

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

Shire of Harvey Local Planning Scheme 2 (LPS2) Amendment 2

Location: Stage 1 of the Treendale Structure Plan Policy Area 3B, Roelands

Determination: Not Assessed – Advice Given (not appealable)

Determination Published: 21 August 2025

Summary

The scheme amendment proposes to transfer land from 'Priority Agriculture', 'Rural' and 'Local Road' to 'Rural Residential' and 'Public Open Space (POS)' to enable subdivision of the land. The permitted Lot sizes within the 'Rural Residential' zone are 1 to 4 ha. The amendment relates to Stage 1 of the [Treendale Structure Plan Policy Area 3B](#) that was approved by the Western Australian Planning Commission (WAPC) on 6 April 2023, prior to the initiation of this amendment.

The amendment proposes the following:

- Rezoning portions of Lots 155, 157, 3315, 246, 314, 509, 156, 2 and 3 Treendale Road, Roelands from 'Priority Agriculture' and 'Rural' to 'Rural Residential'.
- Reserve portions of Lots 155, 157, 3315, 246 and 314 Treendale Road, Roelands as 'Public Open Space' (POS).
- Transfer the 'Local Road' reserve that traverses Lot 3315 to 'Rural Residential'.
- Amend the reservation of a portion of Lot 155 from 'Local Road' to 'Public Open Space'.
- 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, based on the information provided, 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 (including a Structure Plan), additional information provided by the Shire (including revised amendment areas) and advice from the Department of Water and Environmental Regulation (DWER) South West Planning Advice Branch. After careful consideration, the following advice is provided to support alignment of the amendment with the EPA's environmental objectives.

Environmental Factors

Having regard to the EPA's (2021) *Statement of Environmental Principles, Factors, Objectives and Aims of Environmental Impact Assessment*, the EPA has identified the following preliminary environmental factors relevant to this scheme:

- Inland waters
- Flora and vegetation
- Terrestrial fauna
- Social surroundings.

Advice and Recommendations regarding the Environmental Factors

Based on the information provided to the EPA, the amendment area supports the following environmental values:

- Collie River and its associated floodplain
- Conservation Category Wetland (CCW) and Resource Enhancement Wetland (REW)

- A Department of Biodiversity Conservation and Attractions (DBCA) Priority 4 (P4) species *Eucalyptus rudis* subsp. *cratyantha*
- potential habitat for all three threatened black cockatoo species (threatened under the *Biodiversity Conservation Act 2016* [BC Act])
- a registered Aboriginal Heritage site.

Inland waters

Special Control Area and Development Exclusion Zone

A Special Control Area – Flood Prone Area (SCA1) associated with the Collie River exists within the amendment area, which is in line with the DWER's mapped 1% annual exceedance probability (AEP) flood extent area. The Structure Plan map/concept plan and proposed Scheme map do not depict the SCA1. The EPA notes that the Shire confirmed that the SCA1 will apply despite not being shown on the referred scheme amendment maps.

A seasonal creekline in the south-western portion of the amendment area and the 1% AEP flood extent area within the eastern portion of the amendment area are proposed to be rezoned to 'Rural Residential' and are subject to a Development Exclusion Area and SCA1 requirements within LPS 2 scheme text. Within the eastern portion of the amendment area, a 'wedge' of Marri Woodland is proposed to be retained as foreshore reserve, it is noted that this is not proposed to be reserved as POS via the scheme amendment.

Structure Plan and associated Management Plans

The EPA notes that several management plans support the existing endorsed Structure Plan. The EPA expects and recommends:

- any revisions of the Structure Plan and future subdivision plan to depict SCA1 and Development Exclusion Areas as agreed to by DWER to ensure flood extent areas are appropriately identified, protected and managed through the planning process.
- if Development Exclusion Areas are deemed appropriate by DWER, future subdivision layouts must ensure that lot sizes and configurations are sufficient to accommodate building envelopes outside of the Development Exclusion Areas.
- the Foreshore Management Plan (FMP) and Wetland Management Plan (WMP) be prepared:
 - in line with *Operational policy 4.3: Identifying and establishing waterways foreshore areas* (September 2012)
 - to include a biophysical assessment and assess the suitability of the 1% AEP area
 - to include appropriate buffers to the CCW and REW, in the absence of site specific wetland buffer assessment a generic 50m buffer should apply
- environmental management plans (FMP and WMP) and Local Water Management Strategy (LWMS) to be endorsed by DWER prior to finalisation of the scheme amendment to ensure that environmental risks of proposed 'Rural Residential' zoning over the eastern 1% AEP flood extent areas and the creekline are mitigated and managed. The EPA notes that the FMP and WMP may also require endorsed by the DBCA.

Waste water management

The amendment area is identified as a 'Water Resource Area' under the *Government Sewerage Policy* (2019) and is unlikely to be connected to reticulated sewerage, and therefore will require onsite effluent disposal. Key contributing factors include the reliance on on-site effluent disposal, proposed development within the 1% AEP flood extent, high groundwater levels, and clay-rich soils. The EPA expects:

- the future rural residential development will be designed and developed in accordance with the *Government Sewerage Policy* (2019).

- the Soil Site Evaluation to be endorsed by DWER prior to gazettal of the scheme.
- future subdivision layouts must ensure that lot sizes and configurations are sufficient to accommodate on-site effluent disposal areas to have 100 m setback from the outer edge of riparian vegetation associated with the Collie River, in line with the *Government Sewerage Policy (2019)*.

Flora and vegetation and Terrestrial fauna

Significant trees and future surveys

The *Eucalyptus rudis* subsp. *Cratyantha (P4)* has been recorded within the amendment area. Based on the Structure Plan current recorded trees are proposed to be retained within the POS/foreshore area. However, the EPA notes that referral documentation indicated that there is a high likelihood of more occurrences of the species in the amendment area.

The EPA also notes that there are potential black cockatoo breeding trees across the amendment area, and to date, a black cockatoo habitat tree assessment (>500 mm diameter at breast higher) has not been completed.

To inform future subdivision design, the EPA expects:

- a significant tree survey (for the Priority 4 species) to be undertaken and that known occurrences are retained (where practical) within POS, road reserves, outside building envelopes etc
- a targeted black cockatoo habitat tree survey is completed to inform further tree retention particularly known nesting trees and/or suitable nesting trees¹ for black cockatoos.

The EPA notes that consideration of the Shires Local Planning Policy can potentially provide additional tree retention within streetscapes, Policy 5.2.6- Urban and Rural Tree Management.

Restoration Opportunities

The EPA notes that the existing WMP supporting the Structure Plan shows limited proposed revegetation areas and no proposed revegetation of the CCW and REW. While the EPA acknowledges that the wetlands (and their buffers) and riverbanks are recorded to be in a degraded condition, there are opportunities for these areas to be restored through future management plans associated with subdivision approvals.

Social surroundings

A Registered Aboriginal Heritage Site 'Collie River Waugal' (ID ACH-00016713) directly borders the southern and western sections of the amendment area and encroaches the parts of the southern section of the amendment area. This Registered Aboriginal Cultural Heritage Site that intersects the amendment area aligns with the Collie River and falls within areas proposed to be reserved as POS. The EPA expects implementation of the scheme amendment to comply with the requirements of the *Aboriginal Heritage Act 1972*.

Conclusion

The EPA concludes the scheme amendment can be managed to meet the EPA's environmental objectives for the above factors through environmental management plans endorsed by the DWER prior to the gazettal of the scheme amendment. The EPA advises that future planning processes can also assist in mitigating potential impacts to and restoration of environmental values. The EPA recommends its advice is implemented to enhance the protection of environmental values, and further mitigate potential impacts to the above factors.

¹ For definitions refer to DAWE 2022, Referral guideline for 3 WA threatened black cockatoo species: Carnaby's Cockatoo, Baudin's Cockatoo and the Forest Red-tailed Black- cockatoo, Department of Agriculture, Water and the Environment, Canberra, February