

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

Metropolitan Region Scheme Amendment 1321/57

Location: Forrestdale

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

Determination Published: 1 May 2017

Summary

The Western Australian Planning Commission (WAPC) proposes to rezone approximately 65 hectares in Forrestdale from Rural to Urban zone in the Metropolitan Region Scheme (MRS).

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, providing the following advice is implemented.

1. Environmental Factors

The EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- a) Flora and Vegetation;
- b) Terrestrial Fauna;
- c) Inland Waters Environmental Quality; and
- d) Social Surroundings.

2. Advice and Recommendations regarding Environmental Factors

The EPA has based its decision on the scheme amendment documentation provided by the WAPC. The EPA expects that further detailed management plans and scheme provisions to address environmental factors will be addressed prior to the finalisation of any structure plans.

The EPA also notes that a proposal to clear land within the amendment area may require referral to the Commonwealth Department of the Environment and Energy under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Flora and Vegetation and Terrestrial Fauna

The EPA notes that the subject area is largely cleared, containing pockets of remnant vegetation mapped as the Southern River Vegetation Complex, which has only 18.4% of its pre clearing extent remaining. This vegetation is also habitat for Carnaby's Black Cockatoo, which is protected under both the *Wildlife Conservation Act 1950* and the EPBC Act.

The EPA considers that all effort should be made to retain remnant vegetation within the subject area, and that future development will be consistent with the outcomes of the Strategic Assessment of the Perth and Peel regions.

The EPA understands that through a resolution of the WAPC, a concurrent amendment to the region and local planning schemes under section 126 of the *Planning and Development Act 2005* could be undertaken to amend the local scheme maps so that they are consistent with the region scheme. The EPA does not support this approach, as it would not allow for the local scheme text to be amended to insert provisions which would allow for the retention, protection and management of the significant areas of native vegetation, flora and fauna values. 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. The EPA understands that the City of Armadale is not supportive of a 'concurrent' amendment.

Inland Waters Environmental Quality

The subject area also contains the Bailey's Branch Drain which flows through part of the subject area and discharges into the Southern River. Water management planning for the site will need to be consistent with the *Better Urban Water Management* guidelines to the satisfaction of the Department of Water, and ensure water quality does not deteriorate and that the drain has capacity to convey flows from the subject area.

Social Surroundings

The proposed Forrestdale West Business Park is located to the north east of the subject area. Future development will need to consider EPA Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* regarding land use conflicts between the proposed urban and industrial development areas.

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through the preparation of future local planning scheme provisions and structure plans to manage and protect the identified environmental factors of Flora and Vegetation and Terrestrial Fauna; particularly as they relate to Carnaby's Black Cockatoo.

The EPA recommends that the future City of Armadale local scheme amendment incorporate specific mechanisms and provisions to adequately protect the environmental values within the amendment area. The EPA recommends that the Department of Planning liaise with the City of Armadale to develop appropriate mechanisms which can be included in the local scheme and that the future structure plan for the area is consistent with work undertaken for the Strategic Assessment of the Perth and Peel Region.