

Chief Executive Officer
Shire of Mundaring
7000 Great Eastern Highway
MUNDARING WA 6073

Your Ref:
Our Ref: CMS17255
Enquiries: Gerard O'Brien, 6364 7600
Email: Gerard.O'Brien@dwer.wa.gov.au

Dear Sir/Madam

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

SCHEME: Shire of Mundaring – Local Planning Scheme 4
– Amendment 11
LOCATION: Lot 1871 Ayres Road and Lot 4655 Richardson
Road, Stoneville
RESPONSIBLE AUTHORITY: Shire of Mundaring
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 dark ink, consisting of a large, stylized capital 'P' followed by a series of horizontal strokes that taper off to the right.

Patrick Seares
Delegate of the Environmental Protection Authority
Executive Director EPA Strategic and Guidance

18 December 2017

Encl. Scheme Advice and Recommendations

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

Shire of Mundaring LPS 4 Amendment 11

Location: Lots 1871 Ayres Road and 4655 Richardson Road Stoneville

Determination: Scheme Not Assessed – Advice Given (no appeals)

Determination Published: 18 December 2017

Summary

The Shire of Mundaring proposes to rezone approximately 3 hectares (ha) in Stoneville from **Rural Residential** to **Development** zone to facilitate the future residential subdivision of two 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. The EPA has based its decision on the documentation provided by the Shire of Mundaring. Having considered this matter the following advice is provided.

1. Environmental Factors

Having regard for the EPA's *Statement of Environmental Principles, Factors and Objectives* the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Flora and Vegetation; and
- Terrestrial Fauna.

2. Advice and Recommendations regarding Environmental Factors

a. Flora and Vegetation and Terrestrial Fauna

The EPA notes that the remnant native vegetation within the amendment area is mapped as a 'Protection' category Local Natural Area (LNA) in the Shire's Local Biodiversity Strategy and the Local Planning Strategy. The Shire's Local Planning Scheme 4 (LPS 4) states that where clearing of vegetation in a LNA is proposed the Shire may require or recommend that a **Native Fauna and Flora Report** and **Management Plan** be prepared to the satisfaction of the Shire prior to supporting or approving the proposal, or prior to clearing the land. LPS 4 also requires structure planning to be undertaken under the proposed 'Development' zone.

Therefore, the EPA recommends the Shire of Mundaring require the preparation of a Native Fauna and Flora Report and Management Plan prior to future structure planning, to inform the structure planning process. The EPA also advises that the future subdivision design should retain LNA vegetation within Public Open Space.

The amendment area may also contain habitat for species of Black Cockatoos which are protected under Commonwealth and State legislation. The EPA reminds future developers of their obligations to refer any subsequent proposal to the Commonwealth Department of the Environment for a determination under the provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through the preparation of a Native Fauna and Flora Report and Management Plan prior to future structure planning, so as to inform the structure planning process and manage and protect the identified environmental factors of Flora and Vegetation, and Terrestrial Fauna; particularly as they relate to Black Cockatoo habitat.