

Mr Matthew Bird
A/Chief Executive Officer
Shire of Exmouth
PO Box 21
EXMOUTH WA 6707

Our Ref: CMS 17963
Enquiries: Steve Pavey, 6364 7259
Email: Steve.Pavey@dwer.wa.gov.au

Dear Mr Bird

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

SCHEME	Shire of Exmouth Local Planning Scheme 4 Amendment 4
LOCATION	Land generally bounded by Murat Road, Nimitz Street, Reid Street and Welch Street, Exmouth
RESPONSIBLE AUTHORITY	Shire of Exmouth
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the 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. I have also attached a copy of the Chair's determination of the scheme.

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 the Chair's determination, this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely



Dr Shaun Meredith
Delegate of the Environmental Protection Authority
A/Executive Director
EPA Services

6 April 2021

Encl. Chair's Determination
Scheme Advice and Recommendations

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

Shire of Exmouth Local Planning Scheme 4 Amendment 4

Location: Land generally bounded by Murat Road, Nimitz Street, Reid Street and Welch Street, Exmouth

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

Determination Published: 6 April 2021

Summary

The Shire of Exmouth proposes to insert the additional use of 'Workforce Accommodation' into scheme Schedule 2 'Additional Use'. This applies to the 'Service Commercial' zoned land generally bounded by Murat Road, Nimitz Street, Reid Street and Welch Street, Exmouth. The additional use is proposed to be at the discretion of the Shire and apply until 30 June 2026.

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 Exmouth. Having considered this matter the following advice is provided.

1. Environmental Factors

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

- Inland Waters

2. Advice and Recommendations regarding Inland Waters

The EPA notes that the amendment area is within a mapped sewerage sensitive area. As the majority of the site is not connected to a reticulated sewerage system, future on-site sewerage systems may be constructed. Providing onsite effluent disposal will need to be investigated at development stage on a site-by-site basis and soil evaluation prepared to ensure the physical characteristics of the site, such as soil type and depth to groundwater, are suitable.

Noting that the scheme amendment text provides for the Shire to consider wastewater disposal through a development application, the EPA also recommends that this text include that connection to the reticulated sewerage system should be undertaken where possible, otherwise a secondary onsite system with nutrient removal should be used, consistent with the *Government Sewerage Policy 2019*.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through existing local planning scheme provisions. Future planning requirements can also assist in management of environmental objectives. The EPA also recommends its advice is implemented to further mitigate potential impacts to the Inland Waters environmental factor.