



Environmental Protection Authority

Chief Executive Officer
City of Gosnells
PO Box 662
GOSNELLS WA 6990

Your Ref:
Our Ref: CMS17137
Enquiries: Gerard O'Brien, 6145 0800
Email: gerard.obrien@epa.wa.gov.au

Dear Sir/Madam

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

SCHEME: City of Gosnells - Town Planning Scheme 6 - Amendment 174
LOCATION: Various Lots Bickley Brook Maddington
RESPONSIBLE AUTHORITY: City of Gosnells
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 be 'P. Seares', with a long horizontal flourish extending to the right.

Patrick Seares
Director
Strategic Policy and Planning Division

Delegate of the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 33 published 17 December 2013

3 July 2017

Encl. Scheme Advice and Recommendations

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

City of Gosnells Town Planning Scheme No. 6 Amendment 174

Location: Maddington (Bickley Brook)

Determination: Scheme Not Assessed – Advice Given (Not Appealable)

Determination Published: 3 June 2017

Summary

The City of Gosnells proposes to remove 7004m² from the Bickley Brook Local Open Space (LOS) Reserve to General Industry and Composite Residential/Light Industry Zone, and to add 6734m² to the LOS Reserve from the Composite Residential/Light Industry Zone.

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) Inland Waters and Environmental Quality; and
- b) Hydrological Processes

2. Advice and Recommendations regarding Environmental Factors

The EPA has based its decision on the scheme amendment documentation provided by the City of Gosnells.

Inland Water and Environmental Quality and Hydrological Processes

The EPA supports that the amendment seeks to rationalise the foreshore buffer along Bickley Brook in Maddington by making adjustments to the Bickley Brook Local Open Space (LOS) Reserve boundary. The EPA notes that the inconsistent width of the existing LOS boundary compromises its ability to provide an adequate separation distance between the brook and adjacent industrial land.

The EPA further notes that amendment scheme map changes have been undertaken in accordance with the 2013 *Bickley Brook Biophysical Assessment* (BBBA) which has been reviewed by the Departments of Water and Parks and Wildlife. The EPA supports the recommendations of the BBBA regarding the foreshore buffer implementation and ongoing waterway and foreshore management.

The EPA acknowledges that the proposed foreshore to Bickley Brook is less than the minimum nominal 50 metre buffer to Conservation Category Wetlands (CCWs) as outlined in the EPA Guidance Statement No. 33 *Environmental Guidance for Planning and Development*. However the EPA recognises in this instance that the buffer is based on a site specific study and will serve to better protect Bickley Brook from the impacts of surrounding industrial development.

The EPA also acknowledges that the environmental and social values associated with Bickley Brook have been compromised through historical unauthorised development in the LOS reserve. The EPA supports ongoing endeavours by the City of Gosnells, including monitoring, to ensure similar unauthorised impacts on inland waters environmental quality does not occur elsewhere in the City.

Recommendation

The EPA recommends that a foreshore management plan for the new LOS reserve for Bickley Brook be prepared at the future stages of planning in consultation with the Department of Parks and Wildlife, to address the recommendations of the BBBA and ongoing monitoring of the health of the wetland system. The Department of Parks and Wildlife is the lead agency for wetland management associated with wetlands such as Bickley Brook.