



Environmental Protection Authority

Chief Executive Officer
City of Busselton
Locked Bag 1
BUSSELTON WA 6280

Your Ref:
Our Ref: CMS15238
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: City of Busselton - Local Planning Scheme 21 -
Amendment 1
LOCATION: Omnibus 1
RESPONSIBLE AUTHORITY: City of Busselton
DECISION: Scheme Not Assessed: Advice Given (no appeals)

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



Naomi Arrowsmith
A/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

5 October 2015

Encl. Scheme Advice and Recommendations

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

City of Busselton Local Planning Scheme No. 21 Amendment No. 1

Location: City of Busselton

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

Determination Published: 5 October 2015

Summary

The City of Busselton has initiated Amendment No. 1 to update the scheme, correct text anomalies and address mapping corrections.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). In making its decision on whether to assess the scheme amendment, the EPA has applied its 'Significance Framework' which relates to the extent to which the scheme amendment meets the EPA's environmental objectives for the environmental factors.

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 potential impacts from the scheme amendment can be adequately managed to meet the EPA's objectives through the implementation of the local scheme provisions and regulated through other statutory processes.

1. Environmental Factors

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

The EPA has based its decision on the scheme amendment documentation provided by the City of Busselton. The EPA provides the following advice regarding potential impacts to the key environmental factors:

Flora and vegetation and Terrestrial fauna

The EPA is aware that Lot 600 Armstrong Place (Armstrong Reserve) is proposed to be zoned to 'Special Purpose - Aged Person Housing as part of Amendment 1. This area contains habitat for threatened and significant fauna species, and declared rare flora. The City of Busselton needs to ensure that Amendment 1 is consistent with Ministerial Statement 926, and that the scheme appropriately implements these conditions as required.

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through the implementation of scheme provisions and regulated through other statutory processes.