

Mr K Morrison
Auro Pty Ltd
PO Box 660
CLAREMONT WA 6910

Our Ref 13-243047
Enquiries Angela Coletti
Phone 6145 0806

Dear Mr Morrison

NOTICE UNDER SECTION 39A(3)
Environmental Protection Act 1986

PROPOSAL: Residential subdivision
LOCATION: Lot 701 on Diagram 55142 Mayor Road, Munster
LOCALITY: City of Cockburn
PROPONENT: Auro Pty Ltd
DECISION: Not Assessed – Public Advice Given

The Environmental Protection Authority (EPA) understands that you wish to undertake the above proposal which has been referred to the Authority for consideration of its potential environmental impact.

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). Nevertheless, the staff of the Office of the EPA has provided the attached advice to you as the proponent, and other relevant authorities on the environmental aspects of the proposal.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 19 August 2013. Information on the appeals process is available through the Office of the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190.

Yours sincerely



Anthony Sutton
Director
Assessment and Compliance Division

5 August 2013

Encl

**PUBLIC ADVICE UNDER SECTION 39A(7)
Environmental Protection Act 1986**

PROPOSED SUBDIVISION – LOT 701 MAYOR ROAD, MUNSTER

SUMMARY

The Environmental Protection Authority (EPA) has received a referral from Auro Pty Ltd for the development of Lot 701 Mayor Road, Munster (the proposal).

Although the proposal raises environmental issues, the EPA considers that the proposal is not likely to have a significant impact on the environment and does not warrant formal environmental impact assessment and the subsequent setting of formal conditions by the Minister for Environment under the *Environmental Protection Act 1986* (EP Act). The EPA considers that any potential environmental impacts of the proposal can be adequately managed by government departments through relevant legislation and planning processes.

PROPOSAL AND POTENTIAL ENVIRONMENTAL IMPACTS

The referral received by the EPA is to develop Lot 701 for residential use. The land is zoned 'Urban' under the Metropolitan Region Scheme and 'Residential' (with a residential density coding of R30) under the City of Cockburn Town Planning Scheme No.3.

Lot 701 totals approximately 1.71 hectares, of which Auro Pty Ltd proposes to develop approximately 1 hectare. The subdivision application proposes 16 residential dwellings and a proposed Public Open Space (POS).

Approximately two thirds of the Lot 701, including 4,180m² of the proposed development area, is within an *Environmental Protection (Swan Coastal Plain Lakes) Policy 1992* (Lakes EPP) boundary. Lot 701 is also within a part of Beeliar Regional Park known as Market Garden Swamp.

The EPA considers that the main environmental issues associated with the proposal include the potential impact on the Resource Enhancement Wetland (Market Garden Swamp (UFI 15167)) due to potential changes to groundwater and surface water quality from wastewater, stormwater and fertiliser use.

EPA CONSIDERATION AND ADVICE

The subject site includes a wetland which is currently mapped as a Resource Enhancement Wetland (REW) by the Department of Parks and Wildlife (DPaW) (formally the Department of Environment and Conservation (DEC)) Wetlands Section.

The proponent has submitted a Wetland Assessment and Buffer Definition Study which proposes: a 30 m buffer to the REW; rehabilitation to minimise future impacts on the wetland in terms of hydrology, water quality and physical disturbance; drainage management to be contained in the development area; and removal of the *Juncus acutus*.

Advice received from the Wetlands Section of the Department of Parks and Wildlife recommends that the Western Australian Planning Commission impose a condition for the preparation and implementation of a Wetland Rehabilitation Strategy for the wetland and associated buffer within Lot 701, to the satisfaction of the City of Cockburn (on advice from the Wetlands Section). The EPA supports this recommendation from the Wetlands Section.

The *Beeliar Regional Park Management Plan 2006* indicates that Market Garden Swamp, No. 3 in the City of Cockburn, has been identified as requiring formal protection. The *Beeliar Regional Park Management Plan 2006* also indicates that the wetlands be ceded to the Crown and managed by local government to ensure its protection.

The EPA notes environmental issues such as contamination, acid sulphate soils, weed control, fire management, midge/mosquito control and boundary interface between proposed development and the Beeliar Regional Park needs to be resolved prior to development.

It is recommended that the final subdivision plan and management plans, addressing the above environmental issues, be prepared in consultation with the Department of Parks and Wildlife, the Department of Water and other relevant agencies. Development must be designed to ensure there are minimal impacts from aspects such as drainage, changes in groundwater levels and human activity. No development should be located within the wetland and associated buffer.

The EPA considers that the proposal is not likely to have a significant impact on the environment and can be managed and/or regulated by other government departments including but not limited to:

- Department of Water;
- Department of Parks and Wildlife;
- Department of Health; and
- City of Cockburn.

The EPA recommends the proponent work closely in consultation with the relevant decision making authorities prior to the implementation of the proposal. The EPA expects the relevant decision-making authorities to consider and implement this advice through approvals processes.