

Ms Sam Fagan
Secretary
Western Australian Planning Commission
140 William Street
PERTH WA 6000

Our Ref: APP-0000462, REC-0000376
Enquiries: Maddison Howard, 6364 6424
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Dear Ms Fagan

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

SCHEME	Metropolitan Region Scheme Amendment 1408/57
LOCATION	Forrestdale Townsite East
RESPONSIBLE AUTHORITY	Western Australian Planning Commission
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 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 and advice and recommendations is attached and will be made available to the public via the EPA website.

Yours sincerely



Prof. Matthew Tonts
Chair of the Environmental Protection Authority

30 November 2023

Encl. EPA Determination
Scheme advice and recommendations

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

Metropolitan Region Scheme Amendment 1408/57

Location: Forrestdale Townsite East

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

Determination Published: 4 December 2023

Summary

The amendment proposes to rezone approximately 56 hectares (ha) of land generally bound by Armadale Road, Hanlin Road and Broome Street, Forrestdale from the 'Rural' zone, to the 'Urban' and 'Urban Deferred' zones and 'Parks and Recreation' and 'Primary Regional Roads' reservations.

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 provided to this amendment, and additional information provided by the Western Australian Planning Commission (WAPC) and obtained through the EPA's own investigations. Having considered this matter, the following advice is provided.

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 amendment:

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters
- Social Surroundings

Advice and Recommendations regarding the Environmental Factors

Flora and Vegetation, Terrestrial Fauna

The amendment area consists largely of planted, scattered *Eucalyptus camaldulensis* trees (river red gums) on mostly cleared lands which have historically been the subject of rural land uses and low-density housing development. A patch of Banksia woodland of the Swan Coastal Plain ecological community (state-listed priority 3; threatened under the *Environment Protection and Biodiversity Conservation Act 1999*) extends into the southern portion of the amendment area. The patch represents an approximately 0.9 ha portion of the larger occurrence of Banksia woodland of the Swan Coastal Plain ecological community to the south of the amendment area.

The amendment area also contains occurrences of a priority 3 flora species (*Jacksonia gracillima*), and foraging habitat and potential roosting habitat for threatened species of black cockatoo. Twelve potential habitat trees within the amendment area contain hollows, some of which may be considered suitable for black cockatoo breeding.

With regard to the above, the EPA considers that implementation of the proposed amendment may result in the clearing of native vegetation, including a portion of state priority ecological community and threatened fauna habitat, to provide for future residential development.

To mitigate impacts to terrestrial environmental values, the EPA notes that approximately 4.5 ha of the amendment area is proposed for transfer to the 'Parks and Recreation' reserve, which will provide for the retention of:

- Potential black cockatoo habitat, including three trees with hollows considered suitable for black cockatoo breeding.
- 10 of the 11 recorded occurrences of *Jacksonia gracillima* priority 3 flora species within the amendment area.
- Wetland vegetation providing contiguity and connection with existing neighbouring reserves and Bush Forever site.

The EPA supports the proposed additions to the 'Parks and Recreation' reservation, and recommends that potential impacts to threatened and priority fauna and ecological communities may be further mitigated through:

- Prioritising designation of 'public open space' (or equivalent) areas over remnant native vegetation, threatened fauna habitat, and occurrences of ecological communities at future planning stages, including through future amendment/s to City of Armadale Local Planning Scheme 4 (LPS 4).
- Where possible, integrating the retention of mature river red gum trees as part of future development planning.
- Undertaking revegetation works in 'public open space' and 'Parks and Recreation' reserve areas, using locally endemic species and vegetation that provides habitat for threatened fauna.
- Excluding future drainage/stormwater management infrastructure from areas of remnant (consolidated) native vegetation.

The EPA also advises that some small patches of remnant native vegetation within the amendment area are demonstrative of the Southern River vegetation complex. Based on current known extents, only 18.4% of the Southern River complex extent remains on the Swan Coastal Plain. As such, retention of vegetation representative of the complex should be prioritised as part of future planning stages and development.

Inland Waters

The amendment area is located approximately 240 metres (m) northeast of the Forrestdale Lake, a Conservation category wetland (CCW) (UFI: 7479) and Ramsar-listed wetland. The referred District Water Management Strategy (DWMS) states that groundwater flows within the amendment area are north to north-easterly, away from Forrestdale Lake. Similarly, surface water flows away from Forrestdale Lake to Baileys Branch Drain, and discharges to the Forrestdale Main Drain (FMD). The northwestern portion of the amendment area also contains a mapped CCW (UFI: 13140).

Whilst implementation of the scheme amendment has the potential to result in the degradation of a CCW (UFI: 13140) and modification of the local hydrological regime, the EPA notes that the proposed transfer of the entirety of the mapped extent of the CCW (UFI: 13140) to 'Parks and Recreation' reservation will assist in mitigating potential impacts. The EPA also notes that the DWMS has been reviewed and endorsed by the Department of Water and Environmental Regulation, and that a subsequent Local Water Management Strategy and Urban Water Management Plan will be prepared at future planning stages.

The EPA also provides the following advice for consideration at future planning stages to further mitigate potential impacts to the CCW:

- Undertake a wetland assessment to confirm the nature of the wetland values and the adequacy of the proposed wetland buffer.
- Consider measures to protect the wetland buffer through designation as 'public open space' (or equivalent).
- Prepare wetland management plan including detail on revegetation within the wetland buffer, and to guide future management and ongoing protection of the wetland.

Social Surroundings

At its nearest point, the proposed amendment area is located approximately 200 metres (m) west of a Water Corporation facility at 66 Waterworks Road, Haynes. This site has historically been utilised for various iterations of wastewater treatment and sewer pump stations. The EPA understands that the Water Corporation may be investigating new water treatment and recycling options for the site. In considering historic proposals for similar land uses at this site, the EPA notes that future development of a recycling water treatment plant may result in odorous emissions to nearby sensitive receptors. Potential impacts may be exacerbated by the intensification of urban development within the proposed MRS amendment area.

The EPA notes that the City of Armadale's LPS 4 already requires a 500 m 'Sewerage Septage Treatment Plant Buffer' around the site through provisions for Special Control Area 1 and that the buffer requirement is a legacy provision associated with the operation of historic land uses at the site, that have since been decommissioned. Notwithstanding, noting the uncertainties around the potential future use of this site (and associated development requirements), the proposed MRS amendment has provided for 'Urban Deferred' zoning over the 8.9 ha portion of land that intersects both the 500 m buffer and the proposed amendment area boundaries.

Accordingly, the EPA supports the retention of the generic buffer and the proposed transitional zoning as precautionary measures to assist in mitigating potential future land use conflicts. The EPA understands that lifting the transitional zoning would be subject to further consideration of the buffer area and compatibility of future land uses.

Concurrent Amendment

The EPA notes the referral documentation and additional information provided states that a concurrent amendment to the City of Armadale LPS 4 will not be requested from the WAPC as part of the proposed MRS amendment. The EPA supports this approach, noting that opportunities to further mitigate and manage impacts to abovementioned environmental values may become available through a future LPS 4 amendment process. Including, for example, through the modification of scheme text and/or identification of POS areas.

Conclusion

The EPA concludes the scheme amendment can be managed to meet the EPA environmental objectives for the above factors through existing and proposed scheme controls. The EPA also notes that further impacts may be mitigated through future planning requirements, including through amendments to the local planning scheme text, development of local structure plan/s, and other statutory processes. The EPA recommends its advice is implemented to further mitigate potential impacts to the above factors.