

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

**City of Busselton Local Planning Scheme 21 Amendment 62**

**Location: Dunsborough East Precinct**

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

**Determination Published: 3 June 2026**

**Summary**

Amendment 62 to the City of Busselton Local Planning Scheme No. 21 applies to the Dunsborough East precinct, comprising Lots 2 and 3 Mewett Road, Lot 12 Genoli Road and Lots 11, 22 and 726 Commonage Road, Quindalup. The amendment proposes to:

- transfer land from the Rural zone to the Urban Development zone
- remove Additional Use 'A2' from Lot 11 Commonage Road
- introduce Special Provisions to Schedule 3 of the scheme.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act) and determined that a formal assessment is not required under Part IV of the EP Act. The EPA has based its decision on the original referral documentation and additional information provided by the City of Busselton, and from its own investigations. The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment, if implemented in accordance with the following advice and recommendations.

**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.

**Flora and vegetation; Terrestrial fauna**

The amendment area is largely parkland cleared, but remaining vegetation has important environmental values and should be retained and improved through future urban development.

Existing road reserves (Commonage, Genoli and Mewett Roads) abutting the amendment area contain vegetation that is likely to be representative of *Corymbia calophylla* woodlands on heavy soils of the southern Swan Coastal Plain (SCP1b), listed as a critically endangered threatened ecological community under the *Biodiversity Conservation Act 2016* (BC Act). The remnant vegetation in these road reserves provides an important ecological linkage for wildlife,

including the Western Ringtail Possum, connecting the amendment area with more extensive areas of habitat in rural areas to the west, and ultimately to Leeuwin-Naturaliste National Park.

Surveys of the amendment area have confirmed the presence of Western Ringtail Possum, listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and BC Act, as well as three species of black cockatoo (Carnaby's, Baudin's and Forest Red-Tailed Black Cockatoo) listed as endangered or vulnerable under the EPBC Act and BC Act. The EPA notes that all native vegetation and trees within the amendment area, but especially the 'marri groves', 'peppermint woodland' and 'drainage line', provide important habitat for these threatened species.

The Dunsborough Burrowing Crayfish, listed as critically endangered under the EPBC Act and BC Act, was identified as potentially occurring within the amendment area. A survey of the amendment area found evidence of other species of burrowing crayfish but not the threatened species. The EPA notes advice that as the known population of the Dunsborough Burrowing Crayfish is upstream in a different creek system, the amendment area is unlikely to provide critical habitat for the threatened species.

### Inland waters

The amendment area is located on a palusplain, categorised as a Multiple Use Wetland, and is hydrologically connected to Conservation Category Wetlands and the Toby Inlet to the north.

The EPA notes the draft Local Water Management Strategy, submitted with the scheme amendment, contains a stormwater management plan which proposes detention areas which may conflict with the retention of existing vegetation within public open space and the foreshore reserve. As highlighted above, all native vegetation and trees in the amendment area provide important habitat for threatened species. Therefore, further consideration of vegetation retention is required before finalising the water management report for the scheme amendment, in accordance with *State Planning Policy 2.9 – Water* and *Planning for Water Guidelines* (Western Australian Planning Commission (WAPC) 2025).

### Social surroundings

The amendment area contains portions of 'general character' and 'travel route corridor' landscape classes identified in *State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge Policy*. Future urban development has the potential to impact surrounding rural landholders, as well as views from roads, including the future 'Vasse-Dunsborough Link' identified in the *Leeuwin-Naturaliste Sub-regional Strategy* (WAPC 2019, 2021).

The Landscape Strategy submitted with the scheme amendment identified the 'marri woodland' and 'stream corridor' as key landscape features within the amendment area. As discussed above, these features also provide important habitat for threatened species.

The EPA supports proposed Special Provisions requiring the consideration and amelioration of visual landscape impacts associated with urban development of the amendment area.

### **Advice and Recommendations**

The EPA notes that the *Leeuwin-Naturaliste Sub-regional Strategy* identifies the Dunsborough East precinct for future urban development, subject to the preparation of a single structure plan covering the entire area. The EPA also notes the WAPC's strategic directions listed in the Strategy, including the following relevant to the environment of the amendment area:

12. *Adopt a presumption against planning proposals that may impact on matters of national environmental significance (MNES) that require referral under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).*
14. *Support identification in planning instruments of regional ecological corridors for biodiversity and wildlife, to connect environmental assets.*
15. *Identify and retain habitat and enhance ecological linkages within Busselton and Dunsborough urban areas to support critically endangered species, including the Western Ringtail Possum.*

Consistent with the above WAPC strategic directions, it is the EPA's strong expectation that threatened species habitat will be prioritised for retention through future detailed planning and statutory decision making for the amendment area.

The EPA has considered the Special Provisions and associated draft structure plan for the scheme amendment, initiated by Council on 25 June 2025. Following consultation with the City of Busselton, relevant State government agencies and Dunsborough East developers and consultants, the EPA has received refined Special Provisions and a revised concept plan for the amendment area.

It is the EPA's view that the Special Provisions and revised concept plan in **Attachment 1** better respond to the important environmental values of the amendment area. The EPA expects that the future structure plan for the amendment area will be prepared in accordance with the attached Special Provisions and will achieve even greater retention of threatened species habitat than currently shown in the revised concept plan.

The EPA also recommends that any impacts to threatened species habitat be adequately mitigated through rehabilitation of the future foreshore reserve and proposed public open space within the amendment area. Should future development proposals result in potential residual impacts to threatened species, referral may be required for consideration under the EPBC Act.

## **Conclusion**

The EPA concludes the scheme amendment can be managed to meet the EPA's environmental objectives for the above factors through the recommended scheme provisions. The EPA also notes that further impacts may be mitigated through future detailed planning and statutory decision making. The EPA recommends its advice is implemented to further mitigate potential impacts to the above factors.

**Attachment 1: Recommended Special Provisions and Revised Concept Plan**

1. A single structure plan is to be prepared for the entire Special Provision area.
2. In addition to the information to be included in a structure plan outlined in Clause 16 of the Deemed Provisions, the structure plan is to set out the following:
  - a. details from suitable desktop and onground assessments of environment values within and surrounding the area, including remnant vegetation, threatened species habitat, waterways, wetlands, ecological linkages, and rural landscape amenity
  - b. identification of important environmental values and areas to be retained, protected, managed and improved, with particular focus on the ongoing conservation of habitat for threatened black cockatoos and western ringtail possum
  - c. an Environmental Management Plan, prepared to the satisfaction of the local government and on the advice of relevant State government agencies, which is to outline subdivision, land use and development controls to ensure important environmental values and areas will be retained, protected, managed and improved.
3. Subdivision, land use and development is to avoid impacts to important environmental values and areas identified in response to clauses 2(a)-(c).
4. A Foreshore Management Plan is to be prepared and implemented, to the satisfaction of the local government and on the advice of relevant State government agencies.
5. Appropriate vegetation screening and development setbacks are to be maintained along the boundaries of the Special Provision area, to reduce visual amenity impacts on surrounding rural properties and along Commonage Road and the future Vasse-Dunsborough Link.

*Note: Provisions not relating to environmental matters have not been listed above but would still be considered by Council and the WAPC.*

