

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

Shire of Murray Local Planning Scheme 4 Amendment 311

Location: Lot 221 Lakes Road and part of Lot 400 Paterson Road Nambeelup

Determination: Scheme Not Assessed – Advice Given (not appealable)

Determination Published: 3 March 2020

Summary

Amendment 311 to the Shire of Murray Local Planning Scheme 4 proposes to rezone Lot 221 Lakes Road and part of Lot 400 Paterson Road, Nambeelup (the site) from Rural to Industrial. The site is part of the Nambeelup Industrial Area District Structure Plan (NIADSP) (2016), endorsed by the Western Australian Planning Commission.

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. The EPA has based its decision on the documentation provided by the Shire of Murray. Having considered this matter the following advice is provided.

Environmental Factors

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

- Inland Waters
- Flora and Vegetation
- Terrestrial Fauna.

Advice and Recommendations regarding Environmental Factors

Inland Waters

The amendment area contains a Conservation Category Wetland (CCW), Resource Enhancement Wetlands (REW), and a portion of Nambeelup Brook which runs through the southern section of the site. The retention of the CCW, REWs and the portion of Nambeelup Brook on the site, with appropriate buffers is supported.

The amendment area is within the Environmental Protection Peel Inlet-Harvey Estuary Policy 1992 (Policy) area.

Development of the site for industrial land use has the potential to impact groundwater and surface water quality and pre-development hydrology, including through nutrient run off. This impact can be managed through buffers to Nambeelup Brook and the ecological linkages (including wetland and vegetation retention areas) and implementation of water management planning for the site, as required by structure planning. Water management planning should maintain or improve groundwater and surface quality, and pre-development hydrology to ensure water quality objectives for the Policy area are achieved.

Flora and Vegetation and Terrestrial Fauna

The site contains mapped areas of Banksia Dominated Woodlands of the Swan Coastal Plain, listed as a Threatened Ecological Community (TEC) under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The vegetation is also potential habitat for threatened species of black cockatoo, listed under both the *Biodiversity Conservation Act 2016* and the EPBC Act.

The implementation of ecological linkages through the site and retention of buffers to Nambeelup Brook as depicted in the NIADSP is supported. The ecological linkages and buffers should protect, retain and enhance the environmental values.

Consideration should be given to retention of fauna habitat across the proposed development area, including retention of cockatoo habitat trees, through the future stages of planning.

Conclusion

The EPA concludes that the scheme amendment can be managed to meet the EPA's environmental objectives through existing planning controls within the scheme. The EPA supports the requirements of the NIADSP regarding:

- development and implementation of environmental and water management strategies
- retention, protection and management of ecological linkages
- retention, protection and management of wetlands and Nambeelup Brook, including buffer requirements.