

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

Our Ref: CMS 18104
Enquiries: Amy Cowdell, 6364 6499
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Dear Ms Fagan

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

SCHEME	Metropolitan Regional Scheme Amendment 1391/57
LOCATION	Portion of Lots 900 and 901 Lage Road and portion of Lot 201 Great Northern Highway, Bullsbrook
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 blue ink, appearing to read 'Shaun Meredith', is positioned above the typed name and title.

Dr Shaun Meredith
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

20 December 2021

Encl. Chair's Determination
Scheme Advice and Recommendations

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

Metropolitan Regional Scheme 1391/57

Location: Portion of Lots 900 and 901 Lage Road and portion of Lot 201 Great Northern Highway, Bullsbrook

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

Determination Published: 20 December 2021

Summary

The Western Australian Planning Commission (WAPC) proposes to transfer approximately 18.1 hectares of land in Bullsbrook from the Rural zone to the Urban Deferred 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. The EPA has based its decision on the documentation provided by the WAPC. Having considered this matter the following advice is provided.

Environmental Factors

Having regard to 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
- Social Surroundings
- Inland Waters

Advice and Recommendations regarding Environmental Factors

Flora and Vegetation; Terrestrial Fauna

The proposed amendment area has historically been used for agricultural purposes, with only scattered poorly represented remnant vegetation remaining providing potential habitat for threatened species of black cockatoo. The EPA supports the retention of remnant vegetation within the amendment area through the future stages of planning, particularly black cockatoo foraging species. An assessment of potential habitat trees and water sources for species of black cockatoo should be undertaken prior to structure planning.

Social Surroundings

An Aboriginal heritage site, mythological site 3525, is registered over the scheme amendment area. The EPA notes the proposed amendment outlines that the amendment will be referred to South West Aboriginal Land and Sea Council during the formal advertising period. The EPA also recommends consultation with the Traditional Owner group and investigations into the extent of the mythological site be undertaken prior to structure planning.

The southern position of the proposed amendment boundary is located within a 500 metre separation distance from an existing clay quarry located on Lot 202 Great Northern Highway. The EPA supports that extraction of this clay resource will be completed prior to any land within the separation area being transferred to the Urban zone. Future development of the site should continue to consider the EPA's Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* to manage potential impacts to surrounding land uses prior to progressing urban development.

Inland Waters

The amendment area is located within the proclaimed Swan Groundwater Area and Swan River Systems Surface Water Area.

The EPA notes and supports that a draft District Water Management Strategy has been submitted with the Department of Water and Environmental Regulation for its review and endorsement.

Conclusion

The EPA concludes that implementation of Metropolitan Region Scheme Amendment 1391/57 can be managed to meet the EPA's environmental objectives for the above factors through standard planning requirements and statutory processes. The EPA supports the preparation of future local planning scheme provisions and structure planning to manage and protect the environmental values. The EPA recommends its advice is implemented to mitigate potential impacts to Flora and Vegetation, Terrestrial Fauna and Social Surroundings.