

Chief Executive Officer
Shire of Manjimup
PO Box 1
MANJIMUP WA 6258

Your Ref LPS 4/8
Our Ref 13-473859
Enquiries Angela Coletti
Phone 6145 0806

Attn: Roy Winslow

Dear Sir/Madam

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

SCHEME AMENDMENT TITLE: Shire of Manjimup Local Planning Scheme 4
Amendment 8 - Expansion of Development
Investigation Area 21
RESPONSIBLE AUTHORITY: Shire of Manjimup
DECISION: Scheme Amendment Not Assessed – Advice
Given (no appeals)

Thank you for referring the above scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the following advice and recommendations.

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- Flora and Vegetation
- Terrestrial Fauna
- Fire management
- Separation distances

2. Advice and recommendations regarding Environmental Issues

The Office of the EPA (OEPA) acknowledges that this amendment does not seek to rezone the land to Industry zoning. The purpose of this amendment is to incorporate

the subject site into a formal Development Investigation Area (DIA) under the scheme to prevent incompatible land uses being developed while more detailed planning, including a Structure Plan, is undertaken. The OEPA notes that inclusion of the subject site into the DIA does not imply that the land is suitable for development for the expected purposes. A determination of suitability will only be made following full evaluation and assessment of the land by a rezoning amendment to the scheme and the preparation of a Structure Plan.

The EPA advises that there may be significant environmental values on the subject land which should be considered during future structure planning. It is important to note that these environmental values may heavily constrain the development potential of the site. The EPA wishes to emphasise that its support for this amendment should not be conveyed as support for a future amendment to rezone the subject land to Industry.

The *Environmental Assessment and Land Capability Assessment Report* by Bio Diverse Solutions 2011 states that the site:

- may contain suitable habitat for threatened species such as the Quenda, Forest Red-tailed Black Cockatoo and Carnaby's Black Cockatoo. Trees with hollows and large diameters were noted throughout the site;
- contains Vegetation Association 1144 : Tall Forest; karri and marri in "Very Good" condition;
- is adjacent to a National Park in the south and private residences in the east;
- requires an appropriate fire setback distance from the National Park in the south and to the residences in the east;
- requires an appropriate separation buffer to residences to the east; and
- is located within the Public Drinking Water Source Area of Warren River Water Reserve.

When the EPA/OEPA considers a structure plan or an amendment to rezone the land to 'Industry' it should be accompanied by a comprehensive environmental report addressing the environmental values of the site. The report should include: the results of:

- native vegetation and flora survey (including a vegetation condition survey) as outlined in EPA Guidance No. 51 *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia*;
- targeted tree survey to be undertaken to locate suitable trees for the Western Ring Tail Possums, Cockatoos and Phascogale; and
- Level one Fauna Survey as outlined in the EPA Guidance No. 56 *Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*.

A Fauna and Cockatoo Management Plan should be prepared as a condition of subdivision approval and to the satisfaction of the Department of Parks and Wildlife if suitable trees and vegetation are identified.

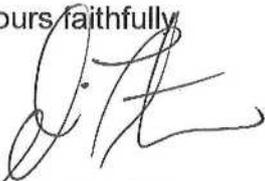
The environmental report should also include a description of the:

- impacts of fire management on native vegetation;
- appropriate buffers to nearby residences from proposed industrial development; and
- appropriate buffers to the National Park.

3. General Advice

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, 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 on the level of assessment of scheme amendments.
- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully,



Darren Foster
Director
Strategic Policy and Planning Division

13 January 2014