

Mr Michael Parker
Chief Executive Officer
City of Rockingham
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ROCKINGHAM DC WA 6967

Our Ref: APP-0000245
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Dear Mr Parker

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

SCHEME	City of Rockingham Town Planning Scheme 2 Amendment 192
LOCATION	Lot 15 St Albans Road Baldivis
RESPONSIBLE AUTHORITY	City of Rockingham
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.

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 EPA's determination is attached and, together with the 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 'M. Tonts', with a long horizontal flourish extending to the right.

Prof. Matthew Tonts
Chair of the Environmental Protection Authority

28 February 2023

Encl. EPA Determination
Scheme advice and recommendations

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

City of Rockingham Town Planning Scheme 2 Amendment 192

Location: Lot 15 (442) St Albans Road, Baldivis

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

Determination Published: 7 March 2023

Summary

Amendment 192 proposes to rezone Lot 15 from ‘Rural’ to ‘Special Rural’ to provide for the future subdivision and development. The amendment also proposes to include the lot in the plan reference tables at Schedule 4 - Special Rural Zones of the scheme text and amend the scheme maps accordingly.

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 original referral documentation. 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 the Environmental Factors

Flora and vegetation; Terrestrial fauna

The site is predominantly cleared except for a number of trees including *Eucalyptus gomphocephala* (Tuart) which may provide habitat to the conservation significant Carnaby’s black cockatoo. The EPA supports the proposed retention of the Tuart trees identified as significant trees and recommends the retention of other existing Tuart trees and native vegetation where possible. The EPA notes the scheme amendment report indicates that a Landscape Management Plan (LMP) will be required to be prepared and implemented as a condition of subdivision. The LMP should provide for the re-instatement and management of locally endemic species and assist in the ecological connectivity with surrounding areas.

Inland waters

The site is within the *Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992* (Peel-Harvey EPP) area. The EPA recommends that due consideration is given to the Peel-Harvey EPP and the *Bindjareb-Djilba (Peel-Harvey Estuary Protection Plan)* management actions.

The EPA notes wastewater associated with the potential future subdivision is proposed to be managed through on-site effluent disposal. It is also noted the preliminary Soil and Site

Evaluation (SSE) emphasises that a more detailed SSE is required, suitable for determining the suitability of various domestic wastewater disposal options, during the wettest part of the year (July-August), consistent with AS/NZS 1547:2000. The site is classified as a Sensitive Sewerage area under the *Government Sewerage Policy (GSP) 2019*. Development should be consistent with the GSP which requires secondary treatment with nutrient removal in sewerage sensitive areas. It is recommended advice is sought from Department of Health and Department of Water and Environmental Regulation on the adequacy of the detailed SSE.

Conclusion

The EPA concludes the scheme amendment can be managed to meet the EPA's environmental objectives for the above factors through existing scheme provisions. The EPA notes that the implementation of future planning requirements and other statutory processes can also mitigate impacts. The EPA recommends its advice is implemented to further mitigate potential impacts to the above factors.