

Ms Joanne Abbiss
Chief Executive Officer
City of Armadale
7 Orchard Avenue
ARMADALE WA 6112

Our Ref: CMS 18105
Enquiries: Liz Stewart, 6364 6468
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Dear Ms Abbiss

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

SCHEME	City of Armadale Town Planning Scheme 4 Amendment 116
LOCATION	South Forrestdale Industrial Area- Stage 2, Forrestdale
RESPONSIBLE AUTHORITY	City of Armadale
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', with a stylized flourish at the end.

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

20 April 2022

Encl. Chair's Determination
Scheme Advice and Recommendations

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

City of Armadale Town Planning Scheme 4 Amendment 116

Location: South Forrestdale Business Park Stage 2

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

Determination Published: 26 April 2022

Summary

The City of Armadale Town Planning Scheme 4 Amendment 116 proposes to rezone part of Lot 10 and part of Lot 12 (863) Rowley Road, Lot 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road, Forrestdale, from Rural Living zone to Industrial Development zone to allow for Stage 2 of the South Forrestdale Industrial Area (SFIA) structure planning to occur. Additional scheme text provisions are provided which sets out future structure planning requirements for the site.

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 City of Armadale. Having considered this matter, the following advice is provided.

Environmental Factors

Having regard to the EPA's *Statement of environmental principles, factors, objectives and aims of EIA*, 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

The site is predominantly cleared and has been historically grazed. The site does contain a small stand of Marri trees which could provide foraging habitat for black Cockatoos and one potential breeding and habitat tree. The site is also located adjacent to Bush Forever (BF) Site 345 which contains Forrestdale Lake, a Conservation Category Wetland (CCW) and Ramsar Wetland, and two additional CCW areas; and is within the *Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992* (Peel-Harvey EPP) area.

The EPA notes and supports that the scheme text requires future structure planning/subdivision for Stage 2 of the SFIA to include:

- the preparation of a detailed environmental assessment report which will identify any mature native trees for retention as well as any measures required to be implemented to retain and protect them.
- the provision of wetland buffers, development of Buffer Management Plan in consultation with Department of Biodiversity, Conservation and Attractions, and the preparation of a Local Water Management Strategy to the satisfaction of Department

of Water and Environmental Regulation, which will make provision for the protection of the adjacent BF and CCW.

- the land identified for buffer areas to be ceded free of cost as reserves for Public Open Space and drainage buffer.

The EPA recommends that any road construction and associated drainage should occur within the proposed Industrial zoned land, and not within the buffer area.

The EPA also recommends that due consideration is given to the Peel-Harvey EPP and the *Bindjareb-Djilba (Peel-Harvey Estuary Protection Plan)* management actions.

Conclusion

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 scheme controls and the proposed amendment text. The EPA recommends its advice is implemented to mitigate potential impacts to Flora and Vegetation, Terrestrial Fauna, and Inland Waters