amendment is the City of Armadale.

The amendment area, shown at Figure 1, is located in the City of Armadale on the Jandakot Groundwater Mound and west of Forrestdale Lake. Part of the Jandakot Botanic Park is located immediately to the north. The land is generally flat with a high water table, is mostly cleared and has been used predominantly for agricultural purposes.

Current land uses include a native flower farm on Lot 449 Oxley Road, horse training and agistment and hobby farming.

A poultry farm located on Lot 434 Taylor Road (not part of the amendment) has approval to extend its operations and the capacity of five of the sheds will be increased by approximately 50%. The odour buffer will therefore need to be further extended to the south and west potentially affecting the possibility of subdivision on lots 6 & 7 Wolfe Road and Lot 432 Oxley Road.

The proposal has taken some time to reach this stage as there have been a number of issues to resolve, including “land use, environmental, drainage and infrastructure issues of the precinct” (City of Armadale, 2001). Council initially declined to initiate the rezoning in 1996 until those issues were resolved. It was finally initiated by Council in May 1997 and referred to the EPA in December 1997.

The proposal originally included Lot 27 Oxley Road which was identified as having significant environmental values. The EPA decided that the Amendment should be subject to formal environmental impact assessment, taking into account several factors, including the environmental values of Lot 27 Oxley Road, the presence of a number of conservation category wetlands, a high pressure gas pipeline and a poultry farm operation so that the issues could be addressed and managed in an environmentally acceptable manner.

Two further events changed the amendment again, one being the gazettal of the Rural – Water Protection Zone in the Metropolitan Region Scheme (MRS). Zoning of the town planning scheme was required to be in accord with the introduction of this zone into the MRS. The lots within the Rural – Water Protection Zone do not now require a zoning change for rural residential use, however, Council is keen to introduce land use controls for these lots which is achieved through text changes to the scheme. The second change was the removal of Lot 27 Oxley Road from the amendment as it is a Bush Forever site.

The City of Armadale’s Environmental Review document (City of Armadale, 2001) describes the existing environment within the amendment area, the nature of the proposed development, the potential environmental impacts, and the proposed management of those environmental impacts. The document also includes a Subdivision Guide Plan for the area. The lots to be rezoned and the Subdivision Guide Plan are shown at Figures 2 & 3.

The Environmental Review was released for public comment initially from 21 August to 2 October 2001, however, Council requested the period be extended to 23 October 2001 because the documentation was not complete at the time of release.

A total of 10 submissions were received by Council; 2 submissions from members of the public, 7 from State government departments or service providers being Water & Rivers Commission, Department of Health, Department of Conservation and Land Management, Agriculture Western Australia, Water Corporation, Western Power and the Department of Minerals and Energy. One submission from a Consultant on behalf of the proponent advised of a minor boundary adjustment with no environmental impacts. The contents of the submissions together with the responses to these submissions from the City of Armadale are summarised in Appendix 5.

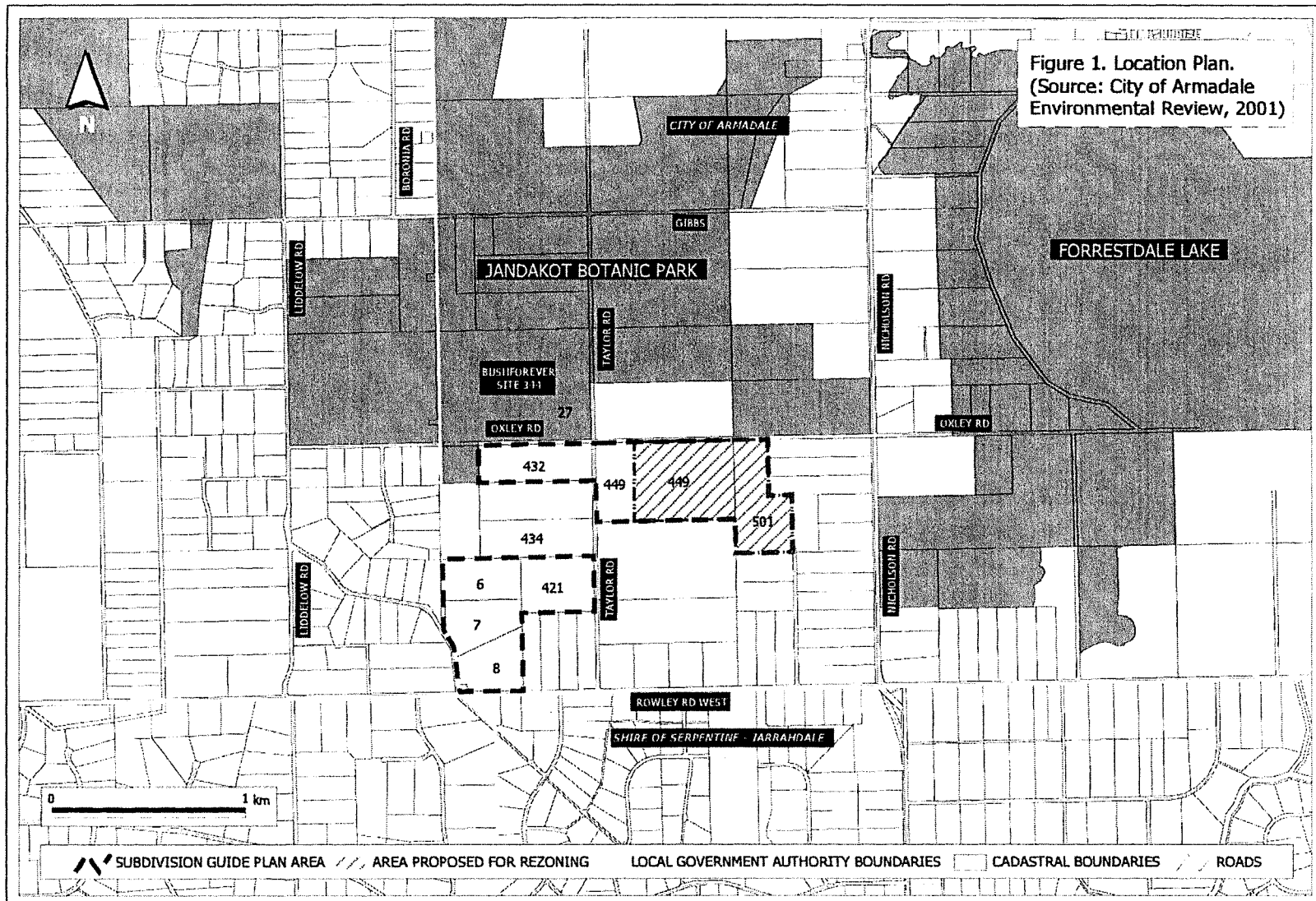


Figure 1: Location Plan (Source: City of Armadale Environmental Review, 2001)

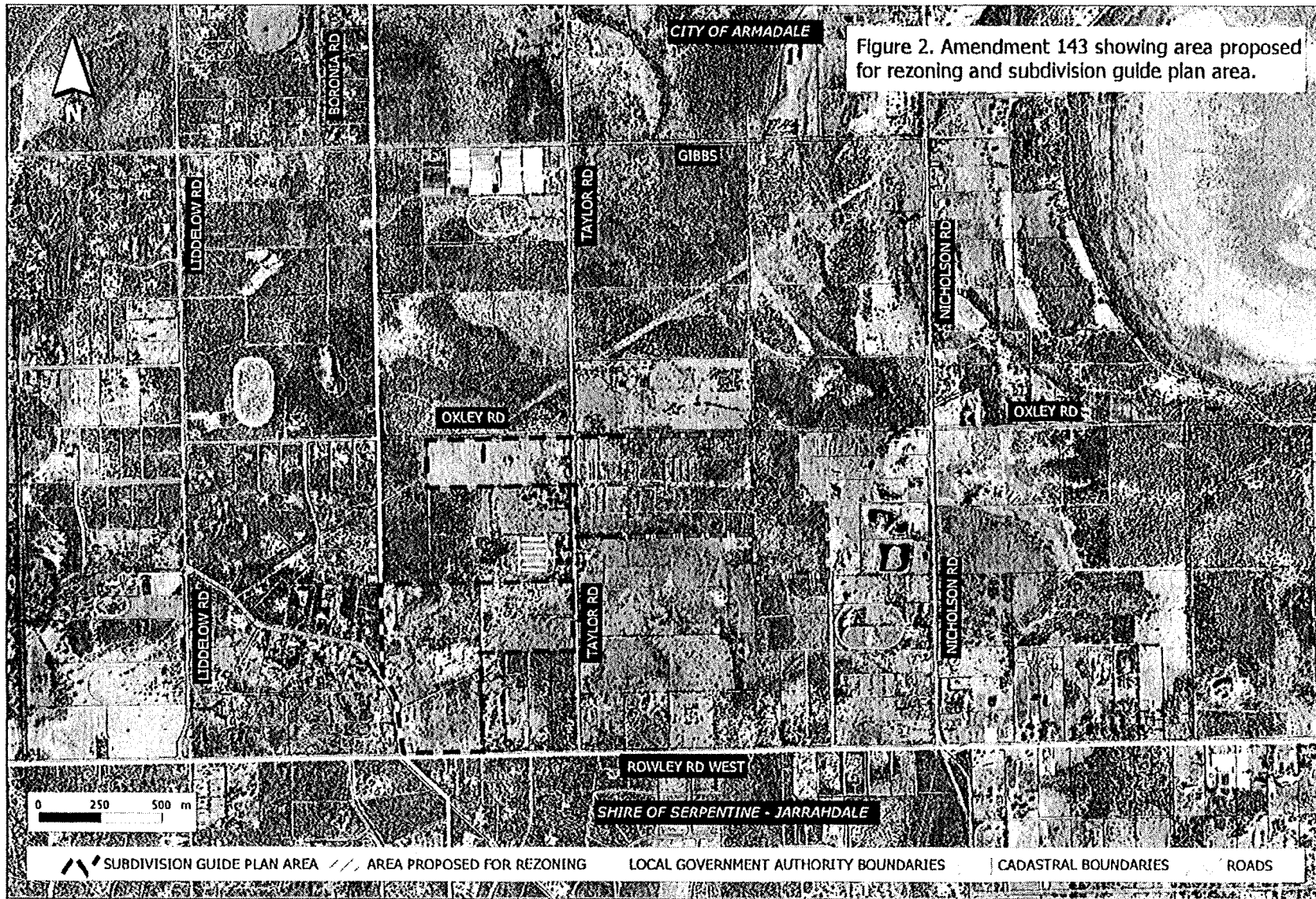


Figure 2. Amendment 143 showing area proposed for rezoning and subdivision guide plan area.

Figure 2 Amendment 143 showing area proposed for rezoning and subdivision guide plan area

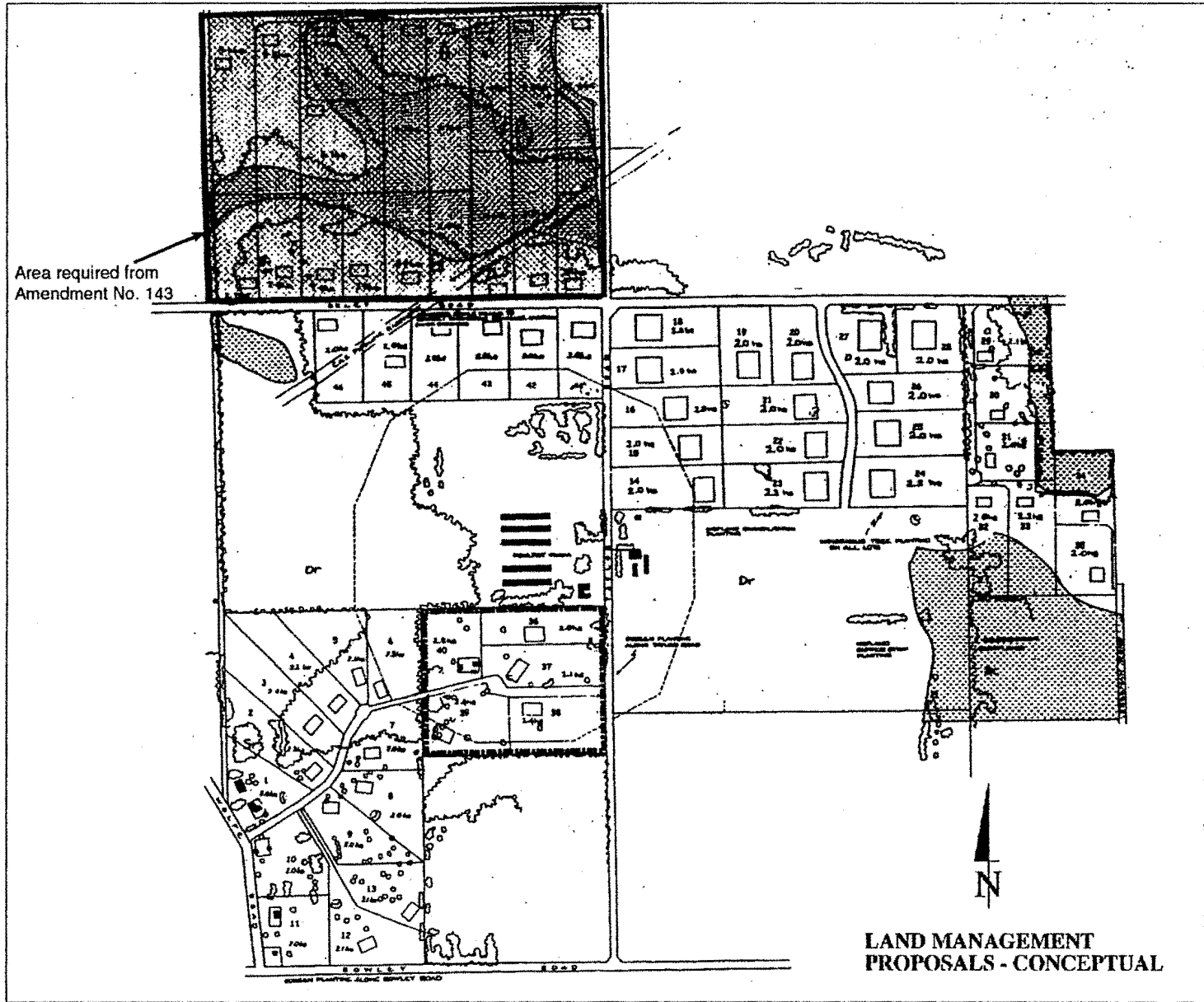


Figure 3 The proposed subdivision guide plan (Source: City of Armadale Environmental Review, 2001)

3. Relevant environmental factors

Section 48D of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on the environmental factors relevant to the proposed scheme amendment and the conditions and procedures to which the proposed scheme amendment should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

It is the EPA's opinion that the following are the environmental factors relevant to the proposed scheme amendment, which require detailed evaluation in this report:

- (a) Vegetation - Declared Rare and Priority Flora;
- (b) Conservation Category Wetland on Lot 501 Oxley Road;
- (c) Groundwater Protection; and
- (d) Odour and noise impacts from the poultry farm on Lot 434 Taylor Road.

The above relevant factors were identified from the EPA's consideration and review of all environmental factors (preliminary factors) generated from the Environmental Review document and the submissions received, in conjunction with the proposed scheme amendment characteristics and alternative approvals processes which ensure that the factors will be appropriately managed. On this basis, the EPA considers that the preliminary factor and other issues raised in the submissions do not require further evaluation by the EPA.

The land subject to this proposed scheme amendment is within the area affected by the City of Armadale Town Planning Scheme No 2.

The relevant factors are discussed in Sections 3.1 to 3.3 of this report and a summary of the assessment of the environmental factors is presented in Appendix 3.

3.1 Vegetation

Description

The subdivision and rezoning area has largely been cleared, however, some vegetation still remains, particularly that associated with the wetland on Lot 501 Oxley Road and the unmade Oxley Road reserve (Figure 2). A portion of the vegetation on Lot 501 Oxley Road is likely to be regrowth vegetation, however, parts are in very good condition. Part of the Jandakot Botanic Park is located immediately north of the site as shown in Figure 1.

Submissions

The Department of Conservation and Land Management (CALM) recommended, in its submission, that a spring survey be conducted to locate any Declared Rare and Priority Flora (DR&PF). CALM was of the opinion that the areas of remnant vegetation may contain plant communities representative of the eastern side of the Swan Coastal Plain, characterised by high floristic diversity, threatened communities and high clearing rates.

CALM also requested that flora species known to be invasive or environmentally damaging not be used in any landscaping or revegetation projects on the site so that the conservation values of the Jandakot Botanic Park are protected and that remnant vegetation be retained where possible. CALM stated its preference that a road be constructed between the Jandakot Botanic Regional Park to the north and the rural/residential subdivision.

Assessment

The area considered for assessment of this factor is the current Amendment area and Subdivision Guide Plan area. The EPA's environmental objective for this factor is to maintain the abundance, species diversity, geographic distribution and productivity of vegetation communities.

The Scheme Provisions provide for the retention of all trees and other remnant vegetation outside an approved building envelope and for revegetation strategies for other parts of the subdivision area apart from the wetlands. The provisions also provide for fire management strategies and the prohibition of rear and side boundary fences where the boundaries fall within a conservation category wetland, to ensure no unnecessary clearing and impediment to wildlife movement.

CALM's submission refers to the section in the Environmental Review which states that other remnant vegetation may provide suitable habitat for Priority Flora and is largely related to Lot 27 Oxley Road (the Bush Forever site) which has now been removed from the amendment. Furthermore, the general area is largely cleared, however, vegetation surveys have not been undertaken in any other part of the subdivision area.

The Environmental Review considers that the history of land use over the site considerably reduces the likelihood of locating priority species, but disturbed areas often support such plants because changed circumstances can provide suitable conditions for them to survive. The EPA believes that an environmental condition should be placed on the amendment which requires that a spring survey for Declared Rare and Priority Flora be undertaken in the proposed Subdivision Guide Plan area, including the unmade portions of adjoining road reserves, prior to subdivision. If any such plants are located, they would need to be protected through appropriate measures such as subdivision design, memorials on title and the retention of adequate buffer areas.

Summary

Having particular regard to:

- (a) the largely cleared nature of the Amendment and Subdivision Guide Plan area;
- (b) the advice of CALM, and
- (c) the scheme provisions,

it is the EPA's opinion that the proposal can be managed to meet the EPA's environmental objective for this factor provided that Council ensures a spring survey is conducted within the Subdivision Guide Plan area and unmade portions of adjoining road reserves to locate, identify and propose recommendations for the protection of any Declared Rare and Priority Flora prior to subdivision.

3.2 Wetlands

Description

The Environmental Review mapped several Conservation category wetlands on the subdivision area, however, only Lot 501 Oxley Road remained to be assessed because of changes in the Amendment outlined in Section 2.

Submissions

One submission was received with regard to the wetland on Lot 501 Oxley Road, pointing out that it is part of a greater wetland in the neighbouring Jandakot Botanic Park and that the conservation values should be protected through a conservation covenant on the lot titles.

Assessment

The area considered for assessment of this factor is Lot 501 Oxley Road.

The EPA's environmental objective for this factor is maintain the integrity, functions and environmental values of wetlands.

The Environmental Review differs from current Water & Rivers Commission mapping which indicates the western part of the wetland to be classified as resource enhancement, and the eastern part multiple use. The status of the eastern section was downgraded in 1993 to resource enhancement and again to multiple use in 1997 as aerial photography indicated the land had been cleared.

A recent site inspection with relevant Water & Rivers Commission and EPA Conservation Branch staff indicates the north-east portion of Lot 501 is a Conservation category wetland. The Planning Group, on behalf of owners in the Amendment area, has submitted a modified SGP, as shown in Figure 4, to allow for adequate clearance for effluent disposal to the water table, however, the proposed subdivision pattern for Lot 501 Oxley Road will not permit adequate protection of the wetland.

The SGP will have to be altered to avoid impacts on this wetland and to provide for a 50 metre buffer. The Department of Planning and Infrastructure has indicated it will require changes to the SGP for planning reasons and the subdivision configuration can be altered at this stage.

Summary

Having particular regard to:

- (a) the advice of the Water & Rivers Commission and the EPA Conservation Branch;
and
- (b) the scheme provisions,

it is the EPA's opinion that the proposal can be managed to meet the EPA's environmental objective for this factor provided that Council modifies the SGP to protect the conservation category wetland and a 50 metre buffer on Lot 501 Oxley Road.

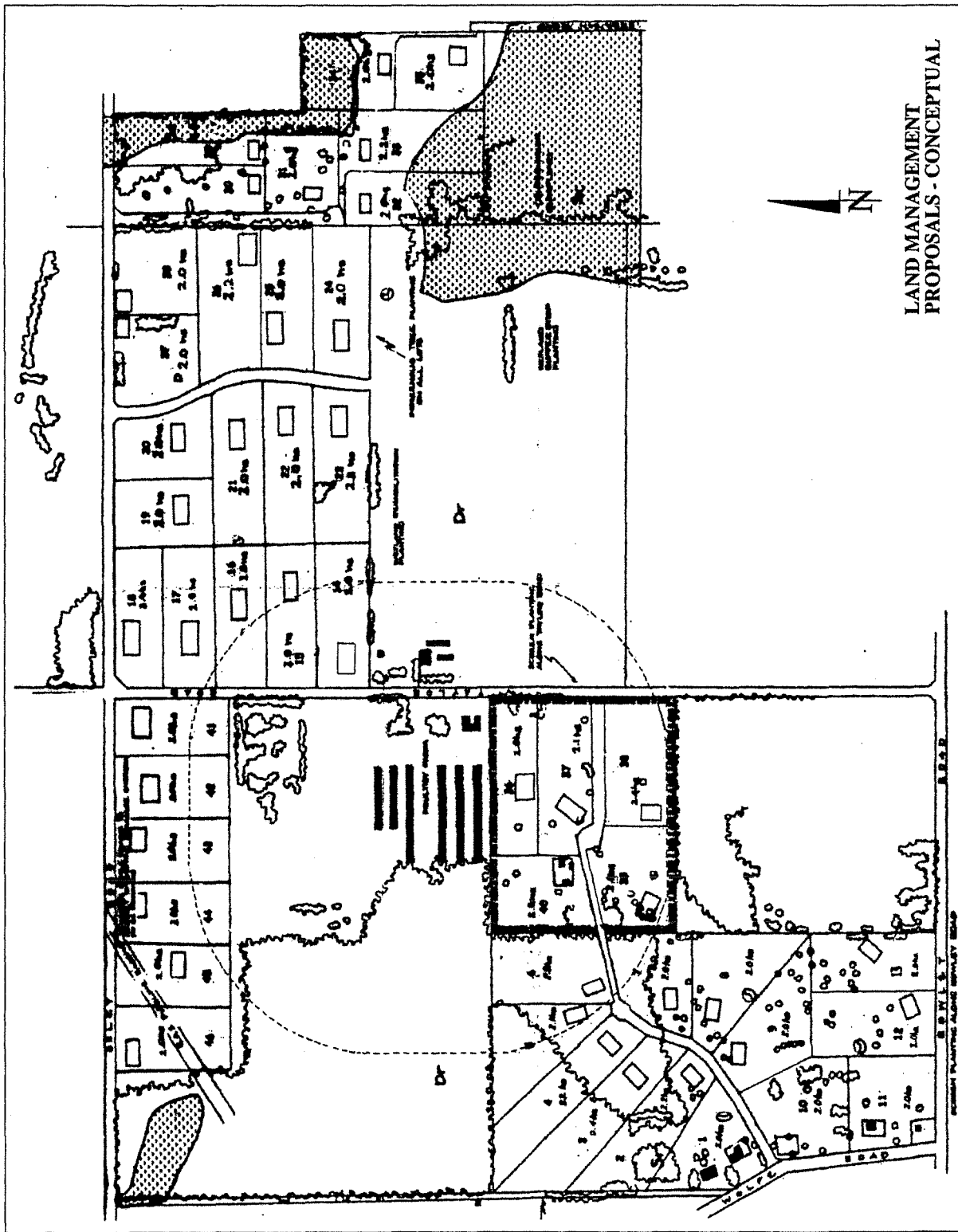


Figure 4 Modified Subdivision Guide Plan

3.3 Groundwater

3.3.1 Effluent Disposal

Description

The site is located on the eastern side of the Jandakot Mound with groundwater flow being primarily in a north-east direction toward Forrestdale Lake. In some parts of the site the winter water table is within 0.5 metres of the surface. Part of the Subdivision Guide Plan area is located within the Forrestdale Lake Environmental Management Area B.

Submissions

The Health Department advised that the proposed lots 26-29 Oxley Road (to be created from the subdivision of Lots 449 and 501 Oxley Road) and lot 38 Taylor Road (to be created from Lot 421 Taylor Road) shown in Figure 3, would not be able to achieve the required 500 mm separation between the winter water table and the natural ground surface and that the creation of those lots were not supported.

Agriculture WA commented that the soils of the site have a low to very low land capability for housing and effluent disposal due to limitations such as waterlogging and inundation.

The Water Corporation advised that a portion of Lot 449 lies within the Jandakot Underground Water Pollution Control Area (UWPCA) which is managed as a Priority 2 (P2) source for the purpose of public water supply protection and that rural subdivision with a minimum lot size of 2 hectares is permissible provided the land capability can allow on-site disposal of treated wastewater. If this could not be achieved, the Water Corporation would not support the Amendment as proposed within the P2 area.

Assessment

The area considered for assessment of this factor is the Amendment and Subdivision Guide Plan area.

The Subdivision Guide Plan proposes a minimum lot size of 2 hectares which complies with the requirements of the Forrestdale Lake Environmental Management Area Category B (EPA, 1998).

An amended SGP (see Figure 3) was subsequently submitted to the City of Armadale which the Health Department has now supported. As noted in Section 3.2, the amended SGP will not provide adequate protection to the wetland on Lot 501 Oxley Road and will have to be modified to take both issues into consideration.

Council has recommended that the applicant provide further information to demonstrate compliance with the policy. The following words are proposed by Council to be added to the Scheme Provisions:

“The applicant is to provide further information to demonstrate that the proposed lots within the application area will comply with the Government Sewerage Policy, to the satisfaction of Council and the Health Department of Western Australia. Any lots which are not supported by the Health Department of Western Australia on this basis will be excluded from the Amendment and Subdivision Guide Plan.”

3.3.2 Wellhead Protection

Description

Part of the SGP is located within the Jandakot Underground Water Pollution Control Area (UWPCA). There are Water Corporation public water supply wells located at J10, J20 and J30 as shown on Figure 5. The wellhead protection zones for J10 and J20 require a 300 metre buffer and J30 require a 500 metre buffer to protect the wells.

Assessment

Scheme Provision No 8 provides for a 100 metre buffer from any Water Corporation production bore, unless approved by the Water Corporation. This provision will need to be changed to ensure the required buffers of 300 and 500 metres are incorporated and building envelopes are located away from the wells.

The Water & Rivers Commission submission regarding replacing the term 'Alternative Treatment Units' for 'Alternative Treatment Systems' (ATU) in Scheme Provision No 4 is also supported as ATUs can include septic tanks, which are not appropriate for P2 groundwater areas.

Summary

Having particular regard to:

- (a) the advice of the Health Department and the Water Corporation; and
- (b) the scheme provisions,

it is the EPA's opinion that the proposal can be managed to meet the EPA's environmental objective for this factor provided that the Scheme Provisions and the Subdivision Guide Plan are modified.

3.4 Odour and Noise Impacts

Description

A poultry farm operation on Lot 434 Taylor Road has been given approval to extend the current operation (Figure 6). The capacity of the operation will increase from 120,000 birds to approximately 320,000 birds.

Submissions

The owner of the poultry farm objected to the Amendment because of the potential impact on the operation of the business. The owner questioned the buffer distances and the odour assessment used in the Environmental Review. It was also pointed out that the expansion of the poultry farm will require considerable expenditure and the operator should be permitted to operate its expanded farm without interference from potential purchasers of land.

The Health Department did not support the subdivision of Lot 421 unless a case was made for a relaxation of the 300 metre buffer from the poultry farm acceptable to the Department of Environmental Protection. Agriculture WA also pointed out that there is the potential for a land use conflict if the lots were approved close to the poultry farm and recommended memorials on the titles if the 300 metre buffer was to be relaxed.

Assessment

The City of Armadale has recommended that the Amendment and SGP be modified so that the 300 metre buffer (WAPC Statement of Planning Policy No 5 : poultry farms, 1998) around the existing poultry sheds on Lot 434 Taylor Road, Forrestdale is enlarged to reflect all approved extensions to the poultry farm. The enlarged buffer area is shown on Figure 4.

The extension and upgrades to the poultry operation will use modern technology which will reduce the odour and noise impacts through the use of closed sheds and evaporative air conditioning. Nevertheless, some odour and noise impacts will remain. In the event that owners of lots within this 300 metre buffer wish to subdivide their land, the EPA considers that Scheme Provision No 9 should be modified by adding the following italicised words:

“Relaxation of the 300 metre buffer for new development may be permitted where the potential for any adverse impact on the quality of rural residential living can be demonstrated to be minimal through appropriate odour and noise assessments by competent and reputable analysts on the advice of the Department of Environmental Protection.”

Summary

Having particular regard to:

- (a) approvals for the extension of the existing poultry farm operation,
- (b) the WAPC Statement of Planning Policy No 5 (poultry farms) and
- (c) the scheme provisions,

it is the EPA's opinion that the proposal can be managed to meet the EPA's environmental objective for this factor provided that the proponent modifies the Scheme Provisions to ensure that appropriate odour and noise assessments are undertaken.

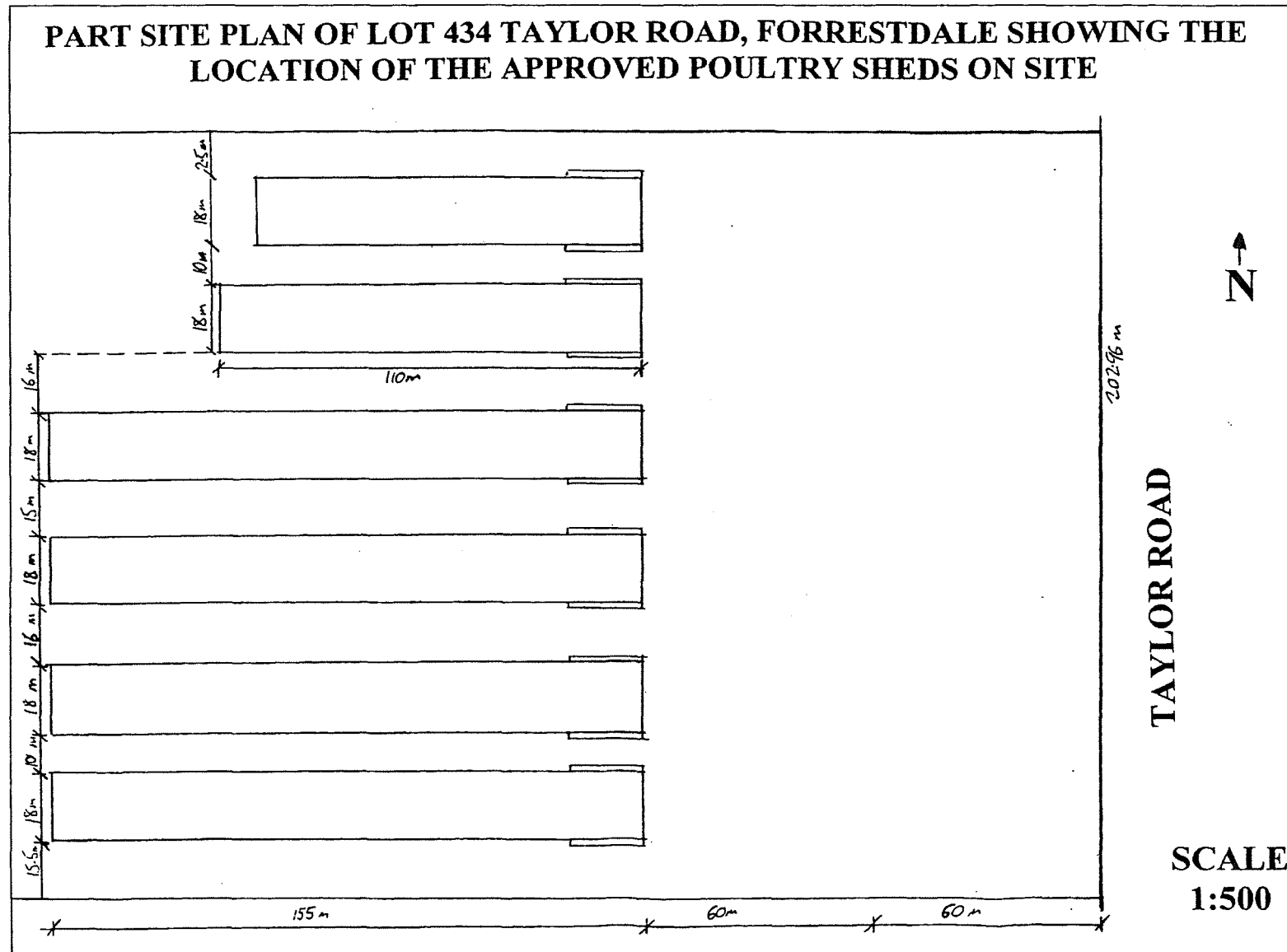


Figure 6 Approved extension to poultry farm on Lot 434 Taylor Road, Forrestdale.

4. Conditions

Section 48D of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on the environmental factors relevant to the proposed scheme amendment and on the conditions to which the proposed scheme amendment should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

In developing recommended conditions, the EPA's preferred course of action is to have the Responsible Authority provide management measures and/or scheme provisions to ameliorate the impacts on the environment. However, these proposed provisions are not always sufficient or adequate to ensure that the EPA's objectives will be met.

Having considered the Responsible Authority's commitments and information provided in this report, the EPA has developed a set of conditions, based on the proposed Council scheme provisions with one additional condition, which the EPA recommends be imposed if the proposed scheme amendment is approved. These conditions are presented in Appendix 4. Matters addressed in the conditions include the preparation and implementation of the following:

- (a) Rehabilitation and Landscape Plan;
- (b) Declared Rare and Priority Flora Management Plan;
- (c) Fire Management Plan;
- (d) Drainage and Nutrient Management Plan;
- (e) Site Contamination Assessment and Remediation Plan; and
- (f) High Pressure Natural Gas Pipeline Management Plan.

5. Conclusions

The EPA has considered proposed Amendment 143 to the City of Armadale Town Planning Scheme No 2, to rezone Part of Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from "General Rural" to "Special Use – Rural/Residential" zone. The EPA has concluded that the proposal can be implemented to meet the EPA's objectives provided the conditions recommended in Section 4 and set out in Appendix 4 are imposed and enforced.

6. Recommendations

The EPA submits the following recommendations to the Minister for the Environment and Heritage:

1. That the Minister notes that the proposed scheme amendment being assessed is the City of Armadale Town Planning Scheme No 2 Amendment No 143 to Part of Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from "General Rural" to "Special Use – Rural/Residential" zone;
2. That the Minister considers the report on the relevant environmental factors as set out in Section 3;

3. That the Minister notes that the EPA has concluded that the EPA's objectives can be met, provided there is satisfactory implementation by the Responsible Authority of the recommended conditions set out in Section 4.
4. That the Minister imposes the conditions and procedures recommended in Appendix 4 of this report.

Appendix 1

List of submitters – Environmental Issues

Government Agencies:

Water & Rivers Commission

Health Department

Department of Conservation and Land Management

Agriculture Western Australia

Water Corporation

Individual:

James D

Kim Valenti & Associates on behalf of Packard Nominees

Appendix 2

References

City of Armadale 2001 *Rezoning of Part of Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from "General Rural" to "Special Use – Rural/Residential", Amendment No 143*, the City of Armadale, Perth.

Department of Environmental Protection 2001, *Contaminated Sites Management Series*, The Department, Perth.

Environmental Protection Authority 1998, *Groundwater Environmental Management Areas*, draft Guidance Statement No 48, The Authority, Perth.

Western Australian Planning Commission 1998, *Statement of Planning Policy No 5 : Poultry Farms*, The Commission, Perth.

Appendix 3

Summary of assessment of relevant environmental factors

Summary of Assessment of Relevant Environmental Factors

Relevant Factor	Environmental Objectives	EPA Assessment	Advice and Conditions
Vegetation	Maintain the abundance, species diversity, geographic distribution and productivity of vegetation communities.	<p>The EPA Service Unit believes a survey for Declared Rare and Priority Flora should be undertaken in Lot 501 Oxley Road prior to subdivision as there is potential for such plants to be located here.</p> <p>The Scheme Provisions provide for the retention of all trees and other remnant vegetation outside an approved building envelope and for revegetation strategies for other parts of the subdivision area apart from the wetlands. The provisions also provide for the prohibition of rear and side boundary fences where the boundaries fall within a conservation category wetland to ensure no unnecessary clearing and impediment to wildlife movement.</p>	<p>Having particular regard to:</p> <ul style="list-style-type: none"> • the cleared nature of the Amendment and Subdivision Guide Plan area, and • the advice of CALM, and • the scheme provisions, <p>it is the EPA's opinion that the proposal can be managed to meet the EPA's objective provided that Council ensures a spring survey is conducted within the subdivision and unmade portions of adjoining road reserves to locate, identify and propose recommendations for the protection of any Declared Rare and Priority Flora prior to subdivision.</p>
Wetlands	Maintain the integrity, functions and environmental values of wetlands	<p>A recent site inspection with relevant Water & Rivers Commission and the EPA Conservation Branch staff indicates the north-east portion is a conservation category wetland.</p> <p>When the extent of the conservation category wetland has been determined, the SGP will have to be altered to avoid impacts on this wetland and to provide for a 50 metre buffer. The Department of Planning and Infrastructure has indicated it will require changes to the SGP for planning reasons and the subdivision configuration can be altered at this stage.</p> <p>The Scheme Provisions provide for the rehabilitation of 50 m buffer areas for conservation category wetlands.</p>	<p>Having particular regard to:</p> <ul style="list-style-type: none"> • the advice of the Water and Rivers Commission and the EPA Conservation Branch, and • the scheme provisions, <p>it is the EPA's opinion that the proposal can be managed to meet the EPA's objective provided that Council modifies the SGP to protect the conservation category wetland and a 50 metre buffer on Lot 501 Oxley Road.</p>
Groundwater	Maintain or improve the quality of groundwater to ensure that existing and potential uses, including ecosystem maintenance	The Health Department advised the City of Armadale that the proposed Lots 26-29 Oxley Road and Lot 38 Taylor Road may not be able to achieve the required 500 mm separation between the winter water table and the natural ground surface contained in the Government Sewerage Policy.	<p>Having particular regard to:</p> <ul style="list-style-type: none"> • the advice of the Health Department, and • the scheme provisions, <p>it is the EPA's opinion that the</p>

Relevant Factor	Environmental Objectives	EPA Assessment	Advice and Conditions
	<p>are protected, consistent with the draft WA Guidelines for Fresh and Marine Waters (EPA, 1993) [and the NHMRC/ARMCANZ Australian Drinking Water Guidelines – National Water Quality Management]</p>	<p>Council has recommended that the applicant provide further information to demonstrate compliance with the policy. The following words are proposed to be added to the Scheme Provisions:</p> <p>“The applicant is to provide further information to demonstrate that the proposed lots within the application area will comply with the Government Sewerage Policy, to the satisfaction of Council and the Health Department of Western Australia. Any lots which are not supported by the Health Department of Western Australia on this basis will be excluded from the Amendment and Subdivision Guide Plan.”</p> <p>Water Corporation public water supply wells are located adjacent to the subdivision area. Two of the wellhead protection zones require a 300 metre buffer and one requires a 500 metre buffer to protect the wells. Building envelopes should be located away from the wells and Alternative Treatment Systems should be used. The Water & Rivers Commission submission regarding replacing the term ‘Alternative Treatment Systems’ for ‘Alternative Treatment Units’ in Scheme Provision No 4 is also supported.</p>	<p>proposal can be managed to meet the EPA’s objective provided the Scheme Provisions are modified.</p>
Odour	<p>Odours emanating from the proposed development should not adversely affect the amenity of other land users.</p>	<p>Approval has been given to extend the current operation on Lot 434 Oxley Road with an increase in capacity from 120,000 birds to approximately 320,000 birds. The City of Armadale has recommended that the Amendment and SGP be modified so that the 300 metre buffer around the existing poultry sheds on Lot 434 Taylor Road, Forrestdale is enlarged to reflect all approved extension to the poultry farm.</p> <p>In the event that owners of lots within this 300 metre buffer wish to subdivide their land, the EPA Service Unit considers that Scheme Provision No 9 should be modified by adding the following italicised words:</p> <p>“Relaxation of the 300 metre buffer for new development may be permitted where the potential for any adverse impact on the quality of rural residential living can be demonstrated to be minimal <i>through appropriate odour and noise assessments by competent and reputable analysts on the advice of the Department of Environmental Protection.</i>”</p>	<p>Having particular regard to:</p> <ul style="list-style-type: none"> • approvals for the extension of the existing poultry farm operation, • the WAPC Statement of Planning Policy No 5 (poultry farms) and • the scheme provisions, <p>it is the EPA’s opinion that the proposal can be managed to meet the EPA’s objective. provided that the proponent modifies the Scheme Provisions to ensure that appropriate odour and noise assessments are undertaken.</p>

Appendix 4

Recommended Environmental Conditions

RECOMMENDED ENVIRONMENTAL CONDITIONS

**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 ARMADALE TOWN PLANNING SCHEME NO. 2 AMENDMENT NO. 143
(“SPECIAL USE - RURAL/RESIDENTIAL” ZONE PART LOT 449 TAYLOR ROAD AND
LOT 501 OXLEY ROAD, FORRESTDALE)**

Scheme Purpose:

- (a) to rezone part of Lot 449 Taylor Road and Lot 501 Oxley Road, Forrestdale from “General Rural” to “Special Use – Rural/Residential” zone”; and
- (b) to introduce provisions associated with the development of Lot 449 and Part of Lot 421 Taylor Road, Lots 501 and 432 Oxley Road, and Lots 6,7 AND 8 Wolfe Road, Forrestdale into the Scheme Text through a Subdivision Guide Plan.

Responsible Authority: City of Armadale

Responsible Authority Address: Locked Bag No. 2, Armadale WA 6992

Assessment Number: 1183

Report of the Environmental Protection Authority: Bulletin 1043

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:

CONDITIONS TO BE INCORPORATED INTO THE SCHEME BY INSERTION OF PROVISIONS IN SCHEME TEXT

1 Subdivision Guide Plan

- 1-1 Subdivision shall generally be in accordance with the Subdivision Guide Plan prepared in accordance with Clause 5.2.1 of the Scheme, excluding Lot 27 Oxley Road, as agreed by the Environmental Protection Authority pursuant to Condition 7.

2 Environmental Management Plans

- 2-1 Prior to approval of subdivision for rural residential uses, the following Environmental Management Plans shall be prepared by the subdivider(s) in accordance with the specifications set out in Schedule 1 and shall subsequently be implemented in accordance with the provisions of the Plans, to the satisfaction of the City of Armadale on the advice of the Department of Environmental Protection and the Water and Rivers Commission:

- Rehabilitation and Landscape Plan;
- Declared Rare and Priority Flora Management Plan;
- Fire Management Plan;
- Drainage and Nutrient Management Plan;
- Site Contamination Assessment and Remediation Plan; and
- High Pressure Natural Gas Pipeline Management Plan.

3 Effluent Disposal

- 3-1 No effluent disposal system shall be permitted within:

- 50 metres of the Conservation Category Wetland on Lot 501 Oxley Road as determined by the Water and Rivers Commission;
- 300 metres of Water Corporation production bores J10 and J11; and
- 500 metres of Water Corporation production bore J30, unless otherwise approved by the Water Corporation.

- 3-2 All dwellings are to be provided with Alternative Treatment Systems to the satisfaction of the Department of Health.

- 3-3 Prior to approval of subdivision for rural residential uses, the applicant shall demonstrate that the proposed lots within the application area will comply with the Government Sewerage Policy, to the satisfaction of Council and the Department of Health. Any lots which are not supported on this basis are to be excluded from the Amendment or Subdivision Guide Plan.

4 Poultry Farm Buffer

- 4-1 The 300 metre buffer around the existing poultry sheds on Lot 434 Taylor Road, Forrestdale is to be enlarged to reflect all approved extensions to the poultry farm at the time of gazettal of the Amendment.
- 4-2 No new building or development is to be permitted within 300 metres of the existing poultry/broiler farm on Lot 434 Taylor Road without the prior approval of Council in consultation with the Department of Health, the Department of Environmental Protection and the Western Australian Planning Commission. Relaxation of the 300 metre buffer for new development may be permitted where the potential for any adverse impact on the quality of rural residential living can be demonstrated to be minimal through appropriate odour and noise assessments by competent and reputable analysts on the advice of the Department of Environmental Protection.

5 Livestock

- 5-1 The keeping of livestock, including horses, is not permitted within the Zone or the Subdivision Guide Plan area.

6 Fencing

- 6-1 All boundary and other fencing shall be of open post and rail and wire construction and shall be installed by the subdivider and maintained to the satisfaction of Council. Side and rear boundary fencing is prohibited where those boundaries fall within a Conservation Category Wetland and 50 metre buffer identified in the Subdivision Guide Plan to ensure no unnecessary clearing is undertaken and wildlife movement is not constrained.

CONDITIONS TO BE INCORPORATED INTO THE SCHEME BY MODIFICATIONS TO THE SCHEME MAP

7 Subdivision Guide Plan

- 7-1 The Subdivision Guide Plan for the City of Armadale Town Planning Scheme No. 2, Amendment 143, shall be amended by ensuring that all building envelopes are located at least 50 metres from the boundary of the Conservation Category Wetland on Lot 501 Oxley Road, as defined by the Water and Rivers Commission.
- 7-2 The Subdivision Guide Plan shall be amended by removing Lot 501 Oxley Road.

ATTACHMENT 1

STATEMENT THAT A SCHEME MAY BE IMPLEMENTED, CITY OF ARMADALE TOWN PLANNING SCHEME NO. 2 AMENDMENT NO. 143

1 Rehabilitation and Landscape Plan

1-1 A Rehabilitation and Landscape Plan shall be prepared in consultation with the Department of Environmental Protection and the Water and Rivers Commission.

1-2 The Rehabilitation and Landscape Plan will include:-

- Rehabilitation of the 50metre buffer areas for the Conservation Category Wetland on Lot 501 Oxley Road;
- The provision of appropriate buffers for the Resource Enhancement category wetlands and rehabilitation of these buffers;
- Revegetation strategies to be applied to other parts of the subdivision area;
- Maintenance of the rehabilitated areas; and
- Allocation of responsibilities and timing for implementation of the Plan.

2 Declared Rare and Priority Flora Management Plan

2-1 A Declared Rare and Priority Flora Management Plan shall be prepared in consultation with the Department of Conservation and Land Management and the Department of Environmental Protection.

2-2 Prior to subdivision and/or development approval, the landowner shall undertake a spring survey for Declared Rare and Priority Flora in the proposed subdivision area including the unmade portions of adjoining road reserves.

2-3 If any Declared Rare and Priority Flora are located, appropriate measures shall be undertaken on the advice of the Department of Conservation and Land Management and the Department of Environmental Protection.

2-4 Protective measures include memorials on title and the retention of adequate buffer areas pursuant to the provisions of the *Wildlife Conservation Act 1950*.

3 Fire Management Plan

3-1 A Fire Management Plan shall be prepared in consultation with the Fire and Emergency Services Authority and the Department of Conservation and Land Management. The Fire Management Plan shall include:

- Strategies to limit the spread of fire and protect residents and areas of significant vegetation, including the location and dimensions of fire breaks;
- Mechanisms to avoid or minimise the affects of firebreak installation on remnant vegetation, including siting firebreaks in areas without significant vegetation and using methods of installing firebreaks, such as slashing, which reduce the requirement for clearing;
- Maintenance to be undertaken to ensure the continued effectiveness of fire breaks or other management measures; and

- Allocation of responsibilities and timing for implementation of the Plan.

4 Drainage and Nutrient Management Plan

- 4-1 A Drainage and Nutrient Management Plan shall be prepared to ensure the maintenance of water levels and quality in the Conservation Category wetland and the maintenance or enhancement of surface water quality discharging from the site, on the advice of the Water and Rivers Commission and the Department of Environmental Protection.
- 4-2 The Drainage and Nutrient Management Plan shall include:
- Management actions and objectives consistent with the *Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992, Statement of Planning Policy No. 2 (1992)* and best management practices;
 - Mechanisms to protect the water quality and water levels in Conservation Category wetlands;
 - A monitoring program, including definition of performance criteria, to demonstrate that the management objectives are being achieved;
 - Contingency measures to be implemented in the event that performance criteria are not being met; and
 - Allocation of responsibilities and timing for implementation of the Plan.

5 Site Contamination and Remediation Plan

- 5-1 Prior to subdivision or development approval on Lot 432 Oxley Road and Lot 449 Taylor Road, a Site Contamination Assessment and Management Plan shall be prepared, on advice from the Land and Water Quality Branch of the Department of Environmental Water and Catchment Protection, to ensure the rehabilitation of the site appropriate with the intended land use.
- 5-2 The Plan shall be designed and implemented in accordance with the Department of Environmental Protection current series of guidelines, *Contaminated Sites Management Series* (DEP, 2001), and shall include:
- Sampling and analysis in areas identified through the Preliminary Site Assessment as being potentially subject to contamination from previous market gardening or chemical storage;
 - Assessment of the risk to public health posed by any significant contamination identified by the sampling and analysis;
 - Development of management measures to be applied prior to change of ownership of subdivided blocks in any contaminated areas identified as posing a significant risk to public health; and
 - Allocation of responsibilities and timing for implementation of the management measures and appropriate criteria and mechanisms to verify their success.

6 High Pressure Natural Gas Pipeline Management Plan

- 6-1 Prior to subdivision or development on any land within or abutting a high pressure natural gas pipeline easement, the subdivider shall prepare a High Pressure Natural Gas Pipeline Management Plan to ensure the protection of the pipeline during construction activities, to the requirements of the Department of Mineral and Petroleum Resources, on advice of the City of Armadale, the Department of Environmental Protection and the CMS Gas Transmission of Australia
- 6-2 The plan shall be designed in accordance with the *Petroleum Pipelines Act 1969-70*, the Australian Pipeline Code AS 2885-1997, SAA HB 105 and the Environmental Protection Authority Guidance Statement No 50 for achieving its risk criteria in proximity to existing and proposed high pressure gas transmission pipelines, or the most recent equivalents recognised by the Environmental Protection Authority.
- 6-3 Ground disturbing activities are prohibited within the gas pipeline easement as are the following facilities:
- Temporary residence (including caravans, camping and similar);
 - Storage of materials and equipment;
 - Fires and barbecues;
 - Explosives, inflammables and corrosives (including storage of liquefied petroleum gas and fuel oil);
 - Refuse disposal and landfill;
 - Service stations, fuel lines and storage of fuel;
 - Trees or shrubs with an expected growth exceeding one metre in height; and
 - Large obstructions to line of sight along the easement.
- 6-4 Minimum development setbacks from the centre of the gas pipeline shall be 32 metres to the building envelope boundary of residential lots and all other development (excluding roads, car parks, cycleways, footpaths and landscaping) to be in accordance with the relevant Special Use zone requirements.

Appendix 5
Summary of Submissions and
Responsible Authority's Response to Submissions

SCHEDULE OF SUBMISSIONS

TOWN PLANNING SCHEME NO.2 AMENDMENT NO.143, SUBDIVISION GUIDE PLAN AND ENVIRONMENTAL REVIEW

NO	NAME & ADDRESS	AFFECTED PROPERTY	RESUMÉ OF SUBMISSION	RECOMMENDATION
1	D. James 284 Commercial Rd Forrestdale		<p>a) Provided that the recommendations are carried out as per the environmental measures within the document, issues such as nutrient export into Forrestdale Lake should not happen.</p> <p>b) Lot 501 is part of a greater wetland in the Jandakot Botanical Park, and has a good coverage of vegetation which results in a high conservation value. These values should be protected through a conservation covenant on the Certificate of Title of these lots.</p> <p>c) Vegetation on the other lots within the SGP is limited, and regrowth should be encouraged with indigenous trees and shrubs.</p> <p>d) No runoff, animal or human waste should be permitted to adversely affect the environment.</p>	<p>a) Supported. The environmental management measures included within the Amendment and Environmental Review should address environmental constraints within the application area and avoid negative environmental impacts.</p> <p>b) Supported in part. Vegetation on site will be preserved through landuse controls and development envelopes. Consequently, it is not considered necessary to protect vegetation through conservation covenants.</p> <p>c) Supported. The Scheme Amendment proposes to incorporate Scheme provisions such as tree clearing restrictions and revegetation of the site.</p> <p>d) Supported. The applicant will be required to prepare and implement a Drainage and Nutrient Management Plan, which will manage stormwater runoff and groundwater quality. In addition, the proposed Scheme provisions will limit effluent disposal to ATU's, with specific setbacks to wetland areas.</p>
2	Kim Valenti & Associates	Packard Nominees Lot 434 Taylor Rd Forrestdale	<p>a) Our client most strongly objects to the proposal, due to the potential impact it may have on the operation of the poultry farm on Lot 434.</p> <p>b) Lot 434 contains a poultry farm which currently carries 120,000 birds, with approval from Council & WAPC to a capacity of approximately 320,000 birds.</p> <p>c) The proponents purchased the subject land after Packard acquired the Poultry Farm and in the full knowledge of its existence and operation and, therefore, cannot claim any disadvantage by virtue of the existence of the poultry farm.</p> <p>d) When the application to expand the poultry farm was advertised, both proponents of the rezoning made submissions of objection due to noise, odour, traffic and amenity concerns. These objections were based</p>	<p>a) Not supported. It is considered that the amendment will comply with the provisions of the Poultry Farms Policy and is therefore acceptable.</p> <p>b) Noted. Council and WAPC have approved extensions the existing poultry farm.</p> <p>c) Noted. It is acknowledged that the existing poultry farm has been in operation since 1979, and owners who purchased neighbouring properties after this time would have been aware of its existence. Should any new lots be created within the SGP application area, development envelopes are not to be located closer than 300m from the poultry sheds and Memorials are to be placed on the title of all lots within 500m of the sheds, advising of the potential for negative impacts from the farm.</p>

155

Attachment A3
Council Meeting 21 Jan 2002

COUNCIL MEETING 21 JAN 2002

SCHEDULE OF SUBMISSIONS

TOWN PLANNING SCHEME NO.2 AMENDMENT NO.143, SUBDIVISION GUIDE PLAN AND ENVIRONMENTAL REVIEW

NO	NAME & ADDRESS	AFFECTED PROPERTY	RESUMÉ OF SUBMISSION	RECOMMENDATION
			<p>upon a poultry farm which is half the size of the farm approved to operate and 40% of the farm that can physically be operated on Lot 434.</p> <p>e) Under the provisions of the State Industrial Buffer Policy, a generic buffer surrounds the Poultry Farms to a minimum distance of 500 metres from the boundary of the farm. All of Lot 421 and parts of Lots 449 and 432 fall within this buffer. It is stated within WAPC and EPA regulations on development within industrial buffer zones should not be supported without a proper scientific study based on site and industry specific information which shows that the buffer distance should be reduced.</p> <p>f) Measurement of the 500 metre buffer within the Environmental Review has been taken from the poultry sheds and not from the lot boundary. In addition, the review indicates a 300 metre buffer.</p> <p>g) The odour assessment undertaken by Bowman Bishaw Gorham as part of the Environmental Review is out of date, based on wrong facts, does not consider recent approvals for expansion, and is not in accordance with EPA guidelines. It also is not supported by comprehensive olfactory testing.</p> <p>h) The approvals to expand the poultry farms will result in a capital expenditure of between \$2 and \$3 million. The operator must be allowed to operate its expanded poultry farm without interference from potential purchasers of land. It would be unconscionable for Council and WAPC to approve rezoning within 6 months of approving expansion of the poultry farm.</p> <p>i) The authorities are put on notice that any loss or damage sustained from approval to the rezoning will result in the landowner taking action to recover damages for losses sustained. Alternatively, a</p>	<p>d) Noted. Council acknowledges that objections were received during the advertising period of the proposed expansions. The proposed extensions and upgrades to the operation would result in most of the sheds being sealed and incorporating evaporative air conditioning, which would reduce odour impacts to surrounding residents</p> <p>e) Not supported. The State Industrial Buffer Policy is not applicable, as development relating to poultry farms or the land surrounding poultry farms is controlled by the Statement of Planning Policy (SPP) No.5, being the Poultry Farms Policy. SPP No.5 does not permit Rural Residential Development within 300 metres of an existing poultry farm, and requires Memorials be placed on the Certificates of Title of all lots within 500 metres of poultry farms, advising of the potential negative impact of the farm.</p> <p>f) Not supported. The poultry farm buffer depicted on the Subdivision Guide Plan is 300 metres from the poultry sheds, which is consistent with the requirements of SPP No.5. See response to 2(e) above.</p> <p>g) Noted. It is acknowledged that the odour study will require review, following approval to expansions to the poultry farm. This study will only be required when subdivision is proposed within 300 metres of the poultry sheds.</p> <p>h) Not supported. Rural Residential development and poultry farm expansion may occur without affecting each other, subject to compliance with the provisions of the SPP No.5. Also see response to 2(e) above</p> <p>i) Noted. Refer response to Submission 2(h). No further dwellings are to be permitted within the buffer, and</p>

SCHEDULE OF SUBMISSIONS

TOWN PLANNING SCHEME NO.2 AMENDMENT NO.143, SUBDIVISION GUIDE PLAN AND ENVIRONMENTAL REVIEW

NO	NAME & ADDRESS	AFFECTED PROPERTY	RESUMÉ OF SUBMISSION	RECOMMENDATION
			<p>memorial should be put on the titles of lots affected by the operation of the poultry farm.</p> <p>j) Council's draft Rural Strategy identifies the rezoning area as being unsuitable for rural residential subdivision as it has low to very low capability for this use. The site comprises substantial damplands, perched groundwater and high water tables, is subject to salinity and has low nutrient retention capabilities. The basis for supporting the rezoning by incorporating environmental management and improvement measures is not satisfactory, as the measures are not substantial.</p> <p>k) If Council and WAPC support Amendment 143, it is appropriate that agreement from all parties be reached on the relocation of the poultry farm. This relocation would be apportioned over the proponents of both Amendment 143 and the neighbouring Amendment 170.</p>	<p>Memorials will be placed on the Certificates of Title of all lots in the application area within 500m of the poultry farm advising of the existence of the farm.</p> <p>j) Noted. Refer submission 6(b). Council recognises that its Draft Rural Strategy classifies the land as being 'unsuitable' for Rural Residential Development. Further studies are to be conducted to confirm that dampland areas of the site are capable of effluent disposal, to the satisfaction of the Health Dept. of WA, prior to consideration of final adoption to the Amendment and SGP. Environmental Management and Improvement measures will permit appropriate development and rehabilitation of a severely degraded site, which have been endorsed by DEP & W&RC. Also see response to 2(e) above.</p> <p>k) Not supported. Whilst it may be desirable for the poultry farm to be relocated, with negotiation and agreement between all parties involved in the two amendments and the poultry farm, Council is not in a position to require the relocation of the poultry farm as part of its support to the Amendments. The existing poultry farm may continue to operate in conjunction with the proposed Rural Residential rezoning and subdivision, provided that the development of both landuses accords with the provisions of the Poultry Farms Policy.</p>
3	Water & Rivers Commission		<p>a) W&RC is opposed to any subdivision or development on Lot 27 Oxley Road.</p> <p>b) The western half of the subject land is located within the Jandakot Underground Water Pollution Control Area (UWPCA), which includes Special Rural Subdivision with a minimum lot size of 2ha as a conditional land use. W&RC accepts the proposed lot</p>	<p>a) Supported. Lot 27 Oxley Road is not included within the Amendment and Subdivision Guide Plan (SGP). The SGP will require modification to remove the indicative subdivision layout over Lot 27.</p> <p>b) Not supported. The use of the term Alternative Treatment Units is consistent with the relevant Health Department regulations, and shall be retained.</p>

SCHEDULE OF SUBMISSIONS

TOWN PLANNING SCHEME NO.2 AMENDMENT NO.143, SUBDIVISION GUIDE PLAN AND ENVIRONMENTAL REVIEW

NO	NAME & ADDRESS	AFFECTED PROPERTY	RESUMÉ OF SUBMISSION	RECOMMENDATION
			<p>sizes within the SGP. However, the use of the term 'Alternative Treatment Units' within Requirement 4 of the Amendment text should be modified to refer to 'Alternative Treatment Systems'.</p> <p>c) Requirement 13 of the Amendment text should be modified to acknowledge W&RC, and not the Water Corporation, as the authority responsible for the licensing of groundwater abstraction in Western Australia.</p> <p>d) The information to be included within the Drainage & Nutrient Management Plan is comprehensive and shall incorporate best practice management water sensitive, nutrient management principles and as well as a monitoring program to ensure that the performance criteria are being achieved.</p>	<p>Department regulations, and shall be retained.</p> <p>c) Supported. This modification will be made by Council in its consideration of final adoption to the Amendment.</p> <p>d) Supported. The requirements for the Drainage & Nutrient Management Plan have been formulated to protect the water quality of the adjacent Conservation Category wetlands and to maintain surface water quality discharging from the site.</p>
4	Department of Health		<p>a) The creation of the proposed Lots 26 – 29 and Lot 38 is not supported by the Department, as the lots are unable to achieve the required 500mm separation between the winter water table and the natural ground surface.</p> <p>b) The subdivision of Lot 421 Taylor Road is not supported by the Department, unless the case for a relaxation of the 300 metre buffer from the poultry farm is acceptable to the Department of Environmental Protection.</p> <p>c) Site contamination assessment and remediation at Lots 449 and 432 will need to be satisfactory to the DEP.</p> <p>d) Considering the above, the Department of Health is not opposed to the rezoning proposal but does not support the proposed Subdivision Guide Plan.</p>	<p>a) Supported. The Environmental Review does include an assessment of groundwater levels in this location, however given that HDWA have not supported the proposal, additional information must be provided by the applicant or the lots will need to be excluded from the SGP and Amendment.</p> <p>b) Supported. The subdivision of Lot 421 cannot occur unless the poultry farm at Lot 434 Taylor Road ceases operation or an odour study is conducted by the applicant which demonstrates that the proposed lots will not be adversely affected by the poultry farm operations.</p> <p>c) Supported.</p> <p>d) Noted. It is considered that the concerns of HDWA may be satisfactorily addressed in accordance with responses a-c above.</p>
5	Department of Conservation and Land Management		<p>a) To protect the conservation values of the Jandakot Regional Park and Bush Forever Site No.344, CALM requests that flora species known to be invasive or</p>	<p>a) Supported. These issues will be considered within the Revegetation and Landscape Plan, required as part of Schedule 2 of the Scheme within Amendment 143.</p>

SCHEDULE OF SUBMISSIONS

TOWN PLANNING SCHEME NO.2 AMENDMENT NO.143, SUBDIVISION GUIDE PLAN AND ENVIRONMENTAL REVIEW

NO	NAME & ADDRESS	AFFECTED PROPERTY	RESUMÉ OF SUBMISSION	RECOMMENDATION
	Management.		<p>environmentally damaging are not to be used in any landscaping or revegetation projects on the site.</p> <p>b) The Environmental Review states that a search for Declared Rare Flora and Priority Species was undertaken, however CALM requests that a more thorough flora survey be carried out over spring.</p> <p>c) CALM supports the applicant's stated intention of locating building envelopes to prevent the clearing of native vegetation, but notes that a number of envelopes appear to be located over remnant vegetation. CALM supports the retention of remnant vegetation wherever possible.</p> <p>d) CALM prefers a road between rural/residential subdivision and regional reserves, to improve fire access and reduce the incidence of arson and rubbish dumping on reserves. The construction of Oxley Road should help mitigate this problem.</p>	<p>b) Not supported. The submission by CALM does not detail how the existing flora survey is inadequate or deficient.</p> <p>c) Supported. The SGP is to be modified to position envelopes in locations which minimise the clearing of native vegetation.</p> <p>d) Supported. The road reserve for Oxley Road adjacent to the regional reserve is already in existence, and the applicant proposes to construct the road to provide road access to lots in the north of the application area.</p>
6	Agriculture Western Australia (AgWA)		<p>AgWA generally supports the proposal in principle, subject to the following issues being considered:</p> <p>a) The existing poultry farm located adjacent to the subject lots could impact on the proposed Special Use lots and lead to a landuse conflict, should the minimum 300 metre buffer be relaxed. If the buffer were relaxed, AgWA recommends that memorials be placed on the Certificates of Title of all affected lots, notifying the prospective purchaser of the potential negative impact from the poultry farm.</p> <p>b) The soil conditions of the subject site generally have a low to very low land capability for housing and effluent disposal due to limitations such as waterlogging and inundation.</p> <p>c) Due to the soil types and environmental sensitivity of the subject site, no horses should be permitted on the</p>	<p>a) Supported. Refer Submissions 2(e), 2(f) & 2(g)</p> <p>b) Supported. Council recognises that its Draft Rural Strategy classifies the land as being 'unsuitable' for Rural Residential Development. The Strategy incorporates provisions for Rural Residential development on unsuitable land where environmental improvements are made in areas such as rehabilitation of degraded land, catchment management, the re-introduction of flora and fauna species, and protection and improvements to wetlands and native vegetation. The Scheme Amendment and Environmental Review meets these objectives, which has facilitated the progress of the application.</p> <p>c) Supported. It is proposed that the amendment be modified to exclude horses from the application area.</p>

SCHEDULE OF SUBMISSIONS			
TOWN PLANNING SCHEME NO.2 AMENDMENT NO.143, SUBDIVISION GUIDE PLAN AND ENVIRONMENTAL REVIEW			
NO	NAME & ADDRESS	AFFECTED PROPERTY	RECOMMENDATION
		RESUMÉ OF SUBMISSION	
		lots.	
7	Water Corporation		<p>a) A portion of Lot 449 lies within the Jandakot Underground Water Pollution Control Area (UWPCA) which is managed as a Priority 2 (P2) source for the purpose of public water supply protection. Special rural subdivision with a minimum lot size of 2ha is compatible with the protection objectives of source protection P2 subject to the land capability allowing on site soakage disposal of treated wastewater.</p> <p>b) If satisfactory on-site effluent disposal cannot be achieved, the Water Corporation would not support Rural Subdivision as proposed within the P2 area.</p>
8	Western Power	N/A	<p>a) No objection to the proposed Amendment and SGP.</p> <p>b) The cost of any changes to the existing power system if required, are to be met by the developer.</p>
9	Department of Minerals and Energy		<p>a) No objection to the proposal.</p>
10	The Planning Group	Proponents of Amendment No.143 and Subdivision Guide Plan	<p>a) Proposes a minor revision to the lot boundary between the proposed Lots 12 and 13, with both lots obtaining access from Rowley Road.</p> <p>a) Noted. This minor revision will not result in environmental impacts, and will be considered by Council at the final adoption stage of the Amendment and SGP.</p>