

Mr Brent Bailey
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Our Ref: CMS17323
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Dear Mr Bailey

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

SCHEME: Shire of Dandaragan - Local Planning Scheme 7
- Amendment 32
LOCATION: Lot 11503 Herschell Road, Boothendarra
RESPONSIBLE AUTHORITY: Shire of Dandaragan
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



Hans Jacob
Delegate of the Environmental Protection Authority
A/Executive Director
EPA Services

1 October 2018

Encl. Scheme Advice and Recommendations

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

Shire of Dandaragan – Local Planning Scheme 7 – Amendment 32

Location: Lot 11503 Herschell Road, Boothendarra

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

Determination Published: 1 October 2018

Summary

The Shire of Dandaragan has initiated Amendment 32 to Local Planning Scheme 7 to re-classify Lot 11503 Herschell Road, Boothendarra from 'Local Scheme Reserve - Public Purposes' to 'Rural' zone to facilitate the development for agricultural purposes.

The Environmental Protection Authority (EPA) has considered the scheme in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment, as set out, 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 Dandaragan (the Shire). Having considered this matter the following advice is provided.

1. Environmental Factors

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

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

2. Advice and Recommendations regarding Environmental Factors

The amendment area adjoins the northern boundary of Boothendarra Nature Reserve and is approximately 870 hectares (ha), of which approximately 270 ha is cleared including one large area within the centre (255 ha) and a smaller area to the north-west corner of the lot (15 ha).

The amendment area contains significant environmental values. The vegetation condition ranges from 'Very Good' to 'Excellent' condition, and is mapped as Beard Vegetation Association (BVA) 1031: *Mosaic: Shrublands; hakea scrubheath/Shrublands; dryandra heath*. This vegetation association has 32.9% of its original extent remaining, and only 13.47% protected in the conservation reserve system.

Lot 11503 also contains foraging habitat for Carnaby's Black Cockatoo *Calyptorhynchus latirostris* which is listed as Endangered under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* and Specially Protected Fauna under the *Western Australian Wildlife Conservation Act 1950*.

The EPA supports the modified scheme text provisions provided by the Shire dated 31 July 2018 to include specific conditions to protect the remnant vegetation, and ensuring that future

development or landuses are adequately managed to ensure no negative impacts to the environmental values within the amendment area and Boothendarra Nature Reserve.

The EPA recommends that provision (e) be modified requiring that a Management Plan *must* be prepared for any application to addresses measures to conserve and protect remnant vegetation. This Management Plan should be developed in consultation with, and implemented to the satisfaction of DBCA.

To further support the provision limiting development to the historically cleared areas, the EPA recommends that a current aerial map be inserted into Schedule 3 along with the proposed text. This will clearly document the historically cleared area and prevent incremental vegetation loss.

Road access through the Boothendarra Nature Reserve via development of the Herschell Road easement is not recommended as it will impact on remnant vegetation. The EPA recommends that access to Lot 11503 and Boothendarra Nature Reserve should be aligned to avoid impacts to environmental values; ideally through cleared neighbouring lots, or along lot boundaries to not dissect consolidated vegetated areas.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through the modified scheme text provisions provided by the Shire, and the additional recommendations of the EPA which include:

- the preparation of a Management Plan for any planning application to address measures to conserve and protect remnant vegetation, in consultation with DBCA;
- an aerial map inserted into Schedule 3 to show the current extent of historical clearing; and,
- road access aligned to avoid impacts to remnant vegetation on Lot 11503 and Boothendarra Nature Reserve.