



Environmental Protection Authority

Mr Michael Foley
Chief Executive Officer
City of Swan
PO Box 196
MIDLAND WA 6936

Our Ref: CMS17654
Enquiries: Elle Stewart, 6364 7600
Email: Elle.Stewart@dwer.wa.gov.au

Dear Mr Foley

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

SCHEME: City of Swan Local Planning Scheme 17
Amendment 171
LOCATION: Lot 800 Morrissey Road, Bullsbrook
RESPONSIBLE AUTHORITY: City of Swan
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



Anthony Sutton
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

7 August 2019

Encl. Scheme Advice and Recommendations

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

City of Swan Local Planning Scheme 17 Amendment 171

Location: Lot 800 Morrissey Road, Bullsbrook

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

Determination Published: 12 August 2019

Summary

The City of Swan has initiated Amendment 171 to amend Additional Use no. 40 to include an additional use of Caravan Park to a portion of Lot 800 Morrissey Road, Bullsbrook. The site is currently zoned General Rural with and existing Additional Use of Construction Yard.

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 City. Having considered this matter, the following advice is provided.

Environmental Factors

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

- Flora and Vegetation; and Terrestrial Fauna.

Advice and Recommendations regarding Environmental Factors

The amendment area contains flora and vegetation and fauna values including potential habitat for Threatened Fauna (black cockatoos). A vegetation assessment report advises the site appears to have been cleared in the past, and now comprises of pasture and weeds with areas of regrowth vegetation. The site contains 0.2 hectares (ha) of Banksia Woodland mapped as degraded condition.

The EPA recommends:

- The site plan be configured to retain and protect the better quality black cockatoo foraging habitat.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through retention of fauna habitat as part of future detailed site planning. The EPA recommends its advice is implemented, to mitigate potential impacts to Flora and Vegetation, and Terrestrial Fauna.