



Environmental Protection Authority

Chief Executive Officer
Shire of Brookton
14 White Street
BROOKTON WA 6306

Your Ref:
Our Ref: CMS16116
Enquiries: Angela Coletti, 6145 0800
Email: Angela.Coletti@epa.wa.gov.au

Dear Sir/Madam

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

SCHEME: Shire of Brookton - Local Planning Scheme 4
LOCATION: Scheme Text
RESPONSIBLE AUTHORITY: Shire of Brookton
DECISION: Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. Advice Given. (Not Appealable)

Thank you for referring the above proposed scheme to the Environmental Protection Authority (EPA).

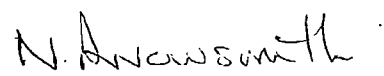
After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

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 this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely

A handwritten signature in black ink that reads "N. Arrowsmith". The signature is written in a cursive style with a small dot at the end.

Naomi Arrowsmith
Director
Strategic Policy and Planning Division

Delegate of the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 33 published 17 December 2013

28 November 2016

Encl. Scheme Advice and Recommendations

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

Shire of Brookton Local Planning Scheme No.4

Location: Various zones in Local Planning Scheme No.4

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

Determination Published: 28 November 2016

Summary

The Shire of Brookton has initiated Local Planning Scheme (LPS) No.4 to rezone various parcels of land in the Shire.

The Environmental Protection Authority (EPA) has considered the scheme in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). In making its decision on whether to assess the scheme, the EPA has applied its 'Significance Framework' which relates to the extent to which the scheme meets the EPA's environmental objectives for the environmental factors. The EPA considers that the scheme is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The potential impacts from the LPS can be adequately managed to meet the EPA's objectives by various land parcels to remain in their present zonings, the development and implementation of future structure plans and implementation of the Shire of Brookton's scheme provisions.

1. Environmental Factors

The EPA has identified the environmental factor of Flora and Vegetation being relevant to this scheme.

2. Advice and Recommendations regarding Environmental Factors

The EPA has examined the Shire of Brookton's referral documentation, conducted investigations and consulted with Shire officers. Subsequently the EPA has decided not to assess the scheme. The EPA expects that the environmental factor described below and its recommendations will be addressed through the planning process.

Flora and Vegetation

The EPA objectives for this factor is to maintain representation, diversity, viability and ecological function at the species, population and community level.

LPS 4 proposes to rezone various land parcels within the Shire for a range of purposes. The EPA considers that the majority of these do not raise any significant environmental issues. However, there are potential environmental impacts for the proposed rezoning for the following locations:

- Reserve 47072 on Yeo Road (previously Taylor Street);
- Reserve 23384 (lot 394 Richardson Street);
- UCL land on DP65463 (lot 500) Williams Street;

- Reserve 35859 (116 - lot 461 Williams Street);
- Lots 433, 379, 380, 381 Survey Street,
- Lots 366, 367, 368, 369 Tiller Street; and
- Lots 370, 371, 372, 428 Jose Street.

The above locations are vegetated and in close proximity to sensitive land uses. The EPA cannot consider the potential environmental impacts that may arise from the proposed rezoning and subsequent development of the above sites as sufficient information is not available at this stage. The Shire of Brookton has agreed to the above land parcels to remain in their present zonings. The EPA's assessment of, and determination of LPS 4 is made on the basis that these sites will not be rezoned in LPS 4.

Recommendation

The EPA concludes that the Scheme can be managed to meet the EPA's environmental objectives and recommends:

- Reserve 47072 on Yeo Road (previously Taylor Street); to remain partly zoned 'Rural Townsite' and 'Reserve - Recreation';
- Reserve 23384 (lot 394 Richardson Street); to remain zoned 'Reserve for Public Purposes';
- UCL land on DP65463 (lot 500) Williams Street; to remain zoned 'Rural Townsite';
- Reserve 35859 (116 - lot 461 Williams Street), to remain zoned 'Reserve for Public Purpose - Depot - Main Roads';
- Lots 433, 379, 380, 381 Survey Street, Lots 366, 367, 368, 369 Tiller Street & Lots 370, 371, 372, 428 Jose Street to remain zoned 'Reserve -Recreation';
- that the Department of Parks and Wildlife, Department of Water and other relevant agencies to be consulted prior to the finalisation of future Structure Planning and Subdivision; and
- the Department of Planning and the Shire of Brookton liaise at the subsequent stages of planning to ensure development is consistent with the EPA's Guidance and Policy.