

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

Metropolitan Region Scheme Amendment 1381/57

Location: Lots 9001, 9020 and 9035 Lyon Rd Wandi

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

Determination Published: 21 May 2021

Summary

The amendment proposes to transfer approximately 5.07 ha from the Rural-Water Protection zone to the Urban 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 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 scheme amendment documentation provided by the Western Australian Planning Commission (WAPC). Having considered this matter, the following advice is provided.

Environmental Factors

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

- Inland Waters;
- Flora and Vegetation; and
- Terrestrial Fauna.

Advice and Recommendations regarding Environmental Factors

Inland Waters

The amendment area is located within *Jandakot Underground Pollution Control Area* and is classified as a Priority 2 Public Drinking Water Source Area (PDWSA), which is incompatible with urban development. Upon finalisation of the rezoning the Department of Water and Environmental Regulation (DWER) would amend the corresponding footprint of the Priority 2 PDWSA to Priority 3, which would allow for urban land uses with restrictions applied, to provide a greater level of protection to the drinking water source than a conventional urban development scenario.

Future development should be consistent with *State Planning Policy 2.3: Jandakot Groundwater Protection*, and *Water Quality Protection Note 25 - Land use compatibility tables for public drinking water source areas* (DWER, 2016). Further consultation with DWER, and water quality risk mitigation measures, will be required at the later stages of the planning process.

The amendment area is also within the area covered by *Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992* (Policy). Water management planning for the site should maintain or improve groundwater and surface quality, and pre-development hydrology to ensure water quality objectives for the Policy area are achieved.

Water management planning for the site should also consider management of potential impact of future development on the nearby downstream conservation category wetlands (CCWs), and should maintain or improve groundwater and surface quality, and pre-development hydrology.

Flora and Vegetation; Terrestrial Fauna

The amendment area contains approximately 0.7 hectares (ha) of vegetation in very good to excellent condition mapped as *Banksia* low woodland to open forest and potential foraging habitat for threatened species of black cockatoo.

The vegetation is considered to be representative of *Banksia Woodlands of the Swan Coastal Plain* listed as a Priority Ecological Community by the Minister for Environment and a Threatened Ecological Community under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPA notes the amendment area is part of a broader area with EPBC approval subject to conditions (reference number 2010/5476) for urban development.

The EPA supports the WAPC's resolution to advise the City of Kwinana and the proponent that in the subsequent local structure planning stage, consideration should be given to retaining the existing remnant vegetation.

Recommendation

The EPA concludes that the implementation of the amendment can be managed to meet the EPA's environmental objectives for the above factors through existing planning controls. The EPA recommends its advice is implemented to mitigate potential impacts to Inland Waters, Flora and Vegetation, and Terrestrial Fauna.