



Chief Executive Officer
Shire of Serpentine-Jarrahdale
6 Paterson Street
MUNDIJONG WA 6123

Our Ref 13-324648
Enquiries Angela Coletti
Phone 6145 0806

Attn: Louise Hughes

Dear Sir/Madam

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

SCHEME AMENDMENT TITLE: Shire of Serpentine-Jarrahdale Town
Planning Scheme 2 Amendment 183 -
Cardup Business Park - Rezoning from
Rural and Special Use to Urban
Development and Development Area DA5

RESPONSIBLE AUTHORITY: Shire of Serpentine-Jarrahdale

DECISION: Scheme Amendment Not Assessed –
Advice Given (no appeals)

Thank you for referring the above scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the following advice and recommendations.

1. Environmental Issues

- Flora and Vegetation
- Inland waters environmental quality
- Hydrological processes
- Terrestrial environmental quality
- Heritage

2. Advice and recommendations regarding Environmental Issues

The EPA previously provided advice in 2012 on Metropolitan Region Scheme Amendment 1215/41 to rezone the Cardup Business Park from the Rural Zone to the Industrial Zone (attached).

The EPA's previous advice (2012) concerning the above environmental issues is still valid.

3. General Advice

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, 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 on the level of assessment of scheme amendments.
- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully



Anthony Sutton
Director
Assessment and Compliance Division

28 October 2013



Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Our Ref A401918
Enquiries Amy Sgherza
Phone 6467 5424

Attn: Mr Anthony Muscara

Dear Sir/Madam

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

SCHEME AMENDMENT TITLE: Metropolitan Region Scheme Amendment
1215/41 - Cardup Industrial Precinct
LOCALITY: Shire of Serpentine-Jarrahdale
RESPONSIBLE AUTHORITY: Western Australian Planning Commission
DECISION: Scheme Amendment Not Assessed –
Advice Given (no appeals)

Thank you for referring the above scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the following advice and recommendations.

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- Remnant vegetation and fauna
- Wetlands
- Management of water quality and quantity
- Contamination
- Acid Sulphate Soils
- Impacts on Sensitive Landuse
- Aboriginal and European heritage

2. Advice and recommendations regarding Environmental Issues

Remnant vegetation and fauna

The Environmental Protection Authority (EPA) acknowledges that the amendment area has been significantly cleared through past land uses, and that the subject land remains in a "Degraded" to "Completely Degraded" condition and that a

Spring Flora and Vegetation Survey and Wetland Assessment discovered no declared Rare Flora or Priority Flora species.

The EPA acknowledges that the following Bush Forever (BF) sites are located within and adjacent to the subject site:

- BF 350, within the railway reserve and adjoining road reserves directly west of the subject land (portion included in the amendment site);
- BF 361, abutting but not included in the amendment site to the south west; and
- BF 354, immediately to the south of Norman Road (not included in the amendment site).

It is understood that Bush Forever (BF) site 361 in the south-west corner of the subject site which is in "Good" to "Degraded" condition and described as the Threatened Ecological Community (TEC) "Floristic Community Type 3b *Corymbia calophylla* and *Eucalyptus marginata* mixed woodland" is a state listed TEC described as "vulnerable".

The EPA supports the Responsible Authority's intention to fully retain BF 350 within the subject land and expects that management and protective measures for all the BF sites will be determined at the detailed local structure planning stage. These protective measures should include but not be limited to:

- Fencing;
- Hard surfaces between the BF site and development such as roads or dual-use paths; and
- Management of declared weeds.

The EPA recommends that the Responsible Authority undertakes a level 1 Fauna survey during the local planning process to determine the presence of significant fauna which may be utilising the subject site. If identified on site, these species are to be protected pursuant to the provisions of the *Wildlife Conservation Act 1950* (WC Act). In addition to the provisions of the WC Act, the subdivision may need to be redesigned in order to protect any identified fauna, to the satisfaction of the Department of Environment and Conservation (DEC).

Wetlands

Cardup Brook and an associated Resource Enhancement Wetland (REW) area are located to the north of the site and Conservation Category Wetland (CCW) is located to the west of the site. The REW and CCW are not located within the amendment area.

The EPA recommends that the Responsible Authority determine appropriate buffers at the detailed local planning stage. It is also recommended that the developer liaise with DEC as well as the Shire of Serpentine-Jarrahdale at this stage to determine whether a Wetland and Foreshore Management Plan will also be required.

Wetland buffers should be determined in accordance with Water and Rivers Position Statement: *Wetlands* (WRC 2001) and the Environmental Protection Authority's Draft Guidance Statement No. 33 *Environmental Guidance for Planning and Development* (EPA 2008). In addition, the information contained within the draft *Guideline for the Determination of Wetland Buffer Requirements*

Accordingly, the EPA recommends that the Responsible Authority conducts further investigations at the detailed Local Structure Planning stage.

The EPA expects that the extent and severity of the risk will be determined in accordance with the Western Australian Planning Commission's *Acid Sulfate Soils Planning Guidelines* (January 2009) and that required investigations and management plans will be prepared and implemented in accordance with the *Identification and Investigation of Acid Sulfate Soils and Acidic Guidelines* (DEC, 2009) and to the satisfaction of the DEC's Contaminated Sites Branch prior to any development or ground disturbing activities commencing.

Impacts on Sensitive Landuse

The EPA notes that the proposed rezoning will result in existing residences having non-conforming use rights. The proposed amendment will allow a number of land uses which are incompatible with residential dwellings. Proposed incompatible industrial land uses will need to be separated from the existing dwellings with an adequate buffer as described in the EPA's Guidance Statement No 3 *Separation Distances between Industrial and Sensitive Land Uses*.

The EPA recommends that generic separation distances are maintained unless adequate site-specific studies have been carried out that demonstrate that a lesser distance will not cause unacceptable impacts. Council should ensure that this Guidance is adequately considered during the implementation of the proposed zoning. A copy of the Guidance Statement can be found on the EPA website (www.epa.wa.gov.au).

Aboriginal and European heritage

It has been noted that a desktop investigation found one registered Aboriginal Heritage site contained in the subject land (Site Identification 16108), being Cardup Brook located to the north of the subject site.

The EPA recommends that the Responsible Authority undertake an ethnographic and archaeological survey as part of the future local planning and expects that future development of the subject land should comply with the requirements of the *Aboriginal Heritage Act 1972*.

3. General Advice

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, 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 on the level of assessment of scheme amendments.

- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A. Sutton', written in a cursive style.

Anthony Sutton
Director
Assessment and Compliance Division

27 June 2011