

Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

Proposal title: Kemerton General Industrial Area

Proposal location: Part Lot 20 & 41, Lot 42 Marriott Road, Wellesley

CMS number: CMS18148

Date referral received: 10-02-2022

Date more information received: N/A

Referrer: Western Australian Land Authority (trading as DevelopmentWA)

Proponent: Western Australian Land Authority (trading as DevelopmentWA)

Potential significant effects:

There are potential impacts on: Flora and Vegetation from the clearing of 27.1 ha of native vegetation (including 10.82 ha of a priority ecological community); Terrestrial Fauna from the clearing of habitat, disturbance (noise and earthworks) and from vehicle strike; Inland Waters from changes to hydrological regimes (including altered drainage routes and surface hydrology) and impacts to water quality from polluted run-off; and Social Surroundings from development within an Aboriginal Heritage Site buffer.

Public comment on referral information:

Do not assess:	4
Assess: a) Referral information	1
b) Environmental review - no public review	1
c) Public environmental review	156
<i>Total submissions:</i>	162

Decision: s. 38G(1) – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act – dealt with under other statutory decision making process.


Explanation of decision:

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment, due to the proposal having been assessed by the Commonwealth of Australia under the *Environment Protection and Biodiversity Conservation Act 1999*.

The EPA is of the view that the potential impacts of the proposal can be adequately managed through the implementation of the proposal in accordance with the referral documentation, and the proponent's management and mitigation measures. The EPA considers that the potential impacts of the proposal can be mitigated by the following statutory decision-making processes:

- *Environment Protection and Biodiversity Conservation Act 1999*, implementation of the EPBC Act 2021/8883 conditions.
- *Planning and Development Act 2005 (WAPC subdivision approval)*

Appeals: This decision is appealable. Appeals close 28-06-2022. Appeals are administered by the Office of the Appeals Convenor.



Prof. Matthew Tonts

CHAIR

Delegate of the Environmental Protection Authority **Date:** 2 June 2022