

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

Our Ref: CMS 17858
Enquiries: Renee Blandin, 6364 6499
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Dear Ms Fagan

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

SCHEME	Greater Bunbury Region Scheme 0060/41 Waterloo Industrial Expansion Area
LOCATION	Various lots within the Shire of Dardanup
RESPONSIBLE AUTHORITY	Western Australian Planning Commission
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. Advice Given. (Not Appealable)

Thank you for referring the above 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. I have also attached a copy of the Chairman's determination of the scheme.

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 the Chairman's determination, 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 'A. Sutton', with a horizontal line extending to the right.

Anthony Sutton
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

3 August 2020

Encl. Chairman's Determination
Scheme Advice and Recommendations

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

Greater Bunbury Region Scheme 0060/41 Waterloo Industrial Expansion Area

Location: Various lots within Shire of Dardanup

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

Determination Published: 3 August 2020

Summary

The Western Australian Planning Commission (WAPC) proposes to rezone 1350 hectares of land in the Shire of Dardanup from 'Rural' to 'Industrial' in the Greater Bunbury Region Scheme (GBRS) to facilitate the development of the proposed 'Waterloo Industrial Expansion Area'.

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 has based its decision on the documentation provided by the WAPC. Having considered this matter the following advice is provided.

1. Environmental Factors

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

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters
- Social Surroundings

2. Advice and Recommendations regarding Environmental Factors

The EPA considers this GBRS amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. However there are a number of environmental issues which require resolution prior to the initiation and referral of future local planning amendments to the EPA. For this reason, a concurrent rezoning of both the region and local schemes should not be undertaken. The following advice is provided in this context:

Flora and Vegetation and Terrestrial Fauna

The EPA notes the amendment area is mostly cleared, but contains some flora, vegetation and terrestrial fauna environmental values.

The amendment area contains native vegetation which is the Threatened Ecological Community (TEC) Banksia Woodlands of the Swan Coastal Plain, habitat for threatened species of black cockatoo, and vegetation of the Guildford complex, which has only 5.87% of its pre-european extent remaining. Given these values:

- Remaining vegetation should be a priority for retention through the future stages of planning, specifically vegetation and fauna habitat within and along road reserves such as Wireless, Bell and Martin Pelusey Roads.

- Development should be located within existing cleared land, or within areas of existing degraded vegetation, where that vegetation is not significant habitat for threatened fauna.
- An updated study including survey for specific locations of suitable breeding trees is recommended prior to development of the local planning scheme amendment.
- The implementation of ecological linkages through the site through the future stages of planning is recommended. Ecological linkages and buffers should protect, retain and enhance the environmental values.

The retention of the TEC 'Herb rich shrublands in claypans' and '*Corymbia calophylla* – *Xanthorrhoea preissii* woodlands and scrublands of the Swan Coastal Plain' on Lot 310 Wireless Road for conservation purposes is also strongly supported.

Inland Waters

The amendment area is part of the Leschenault Estuary Catchment. The Ferguson River runs adjacent to the southern boundary.

Development of the site for industrial land use has the potential to impact groundwater and surface water quality and pre-development hydrology. Impacts can be managed through buffers to waterways 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, with particular regard to be given to the water quality objectives within the *Leschenault Estuary water quality improvement plan* (Department of Water 2012). Maintenance of pre-development hydrology should be considered at various scales as part of future water management planning in consultation with the Department of Water and Environmental Regulation (DWER) South West Region. Consideration should also be given to potential impacts of hydrological changes on TECs. Requirements for buffer distance, riparian vegetation retention and establishment, fencing, floodway setbacks, and stormwater management should be referred to DWER and DBCA where appropriate, as part of the future planning process.

Social Surroundings

Land use activity within the proposed 'Industrial' zone may impact surrounding sensitive land uses (including the proposed Wanju urban development to the north of the amendment area). The EPA's Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* should be considered to advise decision making on the potential impacts to surrounding land uses and separation distances. Further investigation into the separation distances should be undertaken at the local scheme amendment and structure planning phases.

Conclusion

The EPA concludes the scheme amendment can be managed to meet the EPA's environmental objectives through existing planning controls at the region scheme level of planning. The EPA further recommends future Shire of Dardanup local planning scheme amendments should contain specific scheme provisions, informed by surveys, to demonstrate how impacts to these values will be avoided and/or managed. Future significant proposals may also require referred to the EPA pursuant to Part IV of the EP Act.