

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

Our Ref: CMS18009
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Dear Ms Fagan

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

SCHEME	Greater Bunbury Region Scheme Amendment 0064/57
LOCATION	Lot 562 and portion of Lot 560 Paris Road, Australind.
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 Chair'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 Chair'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 from the end.

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

21 June 2021

Encl. Chair's Determination
Scheme Advice and Recommendations

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

Greater Bunbury Region Scheme 0064/57 – Kingston Drive Extension

Location: Lot 562 and portion of Lot 560 Paris Road, Australind

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

Determination Published: 22 June 2021

Summary

The Western Australian Planning Commission (WAPC) proposes to rezone Lot 562 and portion of Lot 560 Paris Road, Australind from Regional Open Space to Urban to facilitate the completion of Kingston Drive between Paris Road and Ditchingham Place, Australind.

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.

The proposed amendment area is part of an area zoned for Regional Open Space following the EPA's assessment of the Greater Bunbury Region Scheme (GBRS) and the issuing of Ministerial Statement (MS) 697. MS 697 required that Lot 560 (Reserve 35061) Paris Road be reserved for conservation purposes. The recommendation in relation to Reserve R35061 was fulfilled with the property being reserved for Regional Open Space purposes under the GBRS.

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:

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

Advice and Recommendations regarding Environmental Factors

Flora and Vegetation; Terrestrial Fauna

The portion of Lot 560 (0.59 hectares) contains vegetation representing *Eucalyptus marginata* Open Woodland (10 - 30m) over *Banksia ilicifolia* Low Woodland and *Eucalyptus marginata* Low Woodland to Woodland over *Banksia ilicifolia*, *Acacia longifolia* Low Open Forest and may be representative of the Banksia Woodlands of the Swan Coastal Plain Threatened

Ecological Community. Vegetation condition is considered Good to Completely Degraded. A population of the Priority 4 listed species *Acacia semitrullata* was identified.

The vegetation is utilised as habitat by the western ringtail possum (WRP) and species of black cockatoo (BC). A fauna assessment (Greg Harewood, 2018) identified two WRP dreys, and sightings of WRP. Evidence of black cockatoo foraging and 4 habitat trees, 3 with small hollows, unlikely to be suitable for BC, were also recorded. According to Harewood, the adjacent 42 hectares (ha) Wardandi Flora Reserve contains suitable habitat for WRP and BC.

The EPA notes the Shire of Harvey has submitted to the Department of Water and Environment Regulation a clearing application for 2.1 ha for the construction of Kingston Road, which includes the amendment area.

The EPA considers the amendment area is small and has been defined to only zone the land required for construction of Kingston Drive. The amendment area is located on the boundary of Reserve R35061 and therefore will not result in fragmentation of Reserve R35061. The EPA advises that in addition to the clearing permit application, that normal clearing protocols for fauna be implemented.

Inland Waters

The amendment area is part of an extensive Palusplain wetland identified as Multiple Use. Any changes to the hydrological regime are likely to be minor and localised. Water management should be considered during detailed planning to ensure potential impacts to the adjacent Reserve are minimised pre and post road construction.

Recommendation

The EPA concludes that implementation of the amendment can be managed to meet the EPA's environmental objectives for the above factors through standard planning requirements and other statutory processes including the clearing of native vegetation in accordance with a permit under Part V Division 2 (Clearing) of the EP Act. The EPA recommends its advice is implemented to mitigate potential impacts to Flora and Vegetation, Terrestrial Fauna and Inland Waters.