



## Environmental Protection Authority

The Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
**PERTH WA 6001**

Your Ref:  
Our Ref: CMS15209  
Enquiries: Angela.Coletti, 6364 7600  
Email: Angela.Coletti@dwer.wa.gov.au

Dear Sir/Madam

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

**SCHEME:** Metropolitan Region Scheme Amendment 1325-41 – North Bullsbrook Urban Precinct  
**LOCATION:** North Bullsbrook  
**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.

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 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 'A Sutton', with a horizontal line extending to the right.

**Anthony Sutton**  
**Delegate of the Environmental Protection Authority**  
Executive Director  
EPA Services

18 September 2017

Encl. Scheme Advice and Recommendations

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

**Metropolitan Region Scheme Amendment 1325/41 North Bulisbrook Urban Precinct**

**Location:** Bulisbrook

**Determination:** Scheme Not Assessed – Advice Given (no appeals)

**Determination Published:** 18 September 2017

**Summary**

The Western Australian Planning Commission (WAPC) has initiated Metropolitan Region Scheme Amendment 1325/41 to rezone approximately 63.75 hectares (ha) from Rural to the Urban Deferred zone in Bulisbrook.

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, as set out, 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.

**1. Environmental Factors**

Having regard to EPA's *Statement of Environmental Principles, Factors and Objectives*, the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- a) Flora and Vegetation
- b) Terrestrial Fauna

**Advice and Recommendations regarding Environmental Factors**

**Flora and Vegetation and Terrestrial Fauna**

The amendment area contains vegetation ranging from 'Completely Degraded' to 'Very Good' condition. Lots 17 and 18 Ashton Road, Bulisbrook contain remnant vegetation in 'Very Good' condition and may potentially contain a Threatened Ecological Community Swan Coastal Plain (SCP) 3c *Corymbia calophylla – Xanthorrhoea preissii* woodlands and shrublands. SCP 3c is listed as Endangered under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) and Critically Endangered, by the Department of Biodiversity, Conservation and Attractions.

There is potential habitat for threatened species including Black Cockatoos and Chuditch. All species of Black Cockatoos and Chuditch are protected under both the *Wildlife Conservation Act 1950* and under the EPBC Act.

The EPA expects flora and vegetation, and fauna surveys, will be undertaken prior to the local scheme amendment being referred to the EPA. The scheme amendment shall include

provisions to retain, protect and manage consolidated, and where required, linked areas of native vegetation, to protect threatened flora and vegetation, and fauna values.

Given the above, the EPA does not consider a concurrent amendment to the region and local planning schemes under section 126 of the *Planning and Development Act 2005* appropriate. The EPA's decision not to assess the MRS amendment is on the expectation that a separate local scheme amendment will be referred to the EPA for its consideration under section 48A of the EP Act.

EPA's Environmental Protection Bulletin No. 20 *Protection of naturally vegetated areas through planning and development* provides guidance on the protection of naturally vegetated areas.

### **Recommendation**

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through investigation of the environmental values of the area and subsequent preparation of local planning scheme provisions to manage and protect the identified environmental factors of flora and vegetation, and terrestrial fauna as they relate to Black Cockatoos and Chuditch.