

Ms Sam Fagan
The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Our Ref: CMS17718
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Dear Ms Fagan

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

SCHEME:	Metropolitan Region Scheme Amendment 1366/57
LOCATION:	Lot 912 Midland Road Bushmead
RESPONSIBLE AUTHORITY:	Western Australian Planning Commission
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. 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 'Hans Jacob', with a stylized flourish at the end.

Hans Jacob
Delegate of the Environmental Protection Authority
A/Executive Director
EPA Services

16 January 2020

Encl. Scheme Advice and Recommendations
Chairman's Determination

cc City of Swan

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

Metropolitan Region Scheme Amendment 1366/57

Location: Lot 912 Midland Road Bushmead

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

Determination Published: 13 January 2020

Summary

The Western Australian Planning Commission (WAPC) proposes to transfer 23 hectares of land at Lot 912 Midland Road Bushmead (Lot 912) from the Public Purposes – Commonwealth Government reservation to the Urban and Urban Deferred zones 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). 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 WAPC and having considered this matter, the following advice is provided:

Environmental Factors

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

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters
- Social Surroundings

Advice and Recommendations regarding Environmental Factors

Flora and Vegetation and Terrestrial Fauna

It is understood based on earlier surveys that whilst much of the vegetation is mapped as completely degraded, the amendment area potentially contains the Threatened Ecological Community (TEC) mapped as Floristic Community Type (FCT) 3c – '*Corymbia calophylla* over *Xanthorrhoea preissii* woodlands and shrublands'. The amendment area also potentially contains:

- Banksia Woodlands of the Swan Coastal Plain TEC
- Forrestfield vegetation complex, which only has 12.3% of its original extent remaining
- Habitat for threatened species of black cockatoo.

The EPA does not support a concurrent amendment to the City of Swan local planning scheme. The EPA advises that prior to the initiation of an amendment to the City of Swan local planning scheme, updated flora and vegetation and fauna surveys should be undertaken consistent with EPA technical guidance to determine the values present and inform the appropriate management of impacts to these values. The EPA expects that the future local amendment

should contain specific scheme text to demonstrate how impacts to these values will be avoided and/or managed.

In addition to the proposed retention of the FCT 3c TEC, the EPA would support the additional retention of flora and vegetation through the future stages of planning, informed by the surveys discussed above. Any proposed conservation areas should be consistent with the guidelines described in EPA Environmental Protection Bulletin No. 20 *Protection of naturally vegetated areas through planning and development*.

The Department of Biodiversity, Conservation and Attractions should also be consulted regarding the interface between the proposed development and Bush Forever Site 213 Bushmead Bushland.

Inland Waters

Kadina Brook runs along the eastern edge of Lot 912. The EPA supports the proposed buffer to the waterway being extended into Lot 912 where necessary, through the future stages of planning.

Social Surroundings

A portion of the amendment area is within a buffer to an existing poultry farm located west of Lot 912. The EPA supports that the northern portion of Lot 912 is proposed to be zoned Urban Deferred, with transfer to Urban zone not to occur until the poultry farm has ceased operating, or a reduced buffer has been approved.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through appropriate planning controls. The EPA further recommends the future local planning scheme amendment should contain specific scheme text to demonstrate how impacts to these values will be avoided and/or managed.