



Chief Executive Officer
City of Rockingham
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ROCKINGHAM DC WA 6967

Your Ref LUP/1724
Our Ref 13-330161
Enquiries Gary Williams
Phone 6145 0821

ATTENTION: Mr P Ricci

Dear Sir/Madam

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

SCHEME AMENDMENT TITLE: City of Rockingham Town Planning Scheme 2
Amendment 136 - Keralup 'Special Control Area'
RESPONSIBLE AUTHORITY: City of Rockingham
DECISION: Scheme Amendment Not Assessed – Advice
Given (no appeals)

Thank you for your letter of 10 October 2013 referring the above proposed scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act). Amendment 136 is to establish a Special Control Area and introduce objectives for future structure planning in Keralup. The amendment will not directly cause or allow environmental impacts. However, the EPA provides the following environmental advice in relation the proposed amendment.

The EPA provided advice to the Minister for Environment on the environmental issues associated with the proposed development of Keralup in a report titled *Keralup (formerly Amarillo) Masterplan, Karnup* (Report 1281, March 2008). The report also outlines the scope of work required to support the proposed rezoning of Keralup.

In its advice the EPA identified a number of environmental issues raised by the *Keralup Masterplan* (Report 1281), including: surface and groundwater; wetlands; remnant vegetation; soil and groundwater contamination including potential for acid sulphate soils; significant fauna; noise; odour; and mosquitoes.

The EPA emphasised in Report 1281 that there are significant issues concerning the management of water quality and drainage within East Keralup and the potential

impact on water quality in the Peel Harvey catchment that would be caused by drainage from East Keralup. The EPA advised that to ensure that the water quality targets set out in the *Water Quality Improvement Plan for the rivers and estuary of the Peel-Harvey System* (EPA and Australian Government, 2008) are not exceeded there should be no net export of nutrients from Keralup.

If Amendment 136 proceeds it would prudent to include objectives reflecting the matters raised in the EPA's section 16 advice concerning the East Keralup development. This would aid the implementation of the EPA's advice during strategic planning for the area.

Since publication of the EPA's s16(e) advice in 2008, extraction of sand for landfill has been raised by the EPA as a significant environmental issue in the Metropolitan region. It is estimated that 25,000,000m³ of fill would be required to develop East Keralup using contemporary subdivision design and house building techniques. If the Amendment 136 proceeds it would assist future environmental planning to include objectives into Town Planning Scheme No. 2 aimed at reducing the quantity of fill required to develop East Keralup.

Amendments to the Perth and Peel region schemes to zone Keralup for urban purposes have not been referred to the EPA for assessment. The EPA's decision in relation to Amendment 136 should not be seen to pre-empt any decision that the EPA may make on the environmental acceptability of future amendments to zone Keralup for urban purposes.

General Advice

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, 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 on the level of assessment of scheme amendments.
- A copy of this advice will be sent to the relevant authorities and will be available to the public on request.

Yours faithfully



Anthony Sutton
Director
Assessment and Compliance Division

4 November 2013