



Government of **Western Australia**
Department of **Parks and Wildlife**
Regional Services Division

Chief Executive Officer
Shire of Capel
PO Box 369
CAPEL WA 6271

ATTENTION: Matt Slocomb

LOT 125 EDWARDS ROAD STIRLING ESTATE

Office of the Environmental Protection Authority	
File:	Your ref: PA27/2015-EDWA 125
	Our ref: PRS38423 2015/000231
	Enquiries: Tracy Teede
	Phone: 08 9725 4300
	Fax: 08 9725 4351
	Email: swlanduseplanning@dpaw.wa.gov.au
07 OCT 2015	
A:	<input type="checkbox"/> For Information
fa:	<input type="checkbox"/> For Discussion
Officer:	<input type="checkbox"/> For Action
<input type="checkbox"/> Dir. AC	Response plan
<input type="checkbox"/> Dir. Bus. Ops	<input type="checkbox"/> GM. Signature
<input type="checkbox"/> Dir. SPPD	<input type="checkbox"/> Dir for GM (copy to GM)
<input type="checkbox"/> Dir. Strat. Sup.	<input type="checkbox"/> Dir Signature (copy to GM)
	<input type="checkbox"/> Mgr Direct (copy to GM)

COPY

I refer to your letter dated 15 September 2015 forwarding a development application for the above location for the Department of Parks and Wildlife's (Parks and Wildlife) consideration and comment.

The following comments are provided on the proposal.

Biodiversity Values

Lot 125 is within a wetland area registered under the *Environmental Protection (Swan Coastal Plain Lakes) Policy 1992* (EPP). Wetlands identified under the EPP policy are protected from land uses that will impact on their environmental values. The EPP policy prohibits the filling, excavation and mining; discharging or disposal of effluent; alterations to water levels or drainage of additional water into or out of these wetlands.

Lot 125 also contains areas mapped as Multiple Use wetlands (MU) which are hydrologically linked to the surrounding the EPP wetlands. A map showing the boundaries of the EPP and MU wetland areas is attached.

The Environmental Protection Authority's Guidance Statement No 33 *Environmental Guidance for Planning and Development* (May 2008) (EPA GS 33) requires a minimum buffer of 50 metres to be provided between wetlands and proposed developments. Protection from activities that could result in impacts on groundwater quality, water levels, and increased sedimentation, nutrient loads or pollution require a buffer of greater than 50 metres.

Parks and Wildlife datasets indicate that the subject site is within an area gazetted as an Environmentally Sensitive Area (ESA). The ESA is associated with the EPP wetland area. A map showing the boundary of the ESA is attached.

Comments

EPA GS 33 Attachment A4-1 indicates that development proposed within EPP wetland areas should be referred to the EPA if the proposal will result in direct impacts such as filling, excavating or draining into or out of the water body.

Given the EPP wetland is mapped over the whole lot, and the proposed development is highly likely to include filling, excavation and drainage, Parks and Wildlife recommends that this application be referred to the EPA for comment.

Parks and Wildlife trusts that environmental planning issues including those not specifically referred to in this letter will be appropriately managed through the planning system.

Thank you for the opportunity to comment on this application. Please contact Tracy Teede at the Parks and Wildlife South West Region office if you have any queries regarding this advice.

A handwritten signature in black ink, appearing to read 'Luke', is positioned to the left of a red circular stamp. The stamp contains the word 'COPY' in a stylized, repeating pattern.

Regional Manager

2 October 2015

Att.

cc: Environmental Protection Authority

Lot 125 Edwards Road Stirling Estate

Legend

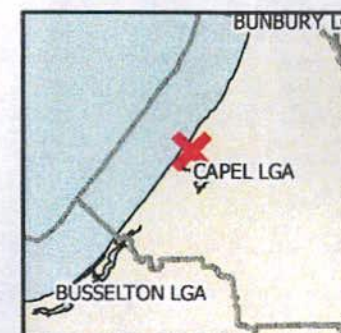
- sc db
- South West Cadastre (Land Parcels)
- EPP Lakes



1:7,500 (A4)

0 50 100 150 m

Projection: MGA Zone 50
Datum: GDAS4



Produced by TT,
Department of Parks and
Wildlife

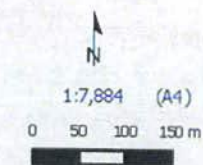


Job Ref: PR538423
Produced at 09:46 AM on October 02, 2015

Lot 125 Edwards Road Stirling Estate Wetlands

Legend

- scdb
- South West Cadastre (Land Parcels)
- Environmentally Sensitive Areas
- Geomorphic Wetlands Swan Coastal Plain (Management)
- Conservation
- Multiple Use



Projection: MGA Zone 50
Datum: GDA94



Produced by TT,
Department of Parks and
Wildlife



Department of
Parks and Wildlife



Job Ref: PR538423
Produced at 09:54 AM on October 02, 2015

Known threatened ecological community	First obtain the comments of DEC. Consider referral if DEC or expert has significant concerns that are not likely to be addressed through planning, DEC clearing permit or other agency processes.
Any other bushland not in Perth Bush Forever study area (Swan Coastal Plain portion of metropolitan area), the Greater Bunbury Region Scheme or Peel Region Scheme area.	First obtain information (see note above) on the attributes and significance of the bushland and fauna habitat, and the comments of DEC and/or other relevant agencies, for example, DEC. Consider referral if these agencies or experts have significant concerns that are not likely to be addressed through planning, DEC clearing permit, or other agency processes. (Note: Declared Rare Flora is usually addressed by <i>Wildlife Conservation Act 1950</i>).
Any other bushland in the Perth Bush Forever study area (Swan Coastal Plain portion of metropolitan area) but not in a Bush Forever site Any other bushland in the Greater Bunbury Region Scheme or Peel Region Scheme area but not in Regional Open Space.	First, obtain information on the likelihood of threatened ecological communities, significant flora and fauna, threatened fauna habitat and ecological communities of which less than 10% remain. If likely to be present, obtain the comments of DEC and other relevant agencies with natural resource expertise. Consider referral if agencies or experts have significant concerns that are not likely to be addressed through agency approval processes (Note: Declared Rare Flora is usually addressed by <i>Wildlife Conservation Act 1950</i>)
Habitat of the Western Swamp Tortoise (shown in the <i>Environmental Protection (Western Swamp Tortoise Habitat) Policy 2002</i>)	First endeavour to comply with the <i>Environmental Protection (Western Swamp Tortoise Habitat) Policy 2002</i> in consultation with DEC. Consider referral if relevant agencies or experts have concerns that are not likely to be addressed through agency approval processes.

* See EPA Reports on Conservation Reserves for Western Australia for the 12 areas of the State (termed 'Systems') and published in 1975 (Systems 4, 8-12), 1976 (Systems 1, 2, 3, 5), 1980 (System 7) and 1983 (System 6). These reports were published with red covers and are sometimes called the 'Red Books'. Note that the Red Book recommendations apply except where superseded by later conservation recommendations endorsed by government.

2 Wetlands, water bodies, watercourses, inlets, estuaries, coast

Proposal is likely to impact on these categories	Pre-referral steps and referral indicators
A water body that is subject to the <i>Environmental Protection (Swan Coastal Plain Lakes) Policy 1992</i>	Refer if direct impacts on wetland from filling, excavating or draining into or out of the water body. Accompany referral with the comments of DEC.
A wetland that is subject to the <i>Environmental Protection (South West Agricultural Zone Wetlands) Policy 1997</i>	Refer if the following is proposed: filling, excavating or draining into (or out of Crown land), or some types of damaging or clearing of native vegetation, or construction or alteration of prescribed drainage systems. Accompany referral with the comments of DEC.
A wetland, water body, watercourse, estuary, inlet or coastal land to which international agreements apply, because of importance for waterbirds and waterbird habitats (Ramsar, JAMBA, CAMBA)	First obtain information on the water body and fauna and potential impacts, and the comments of DEC and other relevant agencies with natural resource expertise, for example, DoE. Consider referral if these agencies or experts raise significant concerns that are not likely to be addressed through planning or other agency processes.
Conservation category wetland and buffers	First obtain information on the wetland, its buffer and potential impacts, and the comments of DEC and other relevant agencies with natural resource expertise (for example, Swan River Trust). Consider referral if these agencies or experts raise significant concerns that are not likely to be addressed through planning or other agency processes.

- **Flooding** - Consider the role of flooding in maintaining a wetland's values (especially in the case of a Conservation category wetland). Where flooding is required, locate and manage the development accordingly.

Also see advice provided on waterways (Chapter B5), land degradation issues (Chapter B7) and water management (Chapter C3).

B4.4 REFERRAL TO THE EPA

This section should be read in conjunction with the general requirements for the referral of schemes and proposals to the EPA in A3.2.1 and A4.2.1.

B4.4.1 TRIGGERS FOR REFERRAL OF A PROPOSAL TO THE EPA

Any proposal that is likely to have an impact on a Conservation category wetland is a 'significant proposal' under section 38 of the EP Act. The EPA requires that decision-making authorities and proponents refer to the EPA any development proposal or subdivision likely to significantly impact the environmental values of a Conservation category wetland. Examples of significant impacts include: clearing of native vegetation, mining, filling excavating, draining disposal of waste, allowing emissions into the wetland, and activities located near the wetland without the provision of an appropriate setback or buffer, such as clearing or groundwater abstraction.

Certain impacts to wetlands identified for protection pursuant to the *Environmental Protection (Swan Coastal Lakes) Policy 1992* and the *Environmental Protection (South West Agricultural Zone Wetlands) Policy 1998* are not permitted unless authorised. Typically, authorisation involves referral of the proposal to the EPA pursuant to s38 EP Act.

B4.4.2 INFORMATION TO ACCOMPANY A REFERRAL

Information that assists the EPA to set the level of assessment on a referral will vary depending on the location and nature of the scheme or proposal. Where a significant wetland (B4.2.2) is within or near land the subject of a scheme or proposal, the following referral information is helpful.

- conservation status/management category of the wetland/s (based on DEC data where available, or alternatively the methodologies referred to in Attachment B4-2)
- aerial photography, with the proposal or scheme area and key components of development and land use superimposed
- advice on the extent of any site-specific investigations that have been carried out
- information on values and issues, for example, presence of threatened ecological communities, rare flora or threatened fauna; acid sulfate soils
- identification of likely impacts on the wetland/s and buffer areas (for example, clearing of vegetation, draining, filling, construction works)
- description of the proposed management and mitigation measures, having regard for the EPA's Position Statement No. 9 *Environmental Offsets* (EPA 2006a)
- list of any other approvals that may be required
- the results of any consultation carried out, including the comments of agencies with environmental responsibilities, for example, DEC.

In some instances the EPA may request additional information. Where further information is required and where possible, please provide all relevant data in digital and GIS format.