

Environmental Protection Authority

Environmental Protection Act 1986

Section 38G(7)

PUBLIC ADVICE

Proposal: Tredrea Workers Accommodation Village

Proponent: CATALANO GREEN ENERGY PTY LTD

Decision

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment.

Background

On 19 October 2023, the Catalano Green Energy Pty Ltd referred the proposal for Tredrea Worker Accommodation Village to the Environmental Protection Authority (EPA) under s. 38 of the *Environmental Protection Act 1986* (EP Act). The proposal is to construct 101 portable single person workers accommodation units on Lot 28 Tredrea Place, Myalup, within the Shire of Harvey.

The proposal includes groundwater abstraction, treatment and storage, onsite PVC solar and battery storage for electricity generation and an effluent treatment plant and dispersal system. The referral documentation outlines that clearing of native vegetation within the Development Envelope (DE) is not proposed, though pruning may be required for bushfire requirements.

The worker accommodation village is proposed to be a temporary development, with accommodation units being removed from the DE and the land returned to agricultural use when the accommodation use ends (Development Application Report, Allering & Associates June 2023).

The proposal was advertised for public comment and the EPA notes that seven public comments were received. Two respondents sought EPA to assess the proposal with no public review, three assess with public review and two respondents did not indicate a Level of Assessment. The submissions raised concerns of impact to flora, vegetation, fauna, and regarding impact to surface water and groundwater values from onsite wastewater disposal. The submissions also discussed the social amenity of the proposed development.

Relevant statutory and administrative provisions

- *Environmental Protection Act 1986*
- *Environmental Impact Assessment (Part IV Divisions 1 and 2) Administrative Procedures 2021*
- *Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual.*

Materials considered in making this decision

The EPA has considered and had regard to: the referral information, which is available on the EPA's consultation hub; any comments received during the 7-day comment period; information conducted through its own inquiries; and any further information requested from the proponent and government agencies. The EPA also took into account other statutory decision-making authority (DMA) processes that can mitigate the potential impacts of the proposal on the environment.

Consideration

In making its decision on whether to assess the proposal, the EPA had regard to various matters, including the environmental principles, environmental factors and objectives and considerations of significance as outlined in the EPA's *Statement of environmental principles, factors, objectives and aims of EIA*.

In considering the potential direct, indirect, cumulative and holistic impacts of the proposal on the listed preliminary environmental factors, the EPA has had particular regard to:

- the high environmental values within the DE but the relatively small scale of potential indirect impacts
- the application of the mitigation hierarchy proposed by the proponent to avoid, minimise and rehabilitate impacts, through
 - the implementation of the proposal does not require clearing of native vegetation
 - the revised location of the proposed accommodation units to minimise pruning of native vegetation
 - the modular form of the accommodation units, which will minimise on site construction time and disturbance.
 - the temporary nature of the development
- other statutory decision-making processes that can mitigate the potential impacts of the proposal on the environment.

Given the above considerations, although the proposal raises environmental issues, the EPA considers that its objectives for Flora and vegetation, Terrestrial fauna, Inland waters and Social surroundings can be met and a formal assessment is not warranted. The potential impacts can be adequately managed through the implementation of the proposal in accordance with the referral documentation and implementation of the EPA's advice.

1. Advice and recommendations regarding environmental issues

While the potential impacts from this proposal are not significant enough to warrant assessment by the EPA, it is expected that the proponent will manage any impacts from construction and operations consistent with the referral documentation. In addition, implementation of the EPA advice can further reduce potential impacts.

This EPA decision and public advice that this proposal does not warrant formal assessment by the EPA under Part IV of the EP Act does not replace any responsibilities the proponent may have for seeking approvals from other government agencies to implement the proposal.

a) Flora and vegetation and Terrestrial fauna

The DE contains vegetation that is representative of the Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain ecological community, a state listed Priority Ecological Community (PEC). Land within the DE has historically been used for grazing, resulting in little understory remaining in the area where accommodation units are proposed to be located (Environmental Report to support Section 38(1) Referral Bowman & Partners October 2023).

The vegetation within the DE is also potential habitat for the state listed Critically Endangered Western Ringtail Possum, threatened species of black cockatoo and species of native bats.

The EPA notes that no clearing of vegetation is proposed within the DE and that some pruning may be required to meet bushfire management requirements.

The accommodations units are proposed to be constructed offsite and are to be mounted on small footings to minimise impacts. The proposal involves placing the accommodation units around the existing trees and maintaining tuart crown tree drip zone within the development envelope. The revised bushfire management plan (Allerding & Associates December 2023) provides details of where accommodation units will be placed to avoid having to remove native vegetation within the DE. The EPA supports the revised location of accommodation units and notes this alteration has reduced the potential impact of the proposal on flora, vegetation and terrestrial fauna.

The Land Capability Assessment for Onsite Wastewater Dispersal at Tredrea Village, WA (LCA) (Arris 2023) discusses interplanting existing native vegetation on the site with acacia to enhance nutrient assimilation. The EPA recommends this should be discussed with Department of Biodiversity Conservation and Attractions (DBCA) and Department of Climate Change, Energy, the Environment and Water (DCCEEW) as part of the future planning processes to avoid impact to existing ecological communities. The LCA also proposes the use of non-invasive bamboo species to uptake nutrients and regular harvesting of the bamboo to minimise impacts.

The Department of Primary Industries and Regional Development should be consulted as part of the future planning processes to verify the characteristics of the bamboo species variety are suitable for the intended nutrient uptake and are non-invasive.

The EPA provides the following recommendations to be considered by relevant DMAs as part of the future planning processes and development of the site, including in the consideration of the development of application:

- No clearing of vegetation (consistent with the proposal), including no clearing to facilitate construction, for provision of infrastructure or for bushfire management.
- Construction environment management plan to be prepared for the site, including that no clearing is to be undertaken to facilitate construction or provision of infrastructure and for a fauna spotter to be present during construction.
- Fauna management plan including considerations for signage within the DE alerting the presence of native fauna and for lighting within the DE to consider the National Pollution Guidelines for Wildlife (DCCEEW 2023).
- The position of buildings and access is recommended to be defined by geospatial/survey definition to ensure they are situated outside crown drip zones as proposed in the bushfire management plan (Allerding & Associates December 2023).
- DE recommended to be returned to pre-development conditions or better at completion of project.

The proponent is reminded of their obligation to refer to the Commonwealth any potential impact to matters of national environmental significance under the *Environment Protection and Biodiversity Conservation Act 1999*.

Given the retention of areas containing flora and vegetation and terrestrial fauna values, the temporary nature of the proposal and the intent to decommission all infrastructure on the site at the completion of the operations phase, the EPA considers that the proposal as implemented consistent with the referral information can meet the EPA objectives for Flora and vegetation and Terrestrial fauna and that the likely environmental effects of the proposal are not so significant as to warrant formal assessment.

b) Inland Waters

Conservation category wetland UFI 1211 and Multiple use wetland UFI 1214 are located adjacent to the western extent of the DE. The native vegetation within and surrounding the DE is sensitive to hydrological changes.

The proposal includes for the construction and operation of an effluent treatment plant and dispersal. The EPA notes and supports that the onsite wastewater treatment system is proposed to be located on the eastern boundary of the DE, to maximise the separation distance to the wetlands.

The EPA understands that no irrigation of native vegetation is proposed as part of the effluent treatment and dispersal, though fugitive water may be captured by native vegetation. Impacts to surrounding wetlands and vegetation can be managed by the water treatment technology proposed in the referral. The effluent treatment plant and dispersal will be approved and regulated by the Department of Health and Shire of Harvey.

The EPA provides the following recommendations to be considered by relevant DMAs as part of the future planning process and development of the site, including in the consideration of the development of application:

- On site effluent disposal should be consistent the Government Sewage Policy 2019.
- Consult Department of Water and Environmental Regulation (DWER) regarding requirements for water management planning.
- It is recommended that an onsite piezometer is installed and groundwater data collected to inform separation distances of the effluent treatment system to groundwater, to the satisfaction of DWER.
- The proposal as referred includes reference to the decommissioning of the wastewater treatment plant using conventional methods at completion of the operations phase. A decommissioning plan is recommended to be prepared in consultation with relevant DMAs.

The proposal includes for the operation of a groundwater abstraction, treatment and storage facility. The groundwater is required to be managed through a licence held under the *Rights in Water and Irrigation Act 1914* (RIWI). The proponent will need to apply to DWER for any licences associated with groundwater abstraction within the DE. If water for the proposal is to be sourced from an existing groundwater licence, under the RIWI the licence will need to be amended. The proponent is advised to contact DWER water licencing staff for further information.

Water supply should be managed according to the guidance in Water Quality Protection Note 41 'Private drinking water supplies, April 2015', subject to the preparation and implementation of a formal 'Potable Water Management Plan', to the satisfaction of the Shire of Harvey.

Given the proposed management for effluent treatment and the requirement for the proponent to obtain appropriate licences from DWER under the RIWI Act prior to implementing the proposal. The EPA considers that the proposal as implemented consistent with the referral information can meet the EPA objectives for Inland waters and that the likely environmental effects of the proposal are not so significant as to warrant formal assessment.

c) Social surroundings

Various extraction sites are located in the immediate surrounding area of the DE. There is the potential for impact to people residing within the workers accommodation as a result of the proposal being within close proximity to operations that may impact social amenity through noise and dust emissions.

The EPA notes that it is proposed that workers will only occupy the accommodation from 6pm to 6am when the extraction sites (outside of the DE) are not operating, to reduce risk of exposure to peak operating times of surrounding extraction activities. In addition, vegetation surrounding the proposed accommodation units may reduce noise and dust impacts.

Given the proposed mitigation measures to reduce impacts of noise and dust on social amenity, the EPA considers that the proposal as implemented consistent with the referral information can meet the EPA objectives for Social surroundings and that the likely environmental effects of the proposal are not so significant as to warrant formal assessment.