



Your Ref ER01 2013 0001
Our Ref ROCKI
Enquiries 9482 7459

Kim Taylor
General Manager
Office of the Environmental Protection Authority
Locked Bag 10,
EAST PERTH WA 6892

Dear Mr Taylor,

Rockingham Industry Zone Derived Proposal Application for the Subdivision of Lot 500 Patterson Road, East Rockingham

Please find enclosed an application under Section 38 of the *Environmental Protection Act, 1986* (EP Act) for the declaration of a derived proposal for a proposed subdivision within the Rockingham Industry Zone (RIZ) (Attachment 1 - Proponent EPA Referral Form). LandCorp has lodged a subdivision application with the Department of Planning seeking approval to subdivide Lot 500 near Paterson Road and Alumina Drive. The lots range in size between 2 and 4 hectares (Attachment 2 - Subdivision Plan).

The subdivision has been assessed previously by the Environmental Protection Authority (EPA) in the Strategic Environmental Assessment (SEA) of the RIZ with a small area being included in the SEA Area under a Section 45C application to the EPA. Further explanation of the SEA is provided below.

1 Background

Adopted in April 1988, Improvement Plan 14 (IP14) was created in order to advance the planning, development and use of land for industrial purposes within the RIZ. Subsequently, the IP14 Structure Plan was adopted by the then Ministry for Planning in 1996. The existing IP14 Structure Plan (1996) was refined in 2012 to reflect recent determinations by the WAPC and EPA. The Structure Plan sets out the intended land uses and key road networks within the site. Its framework informs how future industrial lots may potentially be configured as part of future subdivision applications to the WAPC, whilst still being flexible enough to respond to the market needs of the private sector.

The proposal for the development of a portion of the RIZ was assessed by the EPA as a Strategic Environmental Assessment (SEA). The SEA for the RIZ only included those portions of the RIZ with significant environmental features. The SEA was approved by the Minister for the Environment in 2011. Schedule 1 of the Ministerial Statement 863 outlines the main characteristics of a derived proposal which includes subdivision.

The areas originally not part of the SEA Area were omitted from the referral area as they were seen to have no environmentally significant values and could be

developed in a faster timeframe if they were not part of the SEA. The proposed subdivision included areas that had been assessed as part of the SEA and areas that had not. A Section 45c application pursuant to the EP Act was submitted in September 2013 to extend the boundary of the SEA Area to include the entire proposed subdivision. The Section 45c application was approved by the EPA on 4 October 2013.

2 Proposed Subdivision

The proposed subdivision creates seven lots for development and associated road reserves and easements. The plan states that seven of the lots to be created will likely be completely cleared of native vegetation for the construction of industry. There are three additional lots within the subdivision that contain Threatened Ecological Community (TEC) Floristic Community Type (FCT) 19 and will potentially be created as three Conservation Lots. The remaining Balance Lot is expected to be subdivided/ amalgamated to create a Super Lot Subdivision in December 2013.

As per Section 5 of the EPA Report:

The actual industrial developments to be built on the land are not part of the assessment, so environmental factors related to industrial processes (for example air quality, noise, solid and liquid wastes) have been deferred. Future industrial projects within the development area are not within the scope of 'derived proposals' and would require separate referral to the EPA if they are likely to have significant environmental impacts.

Therefore this Derived Proposal Application is for a Subdivision including seven lots to be developed, with roads and easements and the associated installation of services and earthworks to service, and 3 lots to retain TEC.

3 Supporting Documentation

As required by the description of a derived proposal in Schedule 1 of Ministerial Statement 863, the subdivision needs to be in accordance with the Water Management Strategy (WMS) (Condition 6-1 of Ministerial Statement 863) and include a Construction Environmental Management Plan (CEMP) and an Environmental Management Plan (EMP).

Water Management Strategy

This report has been prepared in accordance with the Ministerial Statement, and the proposed subdivision has been prepared in accordance with the Water Management Strategy.

Construction Environmental Management Plan (Attachment 3)

According to Schedule 1 on Ministerial Statement 863, the CEMP is to outline the following management practices during construction:

- *Retain, where practical, vegetation within the developed area;*
- *Include a fauna trapping and relocation program to be implemented in consultation with the DEC;*
- *Salvage potential breeding habitat for avifauna during clearing for integration into the Conservation Area; and*

- *Establish vegetation in road reserves using appropriate local native species to provide linkages between areas of remnant vegetation.*

The CEMP addresses the management of construction activities within the road reserves of the Proposed Subdivision. The issues addressed are

- Clearing of vegetation;
- Earthworks;
- Installation of services:
 - Electricity;
 - Water;
 - Sewerage;
 - Gas; and
 - Telecommunications;
- Construction of roads; and
- Construction of stormwater drainage infrastructure.

The subdivision will be constructed in accordance with the management practices contained in the CEMP.

Environmental Management Plan (Attachment 4)

Schedule 1 of Ministerial Statement 863 also requires the preparation of:

An Environmental Management Plan (overall or site specific) to guide future development of industry within the site to:

- *Retain, where practical, vegetation within the developed area, especially the threatened ecological community Sedgelands in Holocene dune swales of the Southern Swan Coastal Plain;*
- *Include a fauna trapping and relocation program to be implemented in consultation with the DEC; and*
- *Salvage potential breeding habitat for avifauna during clearing for integration into the Conservation Area.*

The EMP has been prepared to manage vegetation and fauna during the clearing and earth-working of lots and guide future industries to be located on the lots in the management of vegetation both retained in the lots and interfaces between vegetated areas outside of lots and industrial development.

The subdivision will be constructed in accordance with the management practices contained in the EMP.

4 Consultation

The enclosed documents were prepared in consultation with the Department of Environment and Conservation (DEC) and the City of Rockingham (CoR). The prepared EMP, CEMP and WMS were provided to DEC and CoR in July 2012. The CoR commented that from it's point of view the plans covered all the necessary information and areas of impact (Attachment 5 – Comments from CoR). At present the Department of Parks and Wildlife has not provided comment on the reports and has liaised with the OEPA in determining it's ability to provide comment under the

wording of the derived proposal in Schedule 1. LandCorp understands the DPaW will not be providing formal comment on the management plans.

5 Conclusion

We request that the EPA declare the proposed subdivision within the RIZ a derived proposal.

If you require any further information please do not hesitate to contact me.

Yours sincerely


Sharon Clark
Manager Environmental Services

5 November 2013

Attachments

- Attachment 1: Proponent EPA Referral Form
- Attachment 2: Proposed Subdivision
- Attachment 3: RIZ – CEMP
- Attachment 4: RIZ – EMP
- Attachment 5: Comments from CoR