



GOVERNMENT OF
WESTERN AUSTRALIA

Environmental Protection Authority

Chief Executive Officer
Shire of Augusta-Margaret River
PO Box 61
MARGARET RIVER WA 6285

Your Ref:
Our Ref: CMS17068
Enquiries: Stephen Pavey, 6145 0800
Email: Stephen.Pavey@epa.wa.gov.au

Dear Sir/Madam

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

SCHEME:	Shire of Augusta-Margaret River - Local Planning Scheme 1 - Amendment 45
LOCATION:	Lots 3-11 Doyle Place, Margaret River
RESPONSIBLE AUTHORITY:	Shire of Augusta-Margaret River
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 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.

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Seares', with a long horizontal flourish extending to the right.

Patrick Seares
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

19 June 2017

Encl. Scheme Advice and Recommendations

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

Shire of Augusta - Margaret River Local Planning Scheme 1 Amendment 45

Location: Lots 3-11 Doyle Place, Margaret River

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

Determination Published: 19 June 2017

Summary

The Shire of Augusta - Margaret River proposes to amend its local planning scheme to allow for the subdivision of nine Rural Residential zoned lots.

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, providing the following advice is implemented.

1. Environmental Factors

The EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- a) Flora and Vegetation; and
- b) Terrestrial Fauna.

2. Advice and Recommendations regarding Environmental Factors

The EPA has based its decision on the scheme amendment documentation provided by the Shire.

Flora and Vegetation and Terrestrial Fauna

The amendment area contains habitat for Black Cockatoos with trees identified as having potential nesting hollows. Black Cockatoos are protected under both the *Wildlife Conservation Act 1950* and the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The amendment area also contains habitat for the Western Ringtail Possum with individuals and dreys (nests) found during fauna surveys. Two of the three dreys found were located within proposed Asset Protection Zones identified for fuel reduction at the subdivision stage. The Western Ringtail Possum is protected under both the *Wildlife Conservation Act 1950* and the EPBC Act.

The EPA considers that all effort should be made to retain remnant vegetation within the amendment area.

Lots 3 and 6 Doyle Place are included in the proposed amendment as lots with the potential for future subdivision. The EPA understands that these two lots have not been included in the proposed structure plan for subdivision due to the landowners not wishing to subdivide at this

time. The EPA has not been provided with any information regarding the environmental values of the two lots or any potential environmental impacts from development.

Recommendations

The EPA recommends:

- the retention of trees identified as providing Western Ringtail Possum and/or Black Cockatoo habitat;
- the preparation and implementation of a fauna management plan in consultation with the Department of Parks and Wildlife;
- any future proposal, including subdivision, for Lot 3 or Lot 6 Doyle Place to require planning approval and be subject to appropriate flora and fauna investigations.

The EPA concludes that the scheme amendment can be managed to meet the EPA's environmental objectives through the implementation of the above recommendations to protect the identified environmental factors of Flora and Vegetation and Terrestrial Fauna; particularly as they relate to Black Cockatoos and the Western Ringtail Possum.