

Appendix 15

Environmental Protection Authority

Environmental Advice

ENVIRONMENTAL PROTECTION AUTHORITY ADVICE

In addition to the environmental conditions the Environment Protection Authority wishes to provide the following advice in relation to the GBRS:

1 Deferred factors

1-1 A number of environmental factors have not been included in the EPA's assessment due to the broad scale of the assessment or because insufficient information is available at this stage of the planning process. The EPA has decided that these factors should be "deferred" to ensure that the EPA has the opportunity to assess future local government scheme amendments, subdivisions or development proposals, whichever comes first, so that a more detailed consideration of the potential environmental impacts can be undertaken by the EPA pursuant to Part IV of the *Environmental Protection Act 1986*.

The deferred factors are:

- 1) All Rural zoned land in the GBRS
Deferred factors – remnant vegetation and wetlands
- 2) All land in the Greater Bunbury Region Scheme
Deferred factor – site contamination
- 3) Reserve 35061 Paris Road, Australind - Decommissioned Waste Water Treatment Plant
Deferred factors – remnant vegetation, fauna and ecological linkage
- 4) Lots 27, 28, 150, 151, 1 and 21 Paris Road (north), Australind
Deferred factors— remnant vegetation, fauna and ecological linkage
- 5) Lots 313-317 south of Harewoods Road, South Dalyellup
Deferred factors — remnant vegetation, fauna and ecological linkage
- 6) Reserve 31012 Harewoods Road, Dalyellup
Deferred factors — contamination.
- 7) Part Lot 201 Gray Road, Part Lot 4402, Part Lot 97, Lot 139 Armstrong Street, Lots 1a, 4a, 66 and Part Lot 138 Timperley Road, Boyanup
Deferred factor — remnant vegetation
- 8) Lot 871 Prowse Road, Capel (south)
Deferred factors — remnant vegetation, fauna and ecological linkage
- 9) Lot 2 Harvey (Urban zone)
Deferred factors — remnant vegetation, fauna and ecological linkage

- 10) Kemerton Industrial Expansion Area
Deferred factors — noise, air quality, remnant vegetation, groundwater quality, surface water quality and solid/liquid waste disposal
- 11) Port Installation reserve
Deferred factors — noise, air quality and marine water quality
- 12) Raymond Road
Deferred factors — wetlands, remnant vegetation and the impacts from road users on surrounding noise sensitive landuses
- 13) South Western Highway (northern section between the northern boundary of the GBRS and the Preston River)
Deferred factors — remnant vegetation, watercourses and the impacts from road users on surrounding noise sensitive landuses
- 14) Port Access Road
Deferred factors - the remnant vegetation, wetland, watercourses, fauna and noise.
- 15) Boyanup Bypass
Deferred factors — remnant vegetation, wetlands and the impacts from road users on surrounding noise sensitive landuses
- 16) Public Purpose Reserve, Lot 310 and Part of lots 23, 35 and 205 Marriot Road, Kemerton
Deferred factors — remnant vegetation, fauna and odour emissions
- 17) Picton Waters - EPP Lake on portion of Lots 40-44 Jeffery Road, Picton
Deferred factors — remnant vegetation, wetlands and fauna
- 18) Muddy Lakes – Minninup Road, Capel
Deferred factors — remnant vegetation, wetlands and fauna
- 19) Reserve 670 North Boyanup Road, Davenport
Deferred factors — remnant vegetation, fauna and ecological linkage
- 20) Lot 15 North Boyanup Road
Deferred factors — remnant vegetation and fauna
- 21) Bunbury Outer Ring Road
Deferred factors - the remnant vegetation, wetland, watercourses, fauna and noise.
- 22) Glen Iris Service Corridor
Deferred factors— noise, vibration, remnant vegetation and wetlands
- 23) Lot 35 Spurr Street, Capel

Deferred factors — remnant vegetation, wetlands and fauna

1 Primary Regional Road Reserves

- 2-1 The alignments of the following Primary Regional Road reserves in the GBRS meet the EPA's environmental objectives provided Environmental and Noise/Vibration Management Plans and Vegetation and Waterway Mitigation Strategies are prepared and implemented, when appropriate, to the satisfaction of the EPA:
- 1) South Western Highway;
 - 2) Raymond Road;
 - 3) Boyanup Bypass Road;
 - 4) Bussell Highway;
- 2-2 Proposals to construct these roads should be referred to the EPA pursuant to Part IV of the *Environmental Protection Act 1986* to ensure that the management plans are prepared to the satisfaction of the EPA.
- 2-3 The Environmental Management Plans should include:
- 1) mapping of vegetation units and the condition of the vegetation units;
 - 2) plot based descriptions and flora lists for each of the mapped vegetation units;
 - 3) mapping of populations of priority species; and
 - 4) the identification of fauna values of the remnants.
 - 5) a description of existing environmental values, and the identification of the environmental outcome to be achieved through the implementation of this plan;
 - 6) clear delineation of significant areas to be protected;
 - 7) vegetation and/or wetland mitigation strategies
 - 8) allocation of responsibilities and identification of timing and duration of implementation;
 - 9) provision for routine monitoring of environmental values; and
 - 10) provision of details of contingency plans in the event that the monitoring surveys indicate that the road is having or has had an adverse impact upon environmental values.
- 2-4 The Noise Management Plan should include:
- 1) detailed noise modeling for the whole proposal taking into account topography, cadastral information, dwelling locations, road design (including elevation), road surfaces and traffic volumes;
 - 2) acceptable noise and vibration levels, as agreed between the Main Roads Western Australia and the Department of Environmental Protection, to protect the amenity of adjacent residences; and
 - 3) measures to manage the impact of traffic noise and vibration on adjacent residences and residential areas.

- 2-5 The Vegetation Mitigation Strategy should off set the impacts on particular vegetation complexes and should include:
- 1) the biological and environmental values of any vegetation to be impacted by the design and construction of the road;
 - 2) a review of the design of the road, to avoid or minimize impacts on the vegetation; and
 - 3) measures including the possible acquisition of other vegetated land, to mitigate for the loss of any biological and environmental values caused by the construction of the road.
- 2-6 In considering the suitability of other vegetated land to mitigate the loss of any biological and environmental values caused by the construction of the proposed road the following matters will be considered by the EPA:
- 1) specific vegetation communities affected by the proposal;
 - 2) specific vegetation communities on land proposed for acquisition to mitigate the loss of biological and environmental values caused by the proposal;
 - 3) vesting and proposed management of the vegetation proposed for acquisition to mitigate against the loss of any biological and environmental values caused by the road construction; and
 - 4) values and roles of this vegetation in maintaining conservation in the Greater Bunbury Region.
- 2-7 A Vegetation Mitigation Strategy should off set the impacts on particular wetlands and should include:
- 1) the biological and environmental values of any wetlands to be impacted by the design and construction of the road;
 - 2) a review of the design of the road, to avoid or minimise impacts on wetlands; and
 - 3) measures including the possible acquisition of other or wetlands, to mitigate for the loss of any biological and environmental values caused by the construction of the road.
- 2-8 In considering the suitability of other vegetated land and wetlands to mitigate the loss of any biological and environmental values caused by the construction of the road the following matters will be considered by the EPA:
- 1) specific category, or categories, of wetlands to be affected by the road construction;
 - 2) vesting and proposed management of wetland areas proposed for acquisition to mitigate against the loss of any biological and environmental values caused by the road construction; and
 - 3) values and roles of the wetlands in maintaining conservation in the Greater Bunbury Region.

2 Reserve 35061 Paris Road, Australind - Decommissioned Waste Water Treatment Plant, Lots 27, 28, 150, 151, 1 and 21 Paris Road (north), Australind and Lot 3 Paris Road (south), Australind

3-1 It is the EPA's opinion that:

- 1) the remnant vegetation on the northern and western portions of Reserve 35061 should be reserved in the GBRS and appropriately managed;
- 2) the bushland on part Lots 27, 28 and 150 to the north of Paris Road should be conserved and managed as part of any future subdivision and development, whichever comes first; and

3 Lots 313-317 south of Harewoods Road, South Dalyellup

4-1 It is the EPA's opinion that:

- 1) remnant vegetation on Lots 315, 316 and 317 should be conserved and appropriately managed either as a ROS reserve in the GBRS or as part of future zoning, subdivision and/or development on the lots;
- 2) the extraction of sand and limestone from Lots 315, 316 and 317 is incompatible with the need to protect vegetation in this area;
- 3) immediate planning measures be implemented by the WAPC to manage and prevent any further development or change of land use on Lots 315, 316 and 317, until the GBRS has been proclaimed.

4 Reserve 31012 Harewoods Road, Dalyellup

5-1 It is the EPA's opinion that:

- 1) remnant vegetation on Reserve 31012 is regionally significant and should be reserved and appropriately managed;
- 2) appropriate landuses need to be determined for that portion of the site used a municipal waste disposal site;
- 3) a site investigation be undertaken prior to any ground disturbing activities, to determine the extent and severity of contamination on that part of Reserve 31012 used as a waste disposal site. If the site is found to be contaminated as a result of this investigation, then a Site Remediation and Validation Report should be produced to the satisfaction of the Department of Environmental Protection; and

5 Part Lot 201 Gray Road, Part Lot 4402, Part Lot 97, Lot 139 Armstrong Street, Lots 1a, 4a, 66 and Part Lot 138 Timperley Road, Boyanup

6-1 It is the EPA's opinion that there is regionally significant remnant vegetation on the land proposed to be zoned Urban Deferred which should be conserved and appropriately managed as part of any future zoning, subdivision and/or development on the site.

6 Lot 871 Prowse Road, Capel (south)

- 7-1 It is the EPA's opinion that the Urban zoning on Lot 871 is environmentally acceptable subject to the remnant vegetation being conserved and protected as part of any future subdivision or development on the land.

7 Lot 2 Harvey

- 8-1 It is the EPA's opinion that the Urban zoning on Lot 2 is environmentally acceptable subject to as much of the remnant vegetation being conserved and protected as possible (at least 60%), as part of any future subdivision or development on the land.

8 Kemerton Industrial Area Expansion and Special Control Area No. 2

- 9-1 It is the EPA's opinion that:
- 1) areas of regionally significant bushland within Special Control Area No. 2 should be reserved as ROS as a future amendment to the GBRs; and
 - 2) Special Control Area No. 2 provides adequate separation between proposed industrial development and surrounding landuses to accommodate the impacts of noise and air quality in accordance with the EPA's environmental objectives and criteria for these environmental factors.

9 Port Access Road

- 10-1 It is the EPA's opinion that it would be preferable for the Port Access Road to follow existing road alignments between Harris Road and Moore Road. Although a re-alignment to the west of the currently alignment shown in the GBRs, designed and constructed to minimise impact on bushland, would be environmentally acceptable subject to Environmental and Noise/Vibration Management Plans, and Vegetation and Wetland Mitigation Strategies being prepared.

10 Boyanup Bypass Road

- 11-1 It is the EPA's opinion that subject to:
- 1) the road being designed and constructed to minimise impact on bushland and avoid any direct or indirect impacts on the Boyanup Billabong; and
 - 2) Environmental and Noise/Vibration Management Plans, and Vegetation and Wetland Mitigation Strategies being prepared
- the alignment of the Primary Regional Road reserve for the Boyanup Bypass is environmentally acceptable.

11 Public Purpose Reserve, Lot 310 and Part of lots 23, 35 and 205 Marriot Road, Kemerton

- 12-1 It is the EPA's opinion that:
- 1) the proposal to establish waste water treatment plants on the Public Purpose reserve is environmentally acceptable subject to further

- investigation to select development sites with minimal potential environmental impacts on remnant vegetation and fauna; and
- 2) Special Control Area No. 2 provides adequate separation between the Public Purpose reserve and surrounding landuses to accommodate the impacts of odour emissions from waste water treatment plants in accordance with the EPA's environmental objectives and criteria for this environmental factor.

12 Locations 7 and 14 Buffalo Road, Binningup

13-1 It is the EPA's opinion that:

- 1) the proposed modification to the alignment of the ROS reserve boundary alignment on Location 14 is acceptable; and
- 2) the alignment of the ROS reserve boundary on Location 7 should be reviewed prior to any future zoning or subdivision on the subject land, whichever comes first, and amended where necessary.

13 Twin Rivers - Pt Lot 211 Barnes Avenue, Australind

14-1 It is the EPA's opinion that:

- 1) the current alignment of the ROS reserve does not adequately protect the regional natural values of the Pt Lot 211 Barnes Avenue;
- 2) in view of the regional natural values of Pt Lot 211 Barnes Avenue all of the site should be reserved;
- 3) if the Government decides not to preserve the whole of the area as a regional park, the EPA is of the view that the alignment ROS alignment identified by the WAPC on 31 July 2003 should be adopted; and
- 4) arrangements be included in the Greater Bunbury Region Scheme to ensure that adequate funds are available for the WAPC to purchase areas of regional conservation value.

14 College Grove – Lot 1000 Bussell Highway

15-1 It is the EPA's opinion that:

- 1) a corridor between 300 and 500m be reserved in the Greater Bunbury Region Scheme and appropriately managed; and
- 2) some degree of flexibility (20 metres) be allowed in determining the final alignment of the northern ROS boundary to facilitate the final structure plan with no nett loss of ROS.

15 Muddy Lakes – Minninup Road, Capel

15-1 It is the EPA's opinion that:

- 1) the alignment of the ROS reserve boundary around Muddy Lakes should remain as shown in the advertised GBRS;
- 2) the alignment of the ROS reserve boundary should be amended to include the full extent of the wetland at the earliest opportunity;

- 3) Priority be given to implementing management arrangements (ie Government acquisition) in the Dalyellup/Minninup Lake Natural Area to prevent further degradation by current land use activities;
- 4) Interim planning mechanisms be put in place to ensure that conservation values in the Dalyellup/Minninup Lake Natural Area are protected from any further development or change of land use until suitable protection measures under the Greater Bunbury Region Scheme are provided; and
- 5) Further biological and hydrological studies be undertaken to ensure that the Dalyellup/Minninup Lake Natural Area is appropriately managed.

16 Reserve 670 North Boyanup Road, Davenport

17-1 It is the EPA's opinion that:

- 1) the southern portion on Reserve 670 should be reserved and appropriately managed because of its regional significance;
- 2) the remnant vegetation on the northern portion of Reserve 670 should be conserved primarily because of its faunal habitat values and value as an additional ecological linkage to Preston River; and
- 3) a portion of the remnant vegetation to the north of Reserve 670 should be conserved to provide a consolidated ecological linkage between Reserve 670 and the Preston River.

17 Lot 15 North Boyanup Road

17-1 It is the EPA's opinion that the remnant vegetation on Lot 15 is a significant fauna habitat and effort should be made to conserve a consolidated area of remnant vegetation and appropriately manage the remnant vegetation as part of any future zoning, subdivision and/or development on the site.

18 Bunbury Outer Ring Road

18-1 It is the EPA's opinion that subject to the Bunbury Outer Ring Road being realigned, designed and constructed to minimise impact on:

- 1) a wetland near the intersection with the Australind Bypass;
- 2) wetlands to the north of Lillydale Road;and
- 3) bushland at the intersection with Bussell Highway

the alignment would be environmentally acceptable subject to Environmental and Noise/Vibration Management Plans, and Vegetation and Wetland Mitigation Strategies being prepared.

19 Glen Iris Service Corridor

19-1 It is the EPA's opinion that:

- 1) the proposal to rezone a portion of the Glen Iris Service Corridor buffer to Urban is environmentally acceptable subject to adoption of a Special Control Area to prevent incompatible land uses being located in the buffer;

- 2) the alignment of the Glen Iris Service Corridor (Public Purpose Reserve, Rail Reserve and Regional Road Reserve) and the width of the Special Control Area are environmentally acceptable subject to Noise and Vibration Management Plans being prepared in accordance with the specifications in Section 2, above, prior to any additional infrastructure being constructed within the corridor;
- 3) the proposal to rezone a portion of the Glen Iris Service Corridor buffer to Urban is environmentally acceptable subject to the preparation and implementation of a drainage and nutrient management plan, wetland rehabilitation/management plan and fauna management plan; and
- 4) any proposal to construct infrastructure within the Glen Iris Service Corridor should be referred to the EPA pursuant to Part IV of the *Environmental Protection Act 1986*.

20 Lot 35 Spurr Street, Capel

- 20-1 It is the EPA's opinion that the remnant vegetation on Lot 35 is a significant fauna habitat and effort should be made to conserve a consolidated area of remnant vegetation and appropriately manage the remnant vegetation as part of any future zoning, subdivision and/or development on the site.

21 Special Control Area No. 2 - Kemerton Industrial Zone Buffer

- 21-1 It is the EPA's opinion that Special Control Area No. 2 provides adequate separation between the proposed industry and surrounding land uses to accommodate the impacts of noise and air quality in accordance with the EPA's environmental objectives and criteria for these environmental factors.

22 Special Control Area No. 3 - North Capel

- 22-1 It is the EPA's opinion that SCA No. 3 will provide adequate separation between current and future industrial operations and surrounding land uses to accommodate the impacts of noise and air quality in accordance with the EPA's environmental objectives and criteria for these environmental factors.

23 Public Water Supply Catchment Policy

- 23-1 The EPA supports the Public Water Supply Catchment Policy subject to the land use permissibility table being deleted and inclusion of reference to the WRC guidelines which determine land use permissibility

24 Floodplain Management Policy

- 24-1 The EPA supports the Floodplain Management Policy subject to the environmental values of floodplains being described in further detail consistent with the WRC's Western Australian Draft Floodplain Management Strategy.

25 Strategic Agricultural Resource Policy

25-1 The EPA recommends that the Strategic Agricultural Resource Policy should be modified to include the following statements:

- 1) There is a general presumption against clearing of native vegetation including within the Strategic Agricultural Resource Policy Areas where 30% or less of the Vegetation Complex remains;
- 2) Where native vegetation and/or habitat areas (natural areas) are present it should be assumed that the proposed clearing will be assessed by the EPA in accordance with EPA's Guidance 10 (EPA, 2003); and
- 3) Native vegetation clearance is also proposed to be addressed through the *Environmental Protection Amendment Bill 2002* which is currently before Parliament. This Bill contains new legislation to control clearing of native vegetation in Western Australia, through a coordinated assessment process run by the Department of Environmental Protection. Under the proposed laws most instances of clearing will require a permit.

26 Strategic Minerals and Basic Raw Materials Resource Policy

26-1 The EPA recommends that the Strategic Minerals and Basic Raw Materials Resource Policy should be modified to include the following statements:

- 1) There is a general presumption against clearing of native vegetation including within the Strategic Minerals and Basic Raw Materials Resource Policy Areas where 30% or less of the Vegetation Complex remains;
- 2) Where native vegetation and/or habitat areas (natural areas) are present it should be assumed that the proposal will be assessed by the EPA in accordance with Guidance 10 (EPA, 2003);
- 3) After the resource has been recovered from a Strategic Minerals and Basic Raw Materials Resource Policy Area located within a cleared portion of an Ecological Linkage, the linkage should be restored using previously occurring native species of local provenance; and
- 4) Native vegetation clearance is also proposed to be addressed through the *Environmental Protection Amendment Bill 2002* which is currently before Parliament. This Bill contains new legislation to control clearing of native vegetation in Western Australia, through a coordinated assessment process run by the Department of Environmental Protection. Under the proposed laws most instances of clearing will require a permit.

27 Strategy to conserve regionally significant natural areas on the Swan Coastal Plain

27-1 The EPA recognises the need to update the conservation recommendations on the Swan Coastal Plain portion of the GBRS as a priority. It considers that this work should be undertaken as part of a wider coordinated program to update conservation recommendations across the non-metropolitan portions of the southern Swan Coastal Plain, and the Darling and Whicher Scarps. The review

of conservation recommendations on the country portions of the Swan Coastal Plain is needed to complete an update of the EPA System 6 and System 1 recommendations that was initiated in 1995, but deferred pending completion of recommendations for the metropolitan area through Bush Forever.

The EPA supports the completion of the System 6 and System 1 update on the Swan Coastal Plain and adjacent Scarps as a 'whole of government' program through a similar co-ordinated approach, as used for Bush Forever. It considers that an adaptation of the criteria developed for the Natural Area Strategy would provide an appropriate basis for this review. Consideration of the ecological linkage requirements and mechanisms promoting re-establishment of ecological linkage, including hydrological and wetland function, should be an important component of the program.

28 Alcoa Wagerup

- 28-1 It is the EPA's view that measures be put in place by the Shires of Harvey and Waroona or the WAPC to provided an adequate buffer around the Alcoa refinery as a matter of priority.

29 Environmental Protection Amendment Bill 2002

- 29-1 The *Environmental Protection Amendment Bill 2002* is currently before Parliament. This Bill proposes new legislation to control clearing of native vegetation in Western Australia, through a coordinated assessment process administered by the Department of Environmental Protection. Under the proposed laws most instances of clearing will require a permit. Permit applications will be assessed against criteria designed to assess impacts on:
- representation of ecological communities;
 - biodiversity;
 - rare species and communities;
 - watercourses and wetlands;
 - salinisation of land and water;
 - land degradation;
 - surface and ground water quality, and
 - potential for flooding.