

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

**Metropolitan Region Scheme (MRS) Amendment 1427 North East Baldivis District  
Structure Plan – Precinct 1 and MRS Amendment 1428 North East Baldivis  
District Structure Plan – Precincts 2 – 4**

**Location:** Land generally bound by bound by the Kwinana Freeway (west), Mundijong Road (south), Millar Road/freight rail (north) and rural land (east), Baldivis, City of Rockingham.

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

**Determination Published:** 15 July 2024

**Summary**

The Western Australian Planning Commission (WAPC) has initiated Amendments 1427 and 1428 to the Metropolitan Region Scheme (MRS) to rezone 629.6 hectares (ha) of land in Baldivis from the 'Rural' zone to the 'Urban Deferred' zone to facilitate future residential development.

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. Having considered this matter, the following advice is provided by the EPA for both scheme amendments 1427 and 1428, to provide cumulative considerations and recommendations.

**Environmental Factors**

Having regard to the EPA's (2021) *Statement of environmental principles, factors, objectives and aims of Environmental Impact Assessment*, the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Inland waters
- Social surroundings
- Flora and vegetation
- Terrestrial fauna

**Advice and Recommendations regarding the Environmental Factors**

The EPA has determined not to assess the scheme amendment on the basis of the following lifting of urban deferment criteria, as set out by the WAPC in the amendment report:

- Approval of the draft District Structure Plan (DSP) by the WAPC.
- Endorsement of a District Water Management Strategy (DWMS) by the Department of Water and Environmental Regulation (DWER).
- Resolution of detailed road planning by Main Roads WA along Mundijong Road to determine regional road reservation requirements.
- Appropriate resolution of sewer and water servicing infrastructure in consultation with the Water Corporation.

Further advice about environmental factors is provided below:

### **Inland Waters**

The amendment land is located within the Peel-Harvey Coastal Plain catchment and the site contains low-lying areas with a shallow depth to groundwater which are subject to inundation in winter. There is the potential for environmental impacts to surface and groundwater to occur if drainage and wastewater disposal are not managed correctly.

The EPA notes flood mapping and land capability assessments advise to set aside multiple use storage areas to manage drainage for rainfall events with a 1 per cent annual exceedance probability. The EPA notes approval of the draft DSP and endorsement of the associated DWMS is required prior to the lifting of Urban Deferment to ensure appropriate water management to minimise potential flooding impacts to future urban development and impacts to surface and groundwater.

### **Social Surroundings**

The EPA notes there are three facilities with the potential to cause odour impacts to sensitive land uses within the assessment area and which may require site specific separation distances. The Draft DSP has applied a standard 1 kilometre buffer around the two livestock holding facilities, however no buffer has been applied for the fish/marron farm. The EAR recommends a generic separation distance of 100 – 300 metres around the fish/marron farm to mitigate potential odour impacts.

The EPA supports the application of generic separation distances around facilities in accordance with the EPA's Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* in the Draft DSP. The EPA also understand that the provision of appropriate buffers around the fish/marron farm and livestock feed lots or termination of such uses is a requirement to lift Urban Deferment. Further assessment (odour and noise) for these facilities may assist in mitigation and management of potential emissions.

The EPA understands that the Water Ski Park operating in the centre of the amendment area may be partially decommissioned to reduce noise emissions. The remaining facility will be subject to noise management measures to continue operating near sensitive land uses.

The EPA notes that future development will be required to demonstrate consistency with the *Environmental Protection (Noise) Regulations 1997*. Additional scheme text at the local planning stage may be required to address noise impacts including:

- Noise sensitive housing design for any directly impacted residence; and
- Notification on lot title for any residence where the predicted noise is above 40 dB L<sub>A10</sub>.

### **Flora and Vegetation, and Terrestrial Fauna**

The amendment area is largely cleared with scattered patches of remnant or planted vegetation. The EPA notes the patches of scattered vegetation and paddock trees provide foraging habitat for species of black cockatoos and foraging on Marri trees within the amendment area was observed.

The EPA advises an unconfirmed roost site is also recorded within the vicinity of Lots 2, 3 and 21. It is recommended the status of the roost be investigated and if confirmed, retained through future planning.

The EPA considered that implementation of the proposed amendment may result in clearing, of vegetation including threatened fauna habitat. The EPA advises of the importance of native

vegetation retention, specifically marri trees and potential roosting sites, and expects these are retained as a priority as part of future planning processes to mitigate impacts to terrestrial environmental values. The EPA also recommends that future planning stages prioritise revegetation in POS areas, surplus cleared areas and landscaped and drainage areas/corridors with locally endemic species that provide foraging for species of black cockatoo. Designs should be informed by current research and guidelines.

### **Conclusion**

The EPA notes the ability of future planning processes to assist in mitigating impacts and concludes the scheme amendment can be managed to meet the EPA's environmental objectives for the above factors through the lifting of Urban Deferment criteria. The EPA recommends its advice is implemented to further mitigate potential impacts to the above factors.