

Chief Executive Officer
Shire of Augusta-Margaret River
PO Box 61
MARGARET RIVER WA 6285

Our Ref 13-343517
Enquiries Stephen Pavey
Phone 6145 0837

ATTENTION: Nick Logan

Dear Sir/Madam

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

SCHEME AMENDMENT TITLE: Shire of Augusta-Margaret River Local
Planning Scheme 1 Amendment 26 -
Modifying provisions to establish a Holiday
House use

LOCATION: various strata lots at Part Location 410
Caves Road, Margaret River

RESPONSIBLE AUTHORITY: Shire of Augusta-Margaret River

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

- Native Terrestrial Vegetation
- Waterway Protection
- Stormwater Management and Drainage
- Agricultural Buffer Distances

2. Advice and recommendations regarding Environmental Issues

The EPA previously provided advice 14 January 2008 on the Shire of Augusta-Margaret River Town Planning Scheme 11 Amendment 174 which proposed the rezoning of Lot 410 Caves Road, Margaret River.

The EPA's previous advice (2008) concerning the above environmental issues is still valid.

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



Anthony Sutton
Director
Assessment and Compliance Division

25 November 2013

Encl: EPA advice for Shire of Augusta-Margaret River TPS11 Amendment 174



Environmental Protection Authority

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Perth, Western Australia 6000.
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Website: www.epa.wa.gov.au

Chief Executive Officer
Shire of Augusta-Margaret River
PO Box 61
MARGARET RIVER WA 6285

Our Ref CRN221163
Enquiries Mike Pengelly

Att: Chris Hammersley

Dear Sir/Madam

SCHEME AMENDMENT TITLE: Shire of Augusta-Margaret River TPS 11 Amendment
174 rezoning from Rural to Special Use and Parks
and Recreation

SCHEME AMENDMENT LOCATION: Pt Location 410 Caves Road

LOCALITY: Margaret River

RESPONSIBLE AUTHORITY: Shire of Augusta-Margaret River

LEVEL OF ASSESSMENT: Scheme Amendment Not Assessed - Advice Given
Under Section 48a(1)(A) (no appeals)

Thank you for your letter of 11 September 2007 referring the above proposed scheme amendment.

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

- o Native Terrestrial Vegetation
- o Waterway Protection
- o Stormwater Management & Drainage
- o Agricultural Buffer Distances

2. Advice and recommendations regarding Environmental Issues

Native Vegetation

The EPASU Service Unit (EPASU) acknowledges that portions of the subject land contains remnant native vegetation that is considered to be significant in that it provides important corridors for native fauna to utilize and helps maintain the overall biodiversity of the region. This is especially important given the highly recognized ecological and aesthetic values of the adjacent Margaret River. The EPASU is supportive of the structure plan that is detailed in Amendment No. 174 as it outlines development that makes effective use of land that is already cleared and as a result, there is a low amount of remnant native vegetation that will require clearing.

The EPASU has noted the intention to continue deer grazing within the 'Agriculture Tourism' area to maintain low fuels. It is important that appropriate fencing is installed and maintained along the river reserve to ensure that stock are excluded from the river reserve area to protect the vegetation that exists there.

Waterway Protection & Foreshore Reserve

It is recommended that the determination of appropriate buffer distances for waterways and associated vegetation are based on site specific assessment as specified in *State Planning Policy 2.9 Water Resources*. Amendment 174 states that a buffer of up to 40 meters will be implemented to protect the riparian vegetation of the Margaret River development impact. This buffer distance may be acceptable, however further detailed site investigation will be necessary to determine if this is adequate as outlined in the EPA's Draft *Guidance Statement No 33*.

In addition to this, a *Water Management Strategy* should be prepared in accordance with the DoW guidelines. This plan needs to focus on the management of proposed landscaping, water balance in terms of water usage. It will also need to detail soil type, phosphorous retention capability and drainage in terms of nutrient management and irrigation. All stormwater should be retained on-site and should not be directly discharged from the site and no management infrastructure should be located within the Margaret River foreshore reserve or the designated buffer zones.

The EPASU would support a move to widen the foreshore reserve and have it ceded and would like to reinforce the importance of involving the regional agencies of DoW and the Department Environment & Conservation (DEC) in these discussions to ensure a positive outcome.

Stormwater Management & Drainage

The EPA supports and promotes the treatment and disposal of stormwater in accordance with the Department of Water (DoW) *Manual for Managing Urban Stormwater Quality in Western Australia*. The responsible authority should be encouraged to work closely with the DoW regarding advice for Best Management Practices and drainage solutions to demonstrate total water cycle management on the site.

The stormwater management system should be designed and implemented in accordance with the guidelines contained in the *Stormwater Management Manual for Western Australia* (DoW, 2004-2007) and the *Decision Process for Stormwater Management for Western Australia* (DoW, 2005-2007). Specifications for stormwater drainage should not be finalised until the Foreshore Management Plan has been approved by Council, DEC and the DoW.

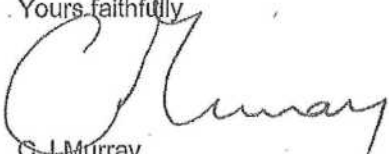
Agricultural Buffer Distances

The EPASU has noted that the Shire of Augusta-Margaret River's policy in regard to the associated noise and spray-drift is to provide a 40m buffer, 20m at least which is to be vegetated. EPA's *Guidance Statement No.3 Separation Distances between Industrial and Sensitive Land Uses, June 2005*, prescribes a suggested buffer of 500 m for vineyards. Therefore, it is recommended by the EPASU that consideration be given to increasing the width of this buffer to more effectively mitigate any potential land-use conflict.

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 the relevant authorities and will be available to the public on request.

Yours faithfully



C. J. Murray
A/Director
Environmental Impact Assessment

14 January 2008

cc: Department for Planning & Infrastructure