



2017-150001422248

Environmental Protection Authority

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

Your Ref:
Our Ref: CMS16275
Enquiries: Billie-J Hughes, 6364 7600
Email: Billie-J.Hughes@dwer.wa.gov.au

Dear Sir/Madam

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

SCHEME: Metropolitan Region Scheme – Amendment
1324/41 Bullsbrook Central Urban Precinct

LOCATION: Various properties bounded by Great Northern
Highway and a mix of Urban, Urban Deferred and
Rural zoned land

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 'R. Harvey'.

Robert Harvey
DEPUTY CHAIRMAN

Delegate of the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 40 published 7 March 2017

17 July 2017

Encl. Scheme Advice and Recommendations

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

Metropolitan Region Scheme Amendment 1324/41 Bullsbrook Central Urban Precinct

Location: Approximately 5 properties bounded by Great Northern Highway and a mix of Urban, Urban Deferred and Rural zoned land

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

Determination Published: 17 July 2017

Summary

The Western Australian Planning Commission (WAPC) has resolved to proceed with Metropolitan Region Scheme Amendment 1324/41 Bullsbrook Central Urban Precinct. The purpose of the scheme amendment is to transfer approximately 153.17 hectares of Rural zoned land to Urban Deferred.

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. 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;
- c) Hydrological Processes;
- d) Inland Water Environmental Quality;
- e) Social Surroundings; and
- f) Human Health

Advice and Recommendations regarding Environmental Factors

The EPA has based its decision on the documentation provided by the WAPC.

a. Flora and Vegetation, Terrestrial fauna

The remnant native vegetation within the amendment area is mapped as Guildford Complex, which only has 5.3% of its original extent remaining. The occurrence of Guildford Complex is mostly associated with the Ki-it Monger Brook. The vegetation ranges in condition from Degraded to Completely Degraded with the better quality along the Ki-it Monger Brook, the associated Conservation Category Wetland (CCW) and in Lot 1314.

The vegetation along the Ki-it Monger Brook and in the southern portion of Lot 1314 is also potential Carnaby's Black Cockatoo habitat. All species of Black Cockatoos are protected

under both the *Wildlife Conservation Act 1950* and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Any proposed development may require referral to the Commonwealth Department of the Environment and Energy under the EPBC Act due to impacts to Black Cockatoo habitat.

The EPA supports the retention of the remnant vegetation associated with the Ki-it Monger Brook as proposed in the scheme amendment documentation and concept planning. The EPA would also support the conservation of remnant vegetation mapped as Guildford Complex, which are specific commitments for retention under the Strategic Assessment of the Perth and Peel regions. The EPA notes the vegetated area within Lot 1314, proposed for active Public Open Space is Guildford Complex, and recommends this vegetation is prioritised for retention in the structure planning process.

b. Hydrological Processes and Inland Water Environmental Quality

Two wetland areas are associated with the Ki-it Monger Brook, with one identified as a Conservation Category Wetland (CCW). Other minor drainage lines also traverse the area.

The EPA considers CCWs to be of high conservation value that require a high level of protection. EPA Guidance Statement No. 33 *Environmental Guidance for Planning and Development* (GS 33) states that CCWs are wetlands which support a high level of attributes and functions, with the EPA urging that all CCWs and appropriate buffers are fully protected. The retention and management of the Ki-it Monger Brook, other drainage lines and the CCW with a buffer is recommended and supported. GS 33 recommends a 50 metre buffer for CCWs from the geomorphic wetland boundary to ensure wetland values are protected. Alternatively a site specific buffer requirement may be determined.

It is noted a District Water Management Strategy has been approved by the Department of Water. The Ki-it Monger Brook flows to Ellen Brook and therefore management and maintenance of water quality and quantity is an important component of the future development of the site.

c. Social Surroundings and Human Health

An Aboriginal heritage site, mythological site 3583, is registered over the scheme amendment area. The EPA recommends consultation with the Traditional Owner group and investigations into the extent of the mythological site be undertaken prior to structure planning.

An operational Class 1 inert landfill is located in the eastern portion of the Amendment area. The separation distance between the landfill and proposed amendment area is approximately 500 metres (m). The generic separation distance recommended for inert landfills in the EPA's *Guidance for the Assessment of Environmental Factors No. 3: Separation Distances between Industrial and Sensitive Land Uses* (EPA 2005) is 150m.

The EPA supports the requirement for the land to not be transferred to the Urban zone until operations have ceased and the proposed rehabilitation of the landfill site once closed.

Recommendation

The EPA concludes that the scheme amendment can be managed to meet the EPA's environmental objectives through the requirements to lift Urban Deferment, preparation of

future local planning scheme provisions and/or structure planning to further and identify, manage and protect the above environmental values.

The EPA does not consider it appropriate for a concurrent amendment to the region and local planning schemes under section 126 of the *Planning and Development Act 2005* to be undertaken.

