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LandCorp

Report for Emu Point
Development

Public Environmental Review -
Response to Submissions



Contents

1.	Introduction	1
1.1	Overview	1
1.2	Submissions Received	1
1.3	Purpose of this Document	1
2.	Project Description	2
3.	Proponent's Response to Submissions	6
3.1	Issues Raised in Submissions	6
3.2	Additional Information	6
4.	References	63

Table Index

Table 1	Key Characteristics of the Proposal	3
Table 2	Proponent's Responses to Public and Government Agency Submissions on the Emu Point Development PER	7

Figure Index

Figure 1	Development Footprint	5
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Appendices

- A Submissions Received
- B Outline Development Plan
- C Fire Management Plan
- D Traffic Study
- E Design Guidelines
- F May 2009 Concept Plan
- G 3D Modelling



1. Introduction

1.1 Overview

LandCorp referred the proposed Emu Point Development to the Environmental Protection Authority ('EPA') for assessment under Section 38 of the *Environmental Protection Act 1986 ('EP Act')* in May 2007. The level of assessment was set at 'Public Environmental Review ('PER') with a four week public review period'. There were no appeals to the level of assessment decision.

An Environmental Scoping Document for the proposal was submitted by LandCorp in November 2007. This was subsequently approved by the EPA as an acceptable basis for preparation of the PER document.

The PER document was released for public review over a four week period between 10 May 2010 to 7 June 2010.

1.2 Submissions Received

A total of 39 submissions were received within the four week review period, including 33 from members of the public and community groups. Fourteen of the public submissions received were in the form of a pro-forma (submission numbers 2, 3, 4, 5, 6, 7, 8, 11, 14, 15, 23, 30, 33 and 34).

Six submissions were received from government departments and organisations, including:

- ▶ Department of Environment and Conservation (DEC);
- ▶ Department of Indigenous Affairs (DIA);
- ▶ Department of Planning – Climate Change and Coastal Planning Branch;
- ▶ Department of Regional Development and Lands – State Land Services;
- ▶ Department of Water (DoW); and
- ▶ Fire and Emergency Services Authority (FESA).

A copy of all submissions received is included in Appendix A.

1.3 Purpose of this Document

Under the *Environmental Impact Assessment (Part IV Division 1) Administrative Procedures 2002*, the proponent is required to prepare a summary of the pertinent issues raised in public and government agency submissions, and provide a written response. This allows the proponent an opportunity to clarify, review and/or modify aspects of the proposal to address environmental issues raised during the public review period.

The purpose of this document is to respond to public and government submissions on the Emu Point Development PER.



2. Project Description

LandCorp is proposing to develop Lots 3000 (formerly Lot 1512) and 1523 Emu Point Drive, Albany for the purpose of residential use. The lots are owned by LandCorp and have been zoned as 'Parks and Recreation' (section of retained bushland north of development footprint), 'Residential' and 'Future Urban' since the early 1980s (C. Pursey, pers. comm., 2009). A road connecting the development to Emu Point Drive will traverse the 'Parks and Recreation' area. No further development is proposed within the 'Parks and Recreation' zone. The subdivision is anticipated to deliver approximately 133 residential lots to be released in stages. The balance of the site (approximately 20 ha), will be set aside for recreation and conservation.

LandCorp is the Western Australian Government's land development agency, responsible for delivering land and infrastructure projects throughout Western Australia to help achieve economic and social prosperity for the State. LandCorp's role on the Emu Point Development (EPD) project will be to design and obtain approvals for development, followed by the preparation and sale of lots.

The EPD has been proposed to provide a number of local and regional benefits including:

- ▶ additional high quality residential land for sale within the City of Albany;
- ▶ demonstration of sustainable housing development concepts in the Albany area; and
- ▶ generation of revenue that will assist funding of the Albany Waterfront Project.

The EPD design is guided by a project specific sustainability framework, with a view to achieving a sustainable development for the Albany community. Within the context of this framework, the final Concept Plan ('Concept Plan') has been developed with input from three rounds of public consultation and numerous technical investigations.

The development footprint is overlain on aerial photography in Figure 1. The Outline Development Plan was lodged with the City of Albany in July 2010. Key features of the Outline Development Plan include:

- ▶ a range of residential lot types to accommodate apartment, townhouses, strata cluster dwellings and detached housing;
- ▶ retention of approximately 60% of the site's vegetation in open space and conservation reserves; and
- ▶ vegetated corridors connecting the site to habitat areas to the north, south, east and west of the site;
- ▶ respect for the natural topography of the site.

The key characteristics of the proposal are summarised in Table 1 below.



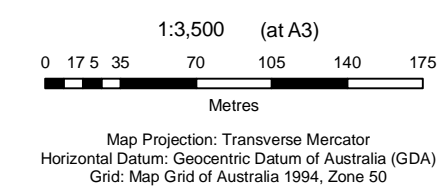
Table 1 Key Characteristics of the Proposal

Element	Description
Project Location	<p>The EPD will be developed on Lots 1523 and 3000 (formerly Lot 1512), Emu Point Drive in Albany, Western Australia (the 'site').</p> <p>All works for the project will occur on site with the exception of:</p> <ul style="list-style-type: none"> ▶ A gravity sewer installation along Emu Point Drive (directly adjacent to the site); ▶ A water main upgrade along Troode Street, north east of the site and Emu Point Drive; and ▶ Extension of mains sewerage to the existing residential development along Hope and Griffiths Streets.
Project Timeframe	<p>Completion of subdivision process by mid-March 2011.</p> <p>Stage 1 clearing and earthworks to commence in late 2011.</p> <p>Development to occur over a period of eight to ten years, from as early as 2012.</p>
Site Area	Approximately 34 ha
Capacity	<p>Approximately 133 residential lots, including:</p> <ul style="list-style-type: none"> ▶ Single house lots; ▶ Strata cluster lots; ▶ Townhouse/small lots; and ▶ Additional townhouses and apartments on 3 super lots.
Clearing Area	A maximum of 13.62 ha will be cleared within the site for the development. Clearing is not likely to be required for project works outside of the site boundary.
Area of Vegetation to be Retained	Approximately 20 ha of vegetation on site will be retained. This includes 0.6 ha of hazard separation area where overstorey vegetation will be retained (refer to Figure 1).
Cleared Areas to be Rehabilitated	<p>Approximately 3.1 ha of the site will be rehabilitated with native species local to the site, which will include:</p> <ul style="list-style-type: none"> ▶ Approximately 2.8 ha of road verges, islands and existing tracks; and ▶ Approximately 0.3 ha within disturbed vegetation in the north-west of the site.
Key Ecological Linkages and Local-scale Vegetation Corridors to be Retained	<p>A number of ecological linkages to be retained on the site, including:</p> <ul style="list-style-type: none"> ▶ 2 major east-west corridors to the north and south of the development footprint and a north-south corridor to the east of the development footprint (amounting to an area of approximately 20 ha);



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- ▶ 1 east-west green spine through the development and 3 north-south green spines through the development (amounting to an area of approximately 2.4 ha); and
 - ▶ Approximately 0.3 ha of road reserves vegetated with local native plant species will form additional corridors throughout the development.

Coastal Setback	The calculated setback to the proposed development footprint is 115 m at the closest point.
Service Infrastructure	<p>The EPD will be connected to mains water supply, power, sewer, gas and telecommunications.</p> <p>The existing residential development adjacent to the south-west corner of the site will also be connected to mains sewerage as a part of the project.</p>



LEGEND

Site Boundary	Green Spine (2.42ha)
Cadastre	Hazard Separation Zone (0.60ha)
Emu Point Residential Development	
Village	
Development Footprint Area (13.62ha)	



LandCorp
EPBC Referral - Emu Point

Job Number	61-2435306
Revision	2
Date	08 OCT 2010

Development Footprint Area Project Overview

Figure 1

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Data Source: Landgate: Albany Townsite 2007 Mosaic - 20101006, Cadastre - 20090901; GHD: Site Boundary - 20091026; GHD: Development Footprint Areas - 20100401; GA: Geodata Topo 250K Series - 2006. Created by: xntan, slee2

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3. Proponent's Response to Submissions

3.1 Issues Raised in Submissions

Issues raised through public and government submissions have been grouped into the following categories for the purpose of this response.

1. Flora and vegetation;
2. Weeds and Dieback;
3. Fauna;
4. Bush Corridors;
5. Fire;
6. Coastal Setback;
7. Foreshore Management;
8. Visual Impacts and Amenity;
9. Surface and Groundwater;
10. Heritage;
11. Traffic and Infrastructure;
12. Sustainable Development;
13. Long Term Site Management;
14. Design / Concept Plan;
15. Planning and Land Zoning;
16. Site Selection;
17. Public Consultation; and
18. Project Justification.

LandCorp's responses to each of the issues raised through public and government submissions are provided in Table 2.

3.2 Additional Information

In order to provide additional information relevant to the proposal, the following additional documentation has been included in this report:

- ▶ Emu Point Outline Development Plan (ODP) (Appendix B);
- ▶ Fire Management Plan (Appendix C);
- ▶ Traffic Study (Appendix D); and
- ▶ Design Guidelines (Appendix E).

Each of these documents is included on the enclosed CD and referenced within the Proponent's responses to submissions in Table 2.



Table 2 Proponent’s Responses to Public and Government Agency Submissions on the Emu Point Development PER

Reference	Submission ¹	Issue	Proponent’s Response
Flora and Vegetation			
1.1	Department of Environment and Conservation (DEC)	<p>The DEC commented that the development footprint overlies the best condition occurrences of <i>Allocasuarina fraseriana</i> / <i>Banksia illicifolia</i> / <i>Agonis flexuosa</i> (Afra/Alfe/Bili). This vegetation unit is limited in its extent within the Albany Regional Vegetation Survey area and may occur at less than the 30% pre-European threshold level. Many occurrences of the vegetation unit are infested with <i>Phytophthora</i> Dieback.</p> <p>The DEC expressed the view that irrespective of current zonings, the development footprint should be moved at least 30 metres towards Emu Point Road to reduce impacts on the <i>Allocasuarina fraseriana</i> / <i>Banksia illicifolia</i> / <i>Agonis flexuosa</i> vegetation unit.</p>	<p>DEC first raised the prospect of relocating the development footprint to LandCorp in April 2010. This was the first time this suggestion was put forward after 5 years of consultation with community and stakeholders (including DEC).</p> <p>LandCorp has undergone a significant amount of community consultation to date with the Albany community in relation to the current plan. Feedback has shown that the wider community is generally supportive of the current design on the basis that LandCorp (amongst other things) are:</p> <ul style="list-style-type: none"> ▶ building on appropriately zoned land; ▶ working with the natural contours of the site (for roads, lot design, building heights etc); ▶ taking care to reduce the visual impact. <p>LandCorp has developed the proposed plan based upon the environmental and planning data provided by DEC and suitably qualified environmental practitioners and have worked with the site’s topography to develop the most sensitive design possible. If the footprint was to be moved, the footprint/road network would need to be completely redesigned in order to meet this same objective.</p> <p>LandCorp will be undertaking a revegetation process to ensure that the degraded land (including that within the existing parks and recreation reserve) will be rehabilitated. LandCorp is also proposing that the Shire implement a differential rating system to ensure that an ongoing weed</p>

¹ Submission numbers 2 – 34 refer to submission numbers assigned by the EPA to submissions received from the general public and community groups.



Reference	Submission ¹	Issue	Proponent's Response
			<p>management strategy can be implemented.</p> <p>DEC (and other relevant stakeholders such as City of Albany, The Department of Planning, FESA etc) have been extensively consulted throughout this process and LandCorp have worked on the basis of previous advice to create the current plan.</p> <p>The land closer to Emu Point Drive consists of a ridgeline that currently acts to screen the development site from Emu Point Drive. Moving the development onto this land will have implications for visual amenity.</p> <p>Expanding the development toward Emu Point Drive may remove an east-west ecological corridor that links the site with the remnant bushland adjacent to the golf driving range at Barry Court. Removal of this corridor will leave only the coastal setback area as an undisturbed east-west link through the site.</p>
1.2	2, 3, 4, 5, 6, 7, 8, 11, 12, 14, 15, 23, 25, 26, 30, 33, 34, Bushcarers Group Inc (17)	Numerous submissions raised concerns that the development will result in the clearing of locally or regionally significant vegetation types, which may be poorly represented in conservation reserves.	<p>Rathbone and Sandiford are in the process of completing an Albany Regional Vegetation Survey (ARVS) on behalf of the DEC, however, the study is ongoing and incomplete and therefore limited impact assessment can be completed and no conclusions can be drawn on the basis of the study.</p> <p>Preliminary information from the ARVS was provided by the EPA for the purpose of informing the Emu Point Development Public Environmental Review, however the complete report is not publicly available. The information included in the PER document and in the proponents response to submissions is based on the information available at the time of preparation.</p> <p>Preliminary findings of the ARVS have mapped 96.8 ha of the vegetation unit <i>Allocasuarina fraseriana</i> / <i>Banksia illicifolia</i> / <i>Agonis flexuosa</i> (Afra/Alfe/Bili). Rathbone and Sandiford (2010) indicate that 22.8% of the known</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>distribution of Afra/Alfe/Bili occurs within conservation reserves. These preliminary findings are based on a survey area representing just over 12% of the estimated remnant vegetation within the ARVS study area.</p> <p>Approximately 48% of vegetation unit Afra/Alfe/Bili within the Emu Point Development site will be retained within green spines and retained vegetation.</p> <p>Vegetation unit Limestone 1 is considered to be well represented in conservation reserves, with 63.4% of the area of this vegetation type mapped to date as part of the ARVS occurring within reserves. Only 12.6 ha (5%) of the mapped area of this vegetation type occurs within the proposed development site, of which 3.9 ha is within the development footprint (excluding green spines, where vegetation will be retained). The area of vegetation unit Limestone 1 within the development footprint represents less than 2% of the area of this vegetation unit surveyed within the ARVS study area to date.</p> <p>Preliminary findings by Sandiford and Rathbone suggest that vegetation unit Afle/Lga is poorly represented in conservation reserves, with only 3.1% (0.7 ha) occurring within reserves. The area of vegetation unit Afle/Lgla mapped within the Emu Point site is outside of the proposed development footprint and will not be directly impacted by the proposal.</p> <p>The Concept Plan has been designed to ensure the retention of approximately 60% (20 ha) of remnant vegetation on the site to minimise potential impacts on vegetation and fauna and to maintain the landscape character. A further 3.1 ha has also been identified for rehabilitation / revegetation following construction.</p> <p>LandCorp plans to submit a re-zoning application to re-zone areas outside of the development footprint as 'Parks and Recreation'. The re-zoning will facilitate the maintenance of</p>



Reference	Submission ¹	Issue	Proponent's Response
			these areas in perpetuity. The total area to be reserved for conservation purposes is approximately 20 ha, which equates to approximately 60% of the site.
1.3	2, 3, 4, 5, 6, 7, 8, 11, 14, 15, 23, 30, 33, 34	Numerous submissions commented that the proposed clearing is at variance with the ten Clearing Principles.	An assessment of the proposed clearing against the 10 Clearing Principles is included in Section 8.1.2 of the PER document. Based on this assessment, the proposed clearing is not considered likely to be significantly at variance with Clearing Principles (a), (b), (c), (e) and (g) and is unlikely to be at variance with the remaining five principles.
1.4	6, 9, 23, 29, Wildflower Society of WA (Albany Branch) (19)	A number of submissions expressed concerns regarding potential for 'edge effects'.	<p>Vegetation management and weed hygiene controls will be included in the Construction Environmental Management Plan (CEMP) and 'residential-living' phase Environmental Management Plan (EMP) for the development.</p> <p>The objectives of the EMP and CEMP in relation to vegetation management, weeds and Dieback are to:</p> <ul style="list-style-type: none"> • Maintain and where possible enhance the ecological values of vegetation to be retained within site; • Minimise the spread of exotic plants and weeds; • Control and/or eradicate weeds present within the site; and • Minimise the spread of Dieback. <p>The CEMP will include the following weed management measures:</p> <ul style="list-style-type: none"> • Limiting initial disturbance areas to those required for construction and development; • Restricting vehicle access to established trafficable areas;



Reference	Submission ¹	Issue	Proponent's Response
			<ul style="list-style-type: none">▶ All vehicles and equipment will be inspected prior to entering the site and any soil and vegetative material removed;▶ Undertaking appropriate control spraying using non-residual herbicides; and▶ Removal of aggressive weed species, such as Victorian Tea-tree, Watsonia, Sydney Wattle and Kikuyu, from areas of vegetation to be retained. <p>A Dieback Management Plan will be developed as a part of the CEMP for the project. Dieback management measures will include requirements:</p> <ul style="list-style-type: none">▶ Dieback infested areas will be demarcated using flagging tape and/or pegs;▶ Clearing will be undertaken with no interaction between Dieback categories (i.e. uninfested and infested areas);▶ Clearing will be limited to times when soil conditions are dry to minimise any potential risk of spreading Dieback;▶ Areas of remnant vegetation will be fenced to prevent access outside of designated areas and thereby minimise the risk of Dieback spreading;▶ Where possible, topsoil from areas free of Dieback will be removed prior to those areas determined to contain the Dieback pathogen;▶ Material removed will be segregated and all Dieback infected material quarantined in a designated location.



Reference	Submission ¹	Issue	Proponent's Response
			<p>Stockpiles will be appropriately signed, contained and bunded;</p> <ul style="list-style-type: none">Raw materials used for road construction adjacent to retained protectable areas are to be certified as Dieback free and road drainage will not be allowed to be directed to these areas from areas of Dieback infection;Raw materials for construction of walkways which traverse protectable areas are to be certified Dieback free and of limestone base;Dieback hygiene measures will be implemented to ensure all vehicles and equipment are cleaned/washed down prior to mobilising to site, and when moving from Dieback infected to Dieback free areas within the site; andAny fill material brought to the site for the development will be certified Dieback free. <p>The City of Albany is currently considering the possibility of incorporating differential rating levies to fund ongoing management of vegetation within the development site. A 'residential-living' phase EMP will be prepared and implemented for the development which will provide a framework for the management of rehabilitated areas along with areas of remnant bushland.</p> <p>The EMP will include hygiene controls and management measures to minimise the risk of weeds and Dieback being introduced or spread within the site. LandCorp has also committed to rehabilitating areas of degraded vegetation within the site with local native species.</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p data-bbox="1144 336 1839 424">The 'residential living' phase EMP will include the following management and mitigation controls relating to vegetation management:</p> <ul data-bbox="1144 448 1839 1254" style="list-style-type: none"><li data-bbox="1144 448 1839 624">▶ Access tracks will be fenced and signposted to prevent uncontrolled access to dune areas and remnant vegetation. Regular inspections will be undertaken to monitor the condition of fencing along access tracks and maintenance carried out as necessary;<li data-bbox="1144 647 1839 823">▶ Regular inspections of remnant bushland will be undertaken to identify illegal dumping, including disposal of green waste and lawn clipping. Illegally dumped material will be removed and the area reinstated as required;<li data-bbox="1144 847 1839 911">▶ Regular inspections will be undertaken to identify any illegal clearing within remnant bushland;<li data-bbox="1144 935 1839 1031">▶ Areas of rehabilitation will be monitored to determine rehabilitation success, and where required, additional rehabilitation will be undertaken;<li data-bbox="1144 1054 1839 1158">▶ Regular inspections and control spraying using non-residual herbicides will be undertaken to control and where possible eradicate weed infestations; and<li data-bbox="1144 1182 1839 1254">▶ Additional measures outlined in the Fire Management Plan for the development site will be implemented. <p data-bbox="1144 1270 1839 1358">A weed management program is proposed which will involve regular control spraying using non-residual herbicides, to control and where possible eradicate weed infestations.</p> <p data-bbox="1144 1374 1771 1407">Care has been taken with the design and provision of</p>



Reference	Submission ¹	Issue	Proponent's Response
			residential fencing and adjacent trails, not to replicate the Hope / Griffiths Street experience; which is a result of solid barrier fencing and no passive surveillance.
1.5	7	Submission 7 raised concerns that clearing of the development site would conflict with the intent of a number of Federal, State and local Government policies to protect remaining biodiversity values.	The development will progress through all necessary environmental and planning approval processes in the same manner as other developments. LandCorp will need to comply with any decisions made by approval authorities.
1.6	15	Submission 15 commented that there is little remnant vegetation remaining within the Albany urban area. The submission suggested that the proposed development site should be retained for its aesthetic and biodiversity values.	<p>LandCorp has committed to the retention of approximately 60% (approximately 20 ha) of remnant vegetation on the site to minimise potential impacts on vegetation and fauna and to maintain the landscape character. A further 3.1 ha has also been identified for rehabilitation / revegetation following construction.</p> <p>LandCorp plans to submit a re-zoning application to re-zone areas outside of the development footprint as 'Parks and Recreation'. The re-zoning will facilitate the maintenance of these areas in perpetuity.</p>
1.7	Bushcarers Group Inc (17)	Concerns raised regarding clearing of vegetation which forms part of an important coastal vegetation corridor extending between Walpole to the South Australian border.	<p>LandCorp recognises that the site forms part of a coastal corridor of vegetation across most of the southern coast of Western Australia.</p> <p>In order to maintain ecological linkages on a local and regional scale, the Concept Plan has been designed to include strategically located bush corridors which allow for fauna movement within the site, as well as maintaining linkages to surrounding vegetation. The Concept Plan includes two major east-west corridors to the north and south of the development footprint and a north-south corridor to the east of the development footprint. An additional east-west green spine and three north-south green spines will be retained.</p>



Reference	Submission ¹	Issue	Proponent's Response
			LandCorp plans to submit a re-zoning application under the TPS 1A to re-zone areas outside of the development footprint as 'Parks and Recreation'. The rezoning of these areas will facilitate the maintenance of these areas in perpetuity. The total area to be reserved for conservation purposes is approximately 20 ha, which equates to approximately 60% of the site.
1.8	18	Submission 18 requested the area of Sheoak woodland proposed for clearing to be quantified in terms of percentage of regional distribution.	<p>Vegetation studies by Sandiford and Rathbone are currently incomplete and therefore limited impact assessment can be completed and no conclusions can be drawn on the basis of the study.</p> <p>In the absence of any alternative publicly available data, the status and extent of vegetation within the site has been calculated based on Beard's vegetation classification.</p> <p>The distribution and abundance of Sheoak woodland in the region is unknown. The development footprint has been designed to avoid the Sheoak woodland vegetation association within the site as far as possible.</p> <p>Approximately 48% of vegetation unit Afra/Alfe/Bili (which includes some Sheoak) within the Emu Point Development site will be retained within green spines and retained vegetation.</p>
1.9	18	Submission 18 commented that the impacts of clearing from the development should not be considered in isolation.	Comments noted. The potential impacts of clearing types of bushland are related to the regional amounts and distribution of vegetation types as mentioned in sections 1.1, 1.2, 1.3 and 1.8 above. This indicates that the impacts from clearing are not being considered in isolation, but as part of regional vegetation assessments.
1.10	Wildflower Society of WA (Albany Branch)	Submission 19 commented that the retained areas of vegetation are essentially the edges and raised concern that core	LandCorp has identified approximately 20 ha (60%) of remnant vegetation on the site to be retained. The major east-west corridor is approximately 180 m wide and the



Reference	Submission ¹	Issue	Proponent's Response
	19	areas of vegetation within the site will be disturbed and degraded.	<p>north-south corridor at least 100 m wide. These are significant areas of vegetation which include all identified vegetation types on the site and which will retain their integrity.</p> <p>LandCorp has committed to developing a 'residential-living' phase EMP for the project, which will provide a framework for the management of retained bushland (see Proponents Response to Issue 1.4). The City of Albany is currently considering the possibility of incorporating differential rating levies to fund ongoing management of vegetation within the development site.</p>
1.11	Wildflower Society of WA (Albany Branch) (19)	The Wildflower Society of WA raised issues regarding the proposed clearing of excellent to very good vegetation.	<p>Planning and design of the Emu Point development has sought to apply the principles of sustainable development. Planning has sought to find a balance between competing social, environmental and economic interests and issues including:</p> <ul style="list-style-type: none"> ▶ Building on appropriately zoned land; ▶ Working with the natural contours of the site (for roads, lot design, building heights etc) ▶ Taking care to reduce visual impact; and ▶ Minimising impacts on native vegetation, in particular prime Western Ringtail Possum habitat. <p>Key elements of the design relating to vegetation and habitat retention include:</p> <ul style="list-style-type: none"> ▶ Retention and protection of approximately 60% of the site's vegetation; ▶ Rehabilitation of degraded land (including that within the existing parks and recreation reserve);



Reference	Submission ¹	Issue	Proponent's Response
			<ul style="list-style-type: none"> Retention of most Sheoak Woodland on site, which is thought to be regionally significant; Avoidance of impacts to priority flora where possible; Retention of fauna corridors and local native plant landscaping within the development to support native fauna populations; and Ongoing, long-term environmental management of the site, funded through a differential rating system.
1.12	25	Submission 25 raised concerns that rehabilitation will not duplicate the existing environment if introduced or non-endemic tree species are used.	Areas identified for rehabilitation will be revegetated using locally occurring species (suitable species are identified in Hickman, 2005 surveys) and will be managed to prevent the introduction of weeds and spread of Dieback.
Dieback and Weeds			
2.1	4, 5, 6, 7, 8, 9, 11, 12, 15, 23, 30, 33, 34	Several submissions raised concerns regarding the potential for Dieback to be spread into adjacent reserve areas as a result of the development.	<p>A Dieback assessment has been completed for the site. The Dieback assessment mapped areas of the site under the classifications of 'infested', 'uninfested', 'uninterpretable' and 'unprotectable'.</p> <p>The Dieback assessment confirmed that approximately 33% of the site is Dieback infested. LandCorp acknowledge that uncontrolled access within the remnant vegetation has the potential to further spread Dieback into some vegetation types. The vegetation on much of the southern half of the site is not particularly susceptible to the disease, due to the plant species present and the soil types.</p> <p>LandCorp has committed to developing a Dieback Management Plan for both the construction phase and 'residential-living' phase of the project in consultation with the DEC. A summary of the proposed Dieback hygiene</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>measures to be implemented is provided in the Proponents Response to Issue 1.4.</p> <p>A number of other design features have been incorporated to minimise the risk of Dieback being spread during the residential living phase and to maintain the integrity of remnant bushland. These include:</p> <ul style="list-style-type: none">▶ All roads within the development will be sealed, hence the risk of Dieback being spread by vehicle movements within the development will be significantly reduced;▶ Areas of remnant vegetation will be fenced to prevent access outside of designated areas and thereby minimise the risk of Dieback spreading.▶ Beach access tracks and pathways through bushland will be constructed from crushed and compacted limestone with post and rail fences, to minimise the potential for Dieback being spread by pedestrian traffic.▶ Where possible, walking tracks through remnant bushland will be located outside of Dieback infested areas. <p>Revegetation will be undertaken using Dieback resistant species. LandCorp has commenced discussions with the DEC regarding a potential partnership involving Dieback restoration trials at the EPD site. A detailed strategy for the restoration trials is yet to be developed. However, the concept for the study is to screen and identify Dieback resistant plants within the site from which seeds will be collected for propagation. If successful, the trials could potentially be used in rehabilitation of Dieback infested areas both within the development site and across the broader south-west. Details of the potential partnership are yet to be</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>determined.</p> <p>LandCorp is also considering undertaking a phosphite treatment program including initial phosphite injection of mature trees (e.g. Banksia and Sheoak) followed by spray treatment prior to commencement of construction works.</p> <p>The site is currently unprotected and unmanaged, with little or no control over use by pedestrians and horse riders. The proposed development will result in significantly improved management of the remnant bushland on the site.</p>
2.2	9	The entry road to the proposed development goes through an area identified as being infected with Dieback. Submission 9 raised concerns regarding the potential for Dieback to be spread by earthworks and construction vehicles due to the location of this entry road.	<p>LandCorp has committed to developing a Dieback Management Plan for both the construction phase and 'residential-living' phase of the project. Dieback Management Plans will be developed in consultation with the DEC.</p> <p>A Dieback assessment has been completed which mapped areas of the site under the classifications of 'infested', 'uninfested', 'uninterpretable' and 'unprotectable'. Clearing will be undertaken with no interaction between these categories and will be limited to times when soil conditions are dry to minimise any potential risk of spreading Dieback. Dieback hygiene measures will be implemented to ensure all vehicles and equipment are cleaned down prior to mobilising to site, and when moving from Dieback infected to Dieback free areas within the site. Additional details of the proposed Dieback hygiene measures to be included in these plans are summarised in the Proponents Response to Issue 1.4.</p> <p>Roads within the development will be sealed, hence the risk of Dieback being spread by vehicle movements within the development during the residential living phase will be low.</p>
2.3	30	One submission questioned how Dieback hygiene procedures will be enforced during future construction stages.	All contractors (including building contractors) working within the site will be bound by the requirements of the Construction Environmental Management Plan (CEMP). The CEMP will



Reference	Submission ¹	Issue	Proponent's Response
			include hygiene procedures for weed and Dieback control, as outlined in the Proponents response to Issue 1.4.
2.4	9, Bushcarers Group Inc (17), Wildflower Society of WA (Albany Branch) (19)	Several submissions commented on the potential for exotic species planted within the development area to spread into nearby bushland. There was also concern that there is no legislation to enforce adherence to native sensitive garden or urbanscape designs.	<p>LandCorp will encourage residents of the Emu Point Development to use locally occurring native flora species in landscaping. The Design Guidelines recommend native plant species suitable for landscaping within the development. A 'demonstration' interpreted bush garden is proposed within the development to educate residents on native plant species suitable for use in landscaping.</p> <p>Landscaping plans will be required to be submitted to the developer to ensure compliance with the Design Guidelines prior to lodging a building application with the City of Albany.</p> <p>A weed management program is proposed which will involve regular weed inspections and control spraying using non-residual herbicides, and this will include non-native garden plants.</p>
2.5	Wildflower Society of WA (Albany Branch) (19)	Submission 19 raised concerns regarding the potential for vacant lots to become a source of weed seed.	<p>LandCorp intends to retain all lots in their current vegetated state during the sales and development phases, thereby minimising the potential for weed establishment and dispersal.</p> <p>A weed management program is proposed which will involve regular control spraying using non-residual herbicides, to control and where possible eradicate weed infestations.</p>
2.6	25	Submissions 25 raised concerns regarding the management of existing weed populations and the potential for the development to result in further weed spread or introduction.	<p>LandCorp has committed to the removal of aggressive weed species, such as Victorian Tee-tree, Watsonia, Sydney Wattle and Kikuyu from areas of vegetation to be retained.</p> <p>LandCorp acknowledges that the proposed development may potentially increase the presence of weeds within surrounding vegetation if not appropriately managed.</p> <p>Weed hygiene controls and management procedures will be</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>included in the CEMP and 'residential-living' phase EMP for the development to minimise the risk of weeds being spread or introduced into the site (see Proponents Response to Issue 1.4). A weed management program is also proposed which will involve regular weed inspections and control spraying using non-residual herbicides.</p> <p>The City of Albany is currently considering the possibility of incorporating differential rating levies to fund ongoing management of vegetation and fauna within the development site. The City of Albany will make a final determination on this approach upon approval of the Outline Development Plan for the site.</p>
Fauna			
3.1	Department of Environment and Conservation (DEC)	The DEC requested further clarification regarding the impacts of the development on the Western Ringtail Possum. The DEC also suggested that the development footprint be shifted towards Emu Point Road to reduce impacts on core Western Ringtail Possum habitat.	<p>Coffey completed a targeted Western Ringtail Possum survey across the development site in 2006 to estimate the number of possums and dreys within the project area (Appendix E of PER document). All Western Ringtail Possums recorded during the survey were located within the Peppermint woodland and Peppermint thicket habitats. No Western Ringtail Possums or dreys were recorded from the Sheoak/Banksia woodland habitat.</p> <p>An additional targeted possum survey was completed by Green Iguana in 2007 to provide additional information on the distribution and abundance of the Western Ringtail Possums within the Peppermint thicket habitat.</p> <p>Coffey recorded a total of 29 dreys from the site, while 92 dreys were recorded by Green Iguana. It is likely that some dreys recorded during the survey by Green Iguana were also recorded by Coffey, hence there is likely to be some duplication in dreys recorded. Approximately 21 dreys have been recorded from within the development footprint (excluding those recorded in areas to be retained as green</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>spines). Where possible, infrastructure such as roads and pathways, will be designed to avoid trees containing dreys.</p> <p>Development envelopes imposed on each residential lot within the EPD will limit the area of clearing allowed and will essentially retain the development as 'bush blocks'. The Design Guidelines for the development include mandatory criteria relating to the conservation of vegetation, including a requirement for gardens to be designed to retain significant trees (native trees endemic to Emu Point with >6 cm trunk diameter) so as to conserve habitat and complement the existing character of the adjacent bushland.</p> <p>Approximately 9.2 ha (approximately 79%) of Closed Peppermint Thicket vegetation and approximately 9.3 ha (45%) of Open Peppermint Woodland habitat within the site will be retained. The development footprint has been designed to avoid Western Ringtail Possum dreys and sighting locations as far as possible.</p> <p>Bushland corridors throughout the development have been strategically placed to retain as much bushland as possible and provide corridors for fauna movement whilst ensuring that fire safety has been considered. The original vegetation is not being cleared within these zones and they will provide habitat for fauna in this area (especially the Western Ringtail Possum) and enable movement across Emu Point Drive and along the coast, all adding to the overall value of the site.</p> <p>Moving the footprint of the development would have other detrimental effects upon Albany including increased visual impact of the development on the surrounding community.</p>
3.2	2, 3, 4, 5, 6, 7, 8, 11, 14, 15, 18, 23, 25, 26, 30, 33, 34,	A number of public submissions raised concerns regarding potential impacts to Western Ringtail Possums as a result of clearing of habitat.	LandCorp has committed to retaining approximately 79% of Peppermint Closed Thicket vegetation within the site, which is considered prime Western Ringtail Possum habitat. Landscaping with native lower, mid and upper strata species



Reference	Submission ¹	Issue	Proponent's Response
	Bushcarers Group Inc (17)		<p>including Peppermint is also proposed within the development footprint to increase the area of available habitat suitable for the Western Ringtail Possum.</p> <p>A Western Ringtail Possum Management Plan will be prepared by LandCorp in consultation with the DEC, and will be implemented as a part of the CEMP. The objective of the Management Plan is to minimise impacts on Western Ringtail Possums and their habitat as well as maintaining ecological linkages on a local and regional scale. The Western Ringtail Possum Management Plan will include:</p> <ul style="list-style-type: none">• Identification and flagging of trees containing dreys prior to clearing;• Where possible, trees containing dreys will be avoided and retained;• A trapping and translocation program to be developed in consultation with the DEC, to be carried out prior to commencement of clearing; and• Translocated possums will be monitored to determine the success of the translocations. <p>Existing urban and semi-urban areas, including Busselton, Dunsborough, East Augusta and Albany, are known to support viable populations of Western Ringtail Possums (Jones et al., 1994 in Green Iguana, 2007). The proposed EPD has been designed to maintain substantial areas of vegetation (particularly Peppermint trees) and canopy connectivity within the site to minimise potential impacts on possums and their habitat.</p> <p>Bushland corridors throughout the development have been strategically placed to retain as much bushland as possible and provide corridors for fauna movement whilst ensuring</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>that fire safety has been considered. Remnant vegetation within these zones will not be cleared and they will provide habitat for fauna in this area (especially the Western Ringtail Possum) and enable movement across Emu Point Drive and along the coast, all adding to the overall value of the site.</p> <p>Overall, approximately 60% of the site will be retained as natural bushland. This will be surrounded by fencing (and appropriate signage) to discourage uncontrolled access within remnant bushland.</p>
3.3	2, 3, 4, 5, 6, 7, 8, 11, 12, 14, 15, 23, 25, 26, 30, 33, 34, Bushcarers Group Inc (17)	A number of submissions commented on the potential impacts to Western Ringtail Possums on a local and regional scale as a result of clearing of Peppermint thicket within the development site.	<p>Western Ringtail Possums are known from seven coastal and inland locations within the south-west of WA, including the Albany region between West Cape Howe and Mt Manypeaks.</p> <p>Gilfillan (2008) prepared a summary of survey and sighting data for Western Ringtail Possums within the Greater Albany Area for the DEC. The project aimed to provide information on the distribution and habitat use of Western Ringtail Possums in the Greater Albany Area.</p> <p>The study by Gilfillan (2008) resulted in the number of records of Western Ringtail Possums within the Albany region increasing from 83 to 298, representing a 150% increase in records. The study resulted in a significant increase in the number of Western Ringtail Possum records within a 10 km radius of the Albany town centre, along with new records from Big Grove and Lower King where there were previously no records of this species.</p> <p>A number of reserves containing suitable possum habitat where there are no known Western Ringtail Possums records were also identified. These areas include Torndirrup National Park east of Big Grove and coastal reserves between Torndirrup National Park and West Cape Howe National Park (Gilfillan, 2008). Gilfillan (2008) suggests that these gaps</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>may be due to the lack of Western Ringtail Possum surveys and data rather than the absence of this species in these areas.</p> <p>Coffey (formerly ATA Environmental) mapped habitat types within the surrounding areas, and identified similar habitat types to those within the development area. Vegetated corridors connecting the site to habitat areas to the north, south, east and west of the site will be retained to maintain habitat connectivity with surrounding areas.</p>
3.4	18	Submission 18 raised concerns regarding potential impacts on post-breeding dispersal behaviour of Western Ringtail Possums.	<p>Existing urban and semi-urban areas, including Busselton, Dunsborough, East Augusta and Albany, are known to support viable populations of Western Ringtail Possums (Jones <i>et al.</i>, 1994 in Green Iguana, 2007).</p> <p>The ability of Western Ringtail Possums to survive in urban areas is thought to be dependent on the retention of substantial Peppermint trees and natural or artificial canopy connectivity (e.g. rooftops or fence lines).</p>
3.5	25, 30, Bushcarers Group Inc (17)	Several submissions raised concerns regarding the success of Western Ringtail Possums translocation.	<p>Research into Western Ringtail Possum translocations indicates that this species can be successfully translocated (de Tores <i>et al.</i>, 2005a, de Tores <i>et al.</i>, 2005b and de Tores <i>et al.</i>, 2008 in de Tores 2009).</p> <p>LandCorp propose to develop a fauna translocation program in consultation with the DEC prior to the commencement of clearing. LandCorp has committed to monitoring conservation significant fauna relocated from the site to determine the success of translocations.</p>
3.6	6, 26	Two submissions raised specific concerns regarding displacement or death of Western Ringtail Possums within the development area during clearing.	LandCorp have committed to preparing and implementing a Western Ringtail Possum Management Plan as a part of the CEMP for the development. The objective of the Management Plan is to minimise impacts on Western Ringtail Possums and their habitat within the site as well as



Reference	Submission ¹	Issue	Proponent's Response
			<p data-bbox="1144 331 1861 419">maintaining ecological linkages on a local and regional scale The Western Ringtail Possum Management Plan will be developed in consultation with the DEC, and will include:</p> <ul data-bbox="1144 437 1861 895" style="list-style-type: none"> <li data-bbox="1144 437 1861 507">▶ Identification and flagging of trees containing dreys prior to clearing; <li data-bbox="1144 525 1861 595">▶ Where possible, trees containing dreys will be avoided and retained; <li data-bbox="1144 612 1861 683">▶ A suitably qualified fauna handler will be present during clearing to identify fauna within areas to be cleared; <li data-bbox="1144 700 1861 805">▶ A trapping and translocation program to be developed in consultation with the DEC, to be carried out prior to commencement of clearing; and <li data-bbox="1144 823 1861 895">▶ Translocated possums will be monitored to determine the success of the translocations. <p data-bbox="1144 912 1861 1018">With the implementation of the Western Ringtail Possum Management Plan, the risk of possum deaths during clearing is considered low.</p>
3.7	26	<p data-bbox="607 1054 1115 1238">Submission 26 commented that the Albany Western Ringtail Possum population may be a significant sub-population within the south coast and raises concerns that clearing will increase impacts to this species as a result of habitat loss.</p>	<p data-bbox="1144 1054 1805 1114">The Albany Western Ringtail Possum population occurs between West Cape Howe and Mt Manypeaks.</p> <p data-bbox="1144 1131 1854 1407">A study by Gilfillan (2008) involving collation of survey data and sightings resulted in the number of records of Western Ringtail Possums within the Albany region increasing by more than 150%, with the total number of records for the region increasing from 83 to 298. The study resulted in a significant increase in the number of Western Ringtail Possum records within a 10 km radius of the Albany town centre, along with new records from Big Grove and Lower King where there were previously no records of this species.</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>Existing urban areas within the Albany region are known to contain significant numbers of Western Ringtail Possums (Gilfillan, 2008). According to the Western Ringtail Possum Interim Recovery Plan "<i>large developments affecting significant areas of Western Ringtail habitat are often manageable via habitat (particularly corridor) retention</i>" (Burbidge and de Tores, 1998).</p> <p>The Concept Plan for the EPD has been designed to include strategically located habitat corridors which will maintain ecological linkages on a local and regional scale. LandCorp has committed to retaining approximately 79% of the Peppermint Closed Thicket within the site, which is considered Western Ringtail Possum habitat.</p>
3.8	18, 26	Several submissions questioned the adequacy and functionality of the proposed fauna corridors.	<p>According to the Western Ringtail Possum Interim Recovery Plan "<i>large developments affecting significant areas of Western Ringtail habitat are often manageable via habitat (particularly corridor) retention</i>" (Burbidge and de Tores, 1998). The Concept Plan for the EPD has been designed to include strategically located habitat corridors which will maintain ecological linkages on a local and regional scale. The Concept Plan includes two major east-west corridors to the north and south of the development footprint and a north-south corridor to the east of the development footprint. An additional east-west green spine and three north-south green spines will be retained.</p> <p>LandCorp plans to submit a re-zoning application under the City of Albany Town Planning Scheme 1A to re-zone areas outside of the development footprint as 'Parks and Recreation'. The rezoning of these areas will facilitate the maintenance of these areas in perpetuity. The total area to be reserved for conservation purposes is approximately 20 ha, which equates to approximately 60% of the site.</p>



Reference	Submission ¹	Issue	Proponent's Response
3.9	2, 3, 4, 5, 6, 7, 8, 11, 14, 15, 18, 23, 30, 33, 34	Several submissions raised concerns regarding the loss of potential foraging habitat for White-tailed Black Cockatoos.	<p>There is limited feeding habitat to support White-tailed Black Cockatoos within the development site, however LandCorp recognise that cockatoos may use the area for opportunistic grazing. It is estimated that cumulatively less than 1 ha of potential cockatoo foraging habitat will be cleared for the development.</p> <p>LandCorp has identified 3.1 ha within the development site which will be rehabilitated with plant species native to the site. This will include <i>Banksia</i> sp. (<i>Banksia ilicifolia</i> and <i>Banksia attenuata</i>) and <i>Hakea</i> sp., the seeds of which are a preferred food for White-tailed Black Cockatoos. LandCorp is committed to retaining large existing Banksias where possible to minimise the impact on preferred foraging habitat for cockatoos.</p> <p>It should be noted that approximately 33% of the site has been confirmed to be Dieback infested, while a further 13% is considered unprotectable. The limited cockatoo feeding habitat within the site is therefore considered to be at risk as Banksia species are highly susceptible to dieback. The site is currently unprotected and unmanaged, with little or no control over access by pedestrians on foot and horseback. The proposed development will result in improved management of the remnant bushland on the site and the implementation of controls to minimise the risk of Dieback spreading into remnant bushland.</p>
3.10	5, 9, 15, 26	A number of submissions raised concerns regarding potential impacts of the development on State and Commonwealth listed species (other than Western Ringtail Possums and Black Cockatoos) which may occur within the development area.	<p>Five species of significant fauna have been recorded on the site, including Carnaby's Black Cockatoo, Baudin's Black Cockatoo, Western Ringtail Possum, Quenda and Osprey. Baseline fauna surveys completed for the development identified a number of listed species as possibly occurring on the site or having potentially suitable habitat within the site. However, despite extensive surveys, no additional listed</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>species have been recorded from the site.</p> <p>In addition to vertebrate fauna surveys, the site has been intensively surveyed for the presence of Main's Assassin Spider (<i>Austrarchaea mainae</i>), however no individuals have been recorded.</p> <p>LandCorp has identified approximately 20 ha (approximately 60%) of remnant vegetation on the site to be retained. The development footprint has been designed to minimise impacts on native vegetation, in particular prime Western Ringtail Possum habitat.</p> <p>Vegetation corridors and habitat linkages have been incorporated into the Concept Plan to maintain connectivity between native vegetation on the site and in the surrounding landscape.</p> <p>A fauna translocation plan which will be implemented as a part of the Construction Environmental Management Plan to minimise potential impacts on fauna during clearing and development of the site.</p>
3.11	2, 6, 18, 26	A number of submissions commented on the impacts of the proposed development on fauna movements on a regional scale due to habitat fragmentation.	<p>LandCorp recognises that the site forms part of a coastal corridor of vegetation from Walpole along the South Coast to the east. In order to maintain ecological linkages on a local and regional scale, vegetation corridors have been identified in the Concept Plan for protection. These include two major east-west corridors to the north and south of the development footprint and a north-south corridor to the east of the development footprint. An additional east-west green spine and three north-south green spines will be retained.</p> <p>Fauna habitat within the surrounding areas has been mapped by Coffey (formerly ATA Environmental) and provided on page 58 of the PER document. This mapping indicates that similar habitat occurs in surrounding areas. The proposed green spines and corridors within the</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>development site will maintain linkages with these surrounding areas.</p> <p>LandCorp plans to submit a re-zoning application under the TPS 1A to re-zone areas outside of the development footprint on site as 'Parks and Recreation'. The rezoning of these areas will facilitate the maintenance of these areas in perpetuity.</p>
3.12	9, 11, 18, 21, 26, 30, Bushcarers Group Inc (17), Wildflower Society of WA (Albany Branch) (19)	Several submissions raised concerns regarding predation of native fauna as a result of domestic pets, along with potential impacts of human interaction (e.g. trapping or poisoning).	<p>LandCorp is unable to enforce a cat ban within the development area as this is a regulatory issue for the City of Albany. LandCorp is aware of this issue within Albany and is investigating measures to mitigate the effects of predators on native fauna. This includes investigating the potential to participate in research to reduce the effect of felines on surrounding native environments.</p> <p>LandCorp will continue to liaise with the City of Albany and the Department of Environment and Conservation regarding the management of feral and domestic animals within the development area.</p> <p>LandCorp is currently in discussions with Murdoch University regarding the potential to undertake innovative, world first research into the roaming habits of cats and to test technological devices to assist in the management and protection of native bushland from felines. It is anticipated that should these studies proceed, that the Emu Point site will benefit from participating in experimental trials. Should technological trials be successful, LandCorp intends to introduce the resulting measures across its projects in sensitive areas adjacent to bushland.</p>
3.13	Wildflower Society of WA (Albany Branch) (19)	Submission 19 commented that policies should be developed to direct how residents will live with the associated wildlife.	The Development Guidelines, which all home owners will receive and be required to comply with, include a section on living with possums, which also states that they are a protected species. In addition, the mandatory criteria for



Reference	Submission ¹	Issue	Proponent's Response
			building approval includes retention of significant trees for habitat and landscaping in keeping with the ecological values of the site.
3.14	11, 13, 18, 25	Several submissions commented on the potential for native fauna death or injury as a result of vehicle collision, due to increased traffic on local roads.	The development will utilise multiple traffic calming devices to minimise the risk of direct impacts to fauna from vehicles and will include numerous road islands for fauna and pedestrian passage.
3.15	13, Bushcarers Group Inc (17)	Submissions 13 and 17 raised concerns regarding increased traffic, specifically on Golf Links Road, Emu Point Road and Troode Street potentially resulting in increased fauna deaths.	Traffic management at the intersection of Griffith Street and Emu Point Drive is considered as part of the Traffic Study. LandCorp is currently discussing the potential for a roundabout at this intersection with the City of Albany.
3.16	20, 25, 30, Bushcarers Group Inc (17)	Several submissions commented on potential impacts of the development on Western Long-necked Turtles within the local area, particularly as a result of increased traffic.	LandCorp will liaise with the City of Albany and Department of Environment and Conservation regarding practical mitigation measures which may be adopted for the protection of the Long-necked Turtle. This may include measures such as installation of better signage and/or possible speed restrictions on local roads.
3.17	26, 29	Submissions 26 and 29 commented on the cumulative impacts of clearing of fauna habitat within the region.	See Proponents response to Issue 3.13. The proposed development is consistent with the current zoning of the site under the City of Albany Town Planning Scheme 1A.
3.18	5, 15, 25, Bushcarers Group Inc (17)	Several submissions raised general issues regarding the potential impacts of the development on fauna and fauna habitat.	LandCorp has identified approximately 20 ha (approximately 60%) of remnant vegetation on the site to be retained. Vegetation corridors and habitat linkages have been incorporated into the Concept Plan to maintain connectivity between native vegetation on the site and in the surrounding landscape. The development footprint has been designed to minimise impacts on fauna habitat, in particular prime



Reference	Submission ¹	Issue	Proponent's Response
			<p>Western Ringtail Possum habitat.</p> <p>LandCorp plans to submit a re-zoning application under the TPS 1A to re-zone areas outside of the development footprint on site as 'Parks and Recreation'. The rezoning of these areas will facilitate the maintenance of these areas in perpetuity.</p>
Corridors and Habitat Linkages			
4.1	2, 3, 4, 5, 6, 7, 8, 11, 14, 15, 23, 30, 33, 34	A number of submissions raised issues relating to the interruption of the fauna movements on a regional scale due to potential disruptions to regionally significant wildlife corridors.	<p>LandCorp recognises that the site forms part of a coastal corridor of vegetation from Walpole east along the South coast. In order to maintain ecological linkages on a local and regional scale, vegetation corridors have been identified in the Concept Plan for protection. These include two major east-west corridors to the north and south of the development footprint and a north-south corridor to the east of the development footprint. An additional east-west green spine and three north-south green spines will be retained.</p>
4.2	16	One submission requested the retention of bushland adjacent to residences in Hope Street and Griffith Street.	<p>LandCorp will rehabilitate the land immediately behind Hope Street residences and locate a green reserve behind the existing fence lines. This will be 8m in width and will provide a green outlook for existing Hope street residents. A laneway will then be located on the other side of the green spine to enable new residents to access their homes. Design Guidelines dictate that the new townhouses will have a building setback from the laneway ensuring that there will be no 'over looking' of existing residences. All new townhouses behind Hope Street will be orientated to overlook bushland near the village centre.</p> <p>The houses located at the end of Griffith Street extending along the existing end of Hope street will also have the land immediately behind existing residences rehabilitated. A buffer will be planted by the developer and a building setback</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>imposed to ensure that new residences do not overlook existing homes and that a consistent nature strip is planted. All existing residences will be offered boundary fence changes to provide consistency with the proposed development.</p> <p>The developer will also offer streetscaping to existing residences in the form of street trees so that the existing area can reflect the standards available to potential future residents.</p> <p>The existing residences have solid rear and side boundary fences to the surrounding bushland that has resulted in a situation where there is little passive surveillance of the bushland and non-compliance with today's bushfire protection standards. There is evidence of resultant dumping of garden refuse and weed encroachment. Rehabilitating this area immediately behind the existing residences and securing this area as a development exclusion area or in a road reserve will improve and protect it, providing a minor green space between existing and proposed development. New housing will address the surrounding bushland, providing adequate passive surveillance and suitable distances for adequate low fuel zones to be maintained.</p>
4.3	24	Submission 24 suggested town houses be set back from Hope Street and a bush corridor retained adjacent to the existing Hope Street houses.	<p>LandCorp will rehabilitate the land immediately behind Hope Street residences and locate a green reserve behind the existing fence lines. The area of rehabilitation will be 8m in width and will provide a green outlook for existing Hope Street residents. A laneway will then be located on the other side of the green spine to enable new residents to access their homes.</p> <p>A small reserve has been incorporated behind existing residences as a direct response to feedback received in January 2010 from existing home owners.</p>



Reference	Submission ¹	Issue	Proponent's Response
4.4	32	One submission suggested a bush corridor be retained on the border of Griffith Street at the Emu Point Drive turnoff, providing an extra link from the development to an undeveloped section of the area.	<p>This will be dealt with as part of the design guidelines that determine the building envelopes for the apartments sites. It is proposed that there is no setback on the front section of the apartment but the majority of the edge facing Griffith Street will have a minimum 2 metre set back to provide some green link along the street front.</p> <p>Generally, bush corridors have been retained in areas of good quality bushland. A corridor in this location would be in Dieback and weed infested soil, and thereby likely to be difficult to maintain as a wildlife corridor. An uninterrupted corridor to the foredune exists immediately adjacent on the southwest side of Griffiths Street.</p>
4.5	Bushcarers Group Inc (17), Wildflower Society of WA (Albany Branch) (19)	Issues were raised regarding the future management of corridors and potential for use as access paths by the public.	<p>LandCorp has committed to developing a 'residential-living' phase Environmental Management Plan for the project, which will provide a framework for the management of retained bushland.</p> <p>Beach access tracks and pathways within the bushland corridors will be fenced to constrain uncontrolled access by pedestrians.</p> <p>Pathways have been provided along the border of the proposed developments as an interface between residences and retained bushland. These pathways will also be fenced and signposted to discourage people walking through bushland. The paths serve to delineate public and private space and make these areas safer with greater opportunities for passive surveillance.</p> <p>A differential rating system is being proposed in order to ensure the ongoing management of retained bushland including weed management.</p>



Reference	Submission ¹	Issue	Proponent's Response
Fire			
5.1	Fire & Emergency Services Authority (FESA)	FESA had no comment on the proposal.	No response required.
5.2	Department of Planning - Climate Change and Coastal Planning	The Department of Planning raised concerns regarding hard edge protection around a specific area (area labelled as "village 1.76ha" in Figure 3 of the PER) and suggested as a minimum, a dual use path should be located along the northern edge as a minimum.	<p>The majority of the village centre will have a pathway at the northern boundary. The first apartment site off Griffith Street will not have a pathway at the northern boundary but will be fenced with a link from this apartment site to the pathway via a newly created road (at the north-eastern edge of the apartment site). The pathway leads directly to the existing bus stop on Emu Point Drive.</p> <p>All lot boundaries and pathways will be fenced by the developer and boundary setbacks will also be imposed under the designated area plans for the apartment sites.</p> <p>Considerable consultation with FESA has shown that this strip of vegetation does not constitute a fire risk for the purposes of applying greater controls under Planning for Bushfire Protection Guidelines 2010.</p>
5.3	9	One submission expressed concern regarding the potential fire risks associated with positioning of homes in close proximity to native vegetation.	<p>Bushfire planning has been incorporated in the Concept Plan for the development and will be addressed in the Construction Environmental Management Plan and residential living phase Environmental Management Plan for the site.</p> <p>LandCorp will continue to consult with FESA to ensure bushfire planning is incorporated into the Structure Plan for the development.</p> <p>A Fire Management Plan has been prepared and is an appendix to the Outline Development Plan. A copy is</p>



Reference	Submission ¹	Issue	Proponent's Response
			attached in Appendix C.
5.4	25	<p>Submission 25 raised issues regarding the need for fuel reduction measures and hazard separation zones, and the impacts of these on the quality of surrounding bushland.</p> <p>This submission also raised concerns regarding the safety of cul-de-sacs in fire prone areas due to limited access/egress for fire-fighting equipment and resident evacuation.</p>	<p>LandCorp has undertaken extensive consultation with FESA to ensure bushfire planning is incorporated in the Concept Plan for the development.</p> <p>A Fire Management Plan for the development has been prepared and is attached as Appendix C. In addition, the Landscape Masterplan makes recommendations for managing the fuel load in verge landscapes in the Hazard Protection Zone. The Development Guidelines also provide advice to home owners within this zone for managing fire risk within their gardens.</p> <p>The site has been assessed and rated as both high and low fire rating. The location of the two areas is depicted in Appendix C.</p> <p>It has been confirmed with FESA as part of the formation of a Fire Management Plan that no fuel reduction is required within the bushland corridors.</p> <p>Twelve homes within the cluster precinct have been designated as being required to build to AS3959 standards. This has been implemented in areas where a 100m separation zone between residences and high risk bushland can not be achieved.</p> <p>The area near existing residences will be classified as low fire rating once the new development has been established, as a number of strategic fire breaks will assist in reducing the risk to homes.</p> <p>An acceptable Hazard Separation Zone has been developed around the perimeter of the site adjacent to the high fire risk areas along with strategic firebreaks, to the satisfaction of</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>FESA.</p> <p>There are no cul-de-sacs in the current Outline Development Plan. The Cluster lot precinct has a number of battleaxe lots sharing a common driveway. All properties have the required two escape paths in the event of a fire to a two wheel drive trafficable standard.</p>
Coastal Setback			
6.1	Department of Planning – Climate Change and Coastal Planning	The Department of Planning noted that although further assessment of the setback has not been carried out in accordance with State Planning Policy 2.6, the Department of Transport has indicated that the current setback for development contained in the PER is adequate in relation to Schedule One of SPP 2.6.	<p>In 2007, LandCorp engaged specialist coastal engineers, MP Rogers and Associates, to complete a coastal setback assessment for the site, in accordance with the guidelines and recommendations established in the State Planning Policy (SPP 2.6). The purpose of the assessment was to ensure that development of the site adequately allowed for physical coastal processes over a 100 year period.</p> <p>The resultant recommended setback for the development was 95 m from the western boundary to a point 250 m east and then 105 m to the eastern boundary of the site. In addition to the consultant's recommended setback, the Department of Transport identified the setback in the eastern part of the site should be greater.</p> <p>The proposed development area is located outside of the coastal setback areas identified by the Department of Transport (DoT) and MP Rogers and Associates. The development footprint (with the exception of beach access tracks) will be more than 200 m from the 'horizontal setback datum' located on Emu Beach. The proposed development footprint is set back approximately 115 m from the development setback determined by MP Rogers. The coastal setback will be within Public Open Space and retained as bushland.</p> <p>Consequently, the residential area will not impact on the</p>



Reference	Submission ¹	Issue	Proponent's Response
			coastal setback requirements.
6.2	2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 18, 23, 25, 31, 33, 34, Bushcarers Group Inc (17), Wildflower Society of WA (Albany Branch) (19)	Numerous public submissions raised concerns regarding the susceptibility of the site to coastal retreat and inundation as a consequence of climate change.	<p>The Concept Plan has been designed to comply with the coastal setback distances recommended by Department of Planning as well as the recommendations of the coastal setback assessment completed for the site by MP Rogers and Associates. This assessment took into consideration storm erosion, historic shoreline movements and sea level change. A copy of the Coastal Setback Assessment is included in Appendix A (Appendix 1) of the PER document.</p> <p>The proposed setback for the development complies with the recommended criteria outlined in Schedule One of State Planning Policy 2.6 <i>State Coastal Planning Policy</i>.</p>
6.3	7	Submission 7 commented that worst case scenarios for coastal retreat should be used to avoid taxpayer funded coastal protection works and compensation in the event of inundation.	<p>The Concept Plan has been designed to comply with the coastal setback distances recommended by Department of Planning as well as the recommendations of the coastal setback assessment completed for the site by MP Rogers and Associates. This assessment took into consideration storm erosion, historic shoreline movements and sea level change.</p> <p>The City of Albany has recently produced a Foreshore Management Plan for Middleton Beach which covers the Foreshore area adjacent to the site. LandCorp will work with the City of Albany to ensure that the Foreshore area on the site is managed in accordance with the Middleton Beach Foreshore Management Plan.</p>
6.4	21	One submission sought clarification regarding the proposed setback of the development.	MP Rogers and Associates (2007) recommended a minimum setback of 95 m for the western portion of the site, and 105 m for the eastern portion of the site to allow for the



Reference	Submission ¹	Issue	Proponent's Response
			<p>action of physical and coastal processes.</p> <p>The proposed setback for the development is 115 m from the development setback which satisfies the recommendations of MP Rogers and Associates and the Department of Planning.</p>
6.5	23	The significance of the parallel dune systems located within the development area was raised.	Comments noted. The development has been specifically designed in order to retain the natural topography of the site.

Foreshore Management

7.1	Department of Planning - Climate Change and Coastal Planning	<p>The submission received from the Department of Planning suggested that the Middleton Beach Foreshore Management Plan prepared by the City of Albany does not cover the development in sufficient detail. The Department of Planning recommended that the proposed Construction Environmental Management Plan (CEMP) and Environmental Management Plan (EMP) should be accompanied by a detailed Foreshore Management Plan (FMP), or the requirements within SPP2.6 for foreshore management plans be included and implemented within the proposed EMP and CEMP</p> <p>The Department of Planning suggests that the FMP or EMP should identify land that is to be set aside for public ownership for conservation, management, public access and recreation and these areas should be clearly separated from the adjacent</p>	<p>The objectives of State Planning Policy 2.6 are to:</p> <ul style="list-style-type: none"> ▶ Protect, conserve and enhance coastal values, particularly in areas of landscape, nature conservation, indigenous and cultural significance; ▶ Provide for public foreshore areas and access to these on the coast; ▶ Ensure the identification of appropriate areas for the sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities; and ▶ Ensure that the location of coastal facilities and development takes into account coastal processes including erosion, accretion, storm surge, tides, wave conditions, sea level change and biophysical criteria. <p>The City of Albany prepared a Foreshore Management Plan for the Middleton Beach area in 2009. LandCorp consider that this plan is sufficient for the purposes of the proposed development and meets the criteria for State Planning Policy</p>
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Reference	Submission ¹	Issue	Proponent's Response
		development to provide clear demarcation between public and private land.	2.6.
7.2	13, 14	Submissions 13 and 14 raised concerns relating to the susceptibility of the coastal dunes to erosion, particularly as a result of loss of vegetation and increased human and domestic animal traffic.	<p>The development will be subject to an adequate coastal setback to minimise erosion and disturbance to foreshore and dune vegetation.</p> <p>Access to the coastal dunes will be controlled through the provision of fenced walking paths to the beach from the development.</p>
7.3	21	Submission 21 queried whether the Middleton Beach Foreshore Management Plan was funded by Landcorp or City of Albany.	The Foreshore Management Plan was prepared and advertised by the City of Albany in 2009.
7.4	21	<p>One submission suggested that the erosion to the south-west of the rock wall is caused by the rock wall itself (as a result of turbulence) and is not related to the loss of seagrass as stated by MP Rogers.</p> <p>The submission raises concerns that the rock wall will migrate to the front of the proposed Emu Point development.</p>	<p>Long-term shoreline movement trends were assessed by MP Rogers as part of the coastal setback assessment completed for the Emu Point development.</p> <p>MP Rogers (2007) suggests that the cause of erosion was due to the decreased area of nearshore seagrass beds along with the dynamics of the tidal entrance and delta of Oyster Harbour, which may have led to significant changes in nearshore bathymetry. These changes are understood to have resulted in changes to the direction of nearshore waves, which subsequently resulted in a general realignment of the beach. MP Rogers (2007) suggest that it was this realignment that has caused erosion of Emu Point beach and the accretion of the beach to the southwest.</p> <p>Adequate allowance for storm erosion, sea level rise and long term shoreline movements have been considered in determining setback distances for the proposed development.</p> <p>The proposed development at Emu Point is not considered likely to increase the risk of significant coastal erosion or</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>have measurable impacts on shoreline movements. No additional beach access points will be established and existing tracks will be fenced to prevent uncontrolled access to dunes.</p>
Visual Impact and Amenity			
8.1	Department of Environment and Conservation (DEC)	The DEC considers that efforts to reduce visual landscape impact including housing design and colour should be regulated, rather than relying on non-binding guidelines.	<p>The Developer agrees that visual amenity is one of the key considerations as part of this development. This has been raised on numerous occasions by stakeholders and the community as part of the community consultation process.</p> <p>The development has been designed around the natural topography of the site and the Design Guidelines will clearly direct minimal visual impact upon the streetscape and from surrounding hills. The proposed Design Guidelines will need to be endorsed by Council and adopted as a local planning policy. These have been provided upfront with the Outline Development Plan documentation to encourage comment from the public to make sure that this future policy of Council meets community expectations. It is proposed that an estate architect will be appointed to ensure that future land owners adhere to the Design Guidelines. Should a residential development not be deemed to comply, they will not be granted approval to seek planning approvals through the City of Albany.</p> <p>An applicant will require the approval of the Estate Architect, Planning Scheme Consent from the Council's Planning team and a Building Licence as part of the approvals process.</p> <p>Architectural design of the building structures will seek to soften roof lines, extend roof line eaves as low as possible, using soft textured and coloured walls, create textured building envelopes (e.g. balconies, raised planting beds, etc), and minimize large uniform and brightly coloured surface areas of vertical walls. Design guidelines have been</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>prepared which will regulate the use of roof materials, limiting to colours to the medium reflectivity range.</p> <p>It should be noted that comments from the Department of Environment and Conservation directly contradict the suggestion to relocate the development footprint closer to Emu Point Drive as this would then place the development at the top of a ridge line and would no longer work within the natural topography of the site. Roads would also no longer reflect the topography of the site.</p>
8.2	Department of Water (DoW)	<p>The Department of Water raised concerns that the vertical scale of the development and the impact on beach and pathway users were not adequately considered in the landscape and visual impact assessment.</p> <p>The Department of Water requested additional information be provided, showing cross-sectional diagrams of the visual impact of the development from the beach and pathway, with details of the proposed construction, building heights and use of fill relative to the existing ground levels.</p>	<p>The Visual Impact Assessment found that the site, particularly the internal areas of the site, are almost entirely unseen/not visible from all nearby locations and sites, including the foreshore beach areas and adjacent roads/streets. The site is visually contained and enclosed from almost all 'foreground' observation sites (within 500 m of the perimeter) owing to the relatively dense vegetation, dunal ridge landform through the site. Hence, the proposed development is unlikely to be 'seen/visually accessible' from the beach frontage.</p> <p>The development will take maximum advantage of the site topography, positioning buildings in the micro-valley swales as far as possible to minimise potential visual impacts.</p> <p>One of the key objectives of the project design is to minimise alterations to the natural landform. However, some earthworks, in the form of cut and fill, will be required for the establishment of roads, some residential lots and services. Specifically, earthworks are likely to include:</p> <ul style="list-style-type: none"> ▶ road construction; ▶ installation of services such as sewer and mains water to minimise excessive trench depths and eliminate low areas along service routes to enable full gravitational



Reference	Submission ¹	Issue	Proponent's Response
			<p>servicing;</p> <ul style="list-style-type: none"> ▶ development of facilities within public open space; ▶ possible removal of excessive grades to allow access to and within some lots. <p>3D modelling of the development has been undertaken and is included in Appendix G.</p>
8.3	21	Submission 21 suggested that the height of development should be limited to two storeys.	Current planning policy within the City of Albany allows for up to four storeys to be constructed on the proposed site. The four-storey element will not take up the entire apartment sites but will be located along the main village centre access road. The impact of the height has been considered and the apartment sites are located in a low lying area of the site. A ridgeline runs behind the development (near to Emu Point Drive) further nestling the density into the landscape.
8.4	7	Submission 7 included information relating to the potential visual impacts of the Albany Waterfront Development on the heritage values of the Stirling Terrace Heritage Precinct.	<p>The Visual Impact Assessment completed for the Emu Point Development did not identify any potential visible points within the proposed development from Stirling Terrace.</p> <p>The Albany Waterfront Development is a separate project and is not assessed within the Emu Point Development PER. Stage 2 of the Albany Waterfront Development was approved by the Environment Minister in April 2010.</p>
8.5	10	<p>Concerns were raised that the development may increase background lighting, which may have implications for shipping movements at night.</p> <p>It was suggested that this issue could be minimised by ensuring all lighting within the development is shrouded on the coastal side such that lighting is not</p>	The proposed Emu Point Development is consistent with other coastal developments and is not expected to have any incremental detrimental impacts on ship navigation or shipping movements.



Reference	Submission ¹	Issue	Proponent's Response
		directly visible to shipping, and street lighting use yellow high pressure sodium globes in preference to metal halide globes.	
8.6	21	Submission 21 raised concerns regarding roofing materials and suggested that the development use colour bond roofing to reduce reflection and assist with blending in the surrounds.	The Design Guidelines for the development dictate that roof materials will be required to be low reflectivity.
8.7	21	One submission commented on the impacts of the development on views from the ocean.	<p>The development footprint (with the exception of townhouses adjacent to Hope Street and Griffith Street) will be set back more than 200 m from the 'horizontal setback datum' located on Emu Beach. This setback area will be retained as natural bushland and is proposed to be re-zoned as 'Parks and Recreation'.</p> <p>The development has been designed to take maximum advantage of the site topography, positioning buildings in the micro-valley swales as far as possible to minimise potential impacts on visual amenity.</p>
8.8	24	Specific concerns were raised in Submission 24 that the height of town houses will interfere with the backyard privacy of houses along Hope Street and will cause a shadow over the rear of properties along Hope Street. The submission suggested that town houses be set back from Hope Street and a bush corridor incorporated adjacent to the existing Hope Street houses.	<p>The laneway behind Hope Street was initially removed following consultation in May 2009. The revised plan was then discussed with existing residents who asked that it be re-instated but that a nature strip also be included. This request has been reflected in the current Concept Plan.</p> <p>Design Guidelines dictate that the new townhouses will have a building setback from the laneway ensuring that there will be no 'over looking' of existing residences. The distance between the Hope Street residences and the proposed new homes will also ensure that there will not be any</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>overshadowing of existing gardens. All new townhouses behind Hope Street will be orientated to overlook bushland near the village centre.</p> <p>LandCorp will rehabilitate the land immediately behind Hope Street residences and locate a green reserve behind the existing fence lines. The area of rehabilitation will be 8 m in width and will provide a green outlook for existing Hope Street residents. A laneway will then be located on the other side of the green spine to enable new residents to access their homes.</p>
8.9	Bushcarers Group Inc (17)	The Bushcarers Group provided comment on the social values of the site, particularly in relation to ocean views.	<p>The Visual Impact Assessment concluded that the proposed development will be well integrated into the East Albany urban landscape setting.</p> <p>Visual intrusions resulting from structures on the site can be minimised and/ or largely avoided. LandCorp have proposed a number of management measures to minimise visual impacts, including:</p> <ul style="list-style-type: none"> ▶ Rehabilitation of vegetation adjacent to Emu Point Drive; ▶ Landscaping around building envelopes using high canopy plantings to screen buildings; ▶ Upper canopy tree species will be used where possible in construction landscape zones; ▶ Architectural design will seek to soften roof lines, extend eaves and use soft texture and coloured walls to minimise large uniform and brightly colour areas; ▶ The design guidelines will regulate the use of roof materials and limit colours to the medium reflectivity range; and



Reference	Submission ¹	Issue	Proponent's Response
			<ul style="list-style-type: none"> The development will take maximum advantage of the site topography, positioning buildings in micro-valley swales as far as possible.
Surface and Groundwater			
9.1	Department of Water (DoW)	<p>DoW acknowledged that although there is limited information on groundwater at the site, groundwater monitoring on the site is continuing, and will be used to prepare the Urban Water Management Plan (UWMP).</p> <p>DoW requested LandCorp provide evidence to show that sufficient groundwater separation exists to allow for adequate stormwater infiltration, protection of groundwater resources and groundwater dependent ecosystems.</p> <p>The DoW also requested any dewatering proposals required for construction be submitted to the DoW for comment.</p>	<p>Groundwater monitoring on the site is continuing and will be used to prepare an UWMP for submission to the DoW. LandCorp acknowledges that the DoW will require additional information relating to groundwater separation and protection at the UWMP stage.</p> <p>Groundwater dewatering may be required for the installation of sewer and water main infrastructure along Emu Point Drive, Griffith, Hope and Troode Streets. LandCorp will liaise with the Department of Water regarding any dewatering that may be required.</p>
9.2	Department of Planning - Climate Change and Coastal Planning	The Department of Planning commented that the proposed stormwater management should be prepared to the satisfaction of the Department of Water.	A Local Water Management Strategy (LWMS) has been prepared for the site in consultation with the Department of Water. The LWMS includes the Stormwater Management Strategy prepared for the proposed development.



Reference	Submission ¹	Issue	Proponent's Response
9.3	9	Submission 9 raised concerns regarding elevated arsenic levels detected in two bores at the site. The submission suggested that higher levels of arsenic may be due to increased atmospheric carbon dioxide levels, and queried long-term impacts on groundwater at the site.	<p>Arsenic levels are thought to be naturally high at the site. The elevated arsenic levels in the site groundwater will not pose a risk to residents as abstraction bores will be prohibited within the development.</p> <p>Naturally elevated levels of arsenic in the groundwater of the site are unlikely to pose a threat to human health or safety as a result of the project.</p>
9.4	9	Submission 9 commented on potential risks of flooding within the proposed development site.	<p>A Local Water Management Strategy (LWMS) has been prepared for the site in consultation with the Department of Water. The LWMS includes a stormwater management strategy for the development.</p> <p>Rainfall intensity data for Albany indicates that the rainfall intensity for the 1 in 100 year average recurrence interval (ARI) event is 40.2 mm/hour (Australian Rainfall & Runoff Volume 2). The allowable soakage for sand typical of this site is in excess of 180mm/hour which indicates that the soil has the capacity to handle major rainfall events via soakage. The drainage system proposed for the development will be managed at a lot level and a road level.</p> <p>Runoff from paved areas will to be directed onto garden areas or channelled into soakwells. The lot drainage system will accommodate rainfall events up to the 1 in 10 year recurrence, while 1 in 100 year events will spill and soak into the surrounding yard for short durations.</p> <p>The road system will consist of adjoining shallow verge swales. The swales, which will be sitting below the relative levels of the road and the adjacent lots, will be designed such that major rainfall events (up to the 1 in 100 year ARI) are contained within them. Should extreme events overtop the swales then flows will be directed into adjacent public open space breakout areas.</p>



Reference	Submission ¹	Issue	Proponent's Response
9.5	Bushcarers Group Inc (17)	One submission queried the location of sewer mains and stormwater drains and raised concerns regarding potential impacts resulting from installation on land subject to inundation or below the groundwater table.	<p>Connection of the site to the mains water supply and sewer will require an upgrade of existing mains along Emu Point Drive and Troode Street. Mains sewerage will also be extended to existing homes in the Griffith Street development, which are currently relying on septic tanks. Connection of the existing Griffiths Street development to mains sewer will minimise potential pollution risks due to septic tank leakage.</p> <p>It is common practice for dewatering to be required during installation of sewer mains. The proposed infrastructure will be designed and constructed in accordance with the Water Corporation's design and construction requirements for gravity sewers. Sewer plans will be provided to the City of Albany as part of the detailed design drawings. It is intended that sewer lines will be located within road reserves.</p> <p>Groundwater dewatering may be required for the installation of sewer and water main infrastructure along Emu Point Drive, Griffith, Hope and Troode Streets. LandCorp will liaise with the Department of Water regarding any dewatering that may be required and will obtain the relevant licences if applicable.</p>
9.6	23, Bushcarers Group Inc (17)	Concerns were raised regarding potential impacts on Lake Seppings and adjacent land as a result of dewatering and potential exposure of acid sulphate soils, during installation of services.	<p>Dewatering may be required for the installation of sewer and water mains and associated infrastructure along Emu Point Drive, Griffith, Hope and Troode Streets. Dewatering associated with these works will be short-term, and is not considered to pose a significant or long-term risk to groundwater resources. LandCorp will liaise with the Department of Water regarding any dewatering that may be required.</p> <p>LandCorp acknowledge that there is potential for works associated with the abovementioned sewer and water main installation to disturb acid sulfate soils (ASS). An ASS</p>



Reference	Submission ¹	Issue	Proponent's Response
			investigation will be undertaken for the proposed excavation along Troode Street to confirm the ASS risk in this area. If required, an ASS and Dewatering Management Plan will be prepared in accordance with the relevant DEC guidelines, and in consultation with the DEC and Department of Water.
9.7	Bushcarers Group (17)	The Bushcarers Group commented on potential impacts to Lake Seppings due to increased runoff from urban areas.	All stormwater will be contained on site and disposed of by at source infiltration. The surface hydrology of the site is likely to remain effectively unchanged post development.
9.8	21	Submission 21 commented that there should be no bores (for groundwater abstraction) allowed within the development.	Groundwater abstraction bores will be prohibited within the development.

Heritage

10.1	Department of Indigenous Affairs	<p>The DIA acknowledged that the results of the development site has been surveyed for heritage values and traditional owners have been consulted.</p> <p>The DIA advised that the discovery of any subsurface material must be reported to the DIA (and to the Police Service in the event of human skeletal remains).</p> <p>The DIA confirmed that the proponent is compliant with the provisions of the <i>Aboriginal Heritage Act 1972</i>.</p>	<p>The Construction Environmental Management Plan will include procedures to be followed should material of Aboriginal origin be discovered during construction.</p> <p>LandCorp also proposes to have Aboriginal monitors onsite and conduct cultural awareness training for civil contracts to ensure that the heritage values of the site are respected and maintained.</p>
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Reference	Submission ¹	Issue	Proponent's Response
Traffic and Infrastructure			
11.1	13, 25	A number of submissions raised concerns regarding the capacity of existing road infrastructure and car parks to cope with the expected increase in traffic.	<p>A Traffic Study was completed in December 2009 (Appendix D) and was reviewed by the City of Albany and various other stakeholders. The Traffic Study estimated the new development will increase traffic on Griffith and Hope Streets by approximately 38 vehicles per day.</p> <p>The proposed road design is considered to be more than adequate to accommodate expected traffic levels resulting from the new development.</p>
11.2	21	Submission 21 suggested a roundabout or reduction in the size of the development in the vicinity of Golf Links Road and Griffith Street.	A roundabout at the intersection of Emu Point Drive and Griffith Street will be considered by the developer subject to Council assistance relating to land designation and acquisition. In principle support for this has been granted by Council in April 2010.
11.3	32	Concerns were raised in Submission 32 that a through road on Griffiths Street will pose a risk to pedestrians and cyclists on the coastal pathway passing along this road behind the dunes. The suggestion was made that the pathway could detour to a vegetated strip between Hope Street and the proposed town houses.	Whilst technically outside of the development area, the developer proposes to formalise parking and path access along Griffith Street. Currently the path from Albany to Emu Point along the coast is only disjointed at Griffith Street where pedestrians and cyclists must utilise the street. The separation of pedestrian and vehicle traffic through the extension of the existing pathway at Griffith street will provide a continual pathway through to Emu Point and improve amenity for the wider community.
11.4	Bushcarers Group Inc (17)	The Bushcarers Group raised concerns regarding the possible lack of appropriate infrastructure, including roads and drainage, to accommodate the scale of this development.	As part of the works associated with the development, additional roads and drains will be implemented. Various studies, including an Urban Water Management Plan and Traffic Management Report are being undertaken for the development and recommendations of these studies are incorporated into the current Concept Plan. These measures will be assessed as part of the planning and environmental



Reference	Submission ¹	Issue	Proponent's Response
			approvals processes.
Sustainable Development			
12.1	9, Bushcarers Group Inc (17), Wildflower Society of WA (Albany Branch) (19)	Several submissions raised concerns that the Green Points systems will only influence decisions of initial owners and will not with be adhered to in the long term.	<p>The Green Point rating system is a new initiative that is intended to encourage community awareness and active friendly competition within communities to reduce their ecological footprints. Community ownership of this type of program will be encouraged by the developer in the early phases of development in order to encourage ownership of the program amongst residents.</p> <p>The Green Points system and Design Guidelines will be adopted as policies of Council and will continue to be enforced by the City well after the final house is built.</p>
12.2	Bushcarers Group Inc (17)	The Bushcarers Group requested further information on the proposed Green Points systems.	The Green Point rating system is a new initiative that is intended to encourage community awareness and active friendly competition within communities to reduce their ecological footprints. Community ownership of this type of program will be encouraged by the developer in the early phases of development in order to encourage ownership of the program amongst residents.
12.3	Bushcarers Group Inc (17)	The Bushcarers Group raised concerns that design/development plans may not be implemented due to time and cost considerations of the developer. The submission also queried how sustainable design principles would be enforced in building design.	<p>The Design Guidelines proposed by the developer for Emu Point require individual land purchasers to proceed through a process in order to gain development approval for their individual lots. An estate architect will be appointed as the first stage of building approvals and requires that each proposed building meets strict design guideline criteria. Should the owners not comply with the guidelines, they will not be able to lodge a building application with the City of Albany.</p> <p>The very nature of the Outline Development Plan design, the orientation of the lots, location of roads, retention of</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>vegetation and elements of subdivision design assist in creating a sustainable development. The Design Guidelines then create the active controls that ensure initial and ongoing compliance with sustainable requirements for development.</p> <p>In addition, the design of public spaces will focus on conservation of significant trees and vegetation, minimal use of turfed areas, proposals for a 'demonstration' interpreted bush garden and the use of colours and materials that reflect the Emu Point environment.</p>
12.4	21	Specific concerns were raised in Submission 21 that the development will not incorporate solar passive design as originally proposed.	Detailed Area Plans have been created to ensure that all homes built in the Emu Point development comply with passive solar principles. Building envelopes have been identified and suggested outdoor living areas are indicated on the drawings. Additionally in the small number of lots where solar orientation is not ideal, vertical building envelopes have been incorporated to ensure fair and equitable access to northern light. These form part of the Design Guideline document. All new owners will need to have plans approved by an estate architect to ensure that they comply with the design guidelines prior to submitting their plans to council for building approvals.
12.5	25	Submission 25 commented that the development does not appear to uphold LandCorp's intention for a unique and environmentally sensitive development with solar oriented building sites, large blocks and corridors of native vegetation.	<p>The majority of lots onsite are solar orientated. The few lots that are not north facing have development guided through detailed area plans that designate the alignment of homes, living and outdoor areas.</p> <p>Large lots were not favoured by the developer as they would require a larger development footprint and reduce the amount of retained bushland.</p> <p>A number of bush corridors have been retained throughout the development and 60% of the entire site will be retained as native bushland.</p>



Reference	Submission ¹	Issue	Proponent's Response
Long Term Site Management			
13.1	Department of Environment and Conservation (DEC)	The DEC suggested that a differential rate levy (or other means) to enable an on-site manager/caretaker should be a condition of the development if approved	<p>The developer is proposing that a 'Specified Area Rate' is implemented for the new development to provide the local government with additional capacity to address the ongoing maintenance requirements such as weed management and public landscaping. The potential to expand this role would be dependent upon the additional rate that that Council would be prepared to implement over residents.</p> <p>The design of public spaces – including road reserves and public open space, have purposely been designed in a fashion to reduce the maintenance burden on the City of Albany. Durable materials and native species are to be used throughout.</p> <p>It is recognised that the proposed Reserves will require additional weed control and fire management. However, removing horses from this reserve and preventing the uncontrolled dumping of rubbish and weeds within the site may also help reduce the current maintenance burden the land represents.</p>
13.2	32	Submission 32 suggested a full-time natural resource manger should be employed on the site.	The City of Albany is currently considering the possibility of incorporating differential rating levies to fund ongoing management of vegetation within the development site, however there is no proposal at this stage to have an on-site manager.
13.3	The Bushcarers Group Inc (17), Wildflower Society of WA (Albany Branch) (19)	Further information was requested regarding the long-term environmental management of the development, including whether sufficient resources, training and education would be provided when the site is transferred to the City of Albany.	A differential rating system is proposed in order to ensure ongoing, long-term management of retained bushland. It is anticipated that this rating system will assist in maintaining residual bushland to a high standard. It will also ensure that the development is monitored on a regular basis.



Reference	Submission ¹	Issue	Proponent's Response
13.4	9	One submission commented that the effectiveness of a possible on-site caretaker, funded by the City of Albany, in practice is unknown.	<p>The City of Albany is currently considering the possibility of incorporating differential rating levies to fund ongoing management of vegetation within the development site. A differential rating system is proposed to ensure the long term management of the bush corridors and reserves. This will provide assurance that bushland will be maintained to a high standard. This is an innovative concept in Albany but long term beneficial implications for native bush.</p> <p>The developer is proposing that the retained bushland be gazetted as a Class A reserve and preserved in perpetuity from future development.</p>
13.5	Wildflower Society of WA (Albany Branch) (19)	Submission 19 raised issues relating to potential impacts on adjacent bushland as a result of exotic landscape plantings, illegal clearing and illegal rubbish dumping.	<p>Uniform fencing (provided by the developer) will be visually permeable and will encourage passive monitoring of the adjacent bushland by residents. Illegal dumping of rubbish and illegal clearing will also be monitored by contractors maintaining bushland under the differential rating system.</p> <p>The proposed development intends to separate public and private land with roads and/or paths and uniform open style fencing. This will allow for high levels of passive surveillance and interaction between private spaces and passing public leading to an ongoing control of these issues.</p> <p>Impacts associated with the introduction of exotic plant species are addressed in the Proponents response to Issue 2.6.</p>
Concept Plan / Design			
14.1	The Bushcarers Group Inc (17),	The Bushcarers Group questioned the number of dwellings proposed within the development, particularly within the village precinct.	A total of 133 lots are proposed within the development. Three of these lots are intended as apartment sites. These were advertised as part of the previous concept plan in May 2009. These also formed part of a village precinct located in the same location as the final proposed Outline Development



Reference	Submission ¹	Issue	Proponent's Response
			<p>Plan.</p> <p>Providing dense development in one location enables the entire development footprint to be smaller than would have otherwise been needed to meet commercial returns set by Government.</p> <p>The previous concept plan advertised in May 2009 (Appendix F) clearly displays three apartment sites displayed as part of earlier plans.</p>
14.2	21	Submission 21 suggested that the development should identify appropriate businesses, such as maritime industries and other activities, upfront and no further business activities should be allowed at a later date.	<p>Transitional ground floor mixed use has been identified for apartment sites. The commercial viability of businesses in this area will need to be made at a future stage by individual owners. The amount of space provided for commercial use is limited so as to not directly compete with small existing businesses in Emu Point.</p> <p>The Outline Development Plan identifies and controls the types of commercial enterprises that may occupy the adaptable spaces provided on the ground floor of the apartment buildings. These are the uses identified and encouraged in the Council's adopted Residential Design Code Policy and are uses to be approved at the discretion of Council.</p>
14.3	25	Submission 25 requested further information on the expected population of the development.	The projected number of residents within the Emu Point Development is 600.
14.4	32	Submission 32 suggested a reduction in the number of lots to reduce the impact on the environment. This submission also commented that if a shop is established, it should be located on the road through the eastern section of the development area.	<p>LandCorp has been directed by Government to return funds from the Emu Point development for the Waterfront Development. In order to meet commercial outcomes required by Government, LandCorp needs to ensure that an adequate number of lots are developed.</p> <p>By creating a denser development in precinct areas,</p>



Reference	Submission ¹	Issue	Proponent's Response
			<p>LandCorp has tried to minimise the development footprint on the surrounding bushland.</p> <p>The location of a potential shop in the new development was located based upon professional commercial advice that revealed that passing traffic along Griffith Street would be required to ensure the viability of a small corner shop. It is not anticipated that a shop in this location will be developed in the first stages of the project as it is likely to require the entire new community to be built in order to support a viable and sustainable income source.</p>
Planning / Rezoning			
15.1	25	Submission 25 queried the change in zoning of the site from Recreation to Future Urban and the relinquishment of a Management Order over Lot 1512 by the City of Albany.	<p>Lots 1512 and 3000 are owned in freehold by LandCorp.</p> <p>The subject site has been zoned 'Future Urban' under Town Planning Scheme 1A since at the 1970's.</p> <p>The planning for this site has been reviewed on numerous occasions since the decision in 1979 to zone the site 'Future Urban'. There have been at least 4 separate strategic documents produced since this time that reinforced this site as suitable for residential development. These were:</p> <ul style="list-style-type: none"> ▶ The 1994 Residential Expansion Strategy that was produced locally and endorsed by the Western Australian Planning Commission at the State level; ▶ The Housing Position Paper produced and adopted by the City of Albany in 2005; ▶ The ongoing Local Planning Strategy, commenced in 2002 and adopted for final approval by the City in May 2010 provided at least 3 individual advertised opportunities for comment; and



Reference	Submission ¹	Issue	Proponent's Response
			<ul style="list-style-type: none"> In 2007 Council adopted the Residential Design Code Policy that reaffirmed the intent to develop the subject site and established height and land use criteria for a village centre.
Site Selection			
16.1	2, 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 18, 23, 27, 28, 29, 30, 33, 34, Wildflower Society of WA (Albany Branch) (19)	A number of submissions received from the public questioned the site selection and suggested that the development should instead be located on existing cleared or degraded land.	<p>The developer was directed by Cabinet in 2005 to develop land at Emu Point in order to fund the Albany Waterfront Development. LandCorp has subsequently attempted to minimise the development footprint and maintain a sensitive design in regards to the topography, native flora, fauna and existing residents at the site.</p> <p>The subject site is a desirable place to live, close to the beach, reserve networks and the services and centre of Emu Point. It site can be viewed as contributing to urban consolidation, and will allow people to live closer to established services and use existing infrastructure more efficiently. It is not considered sustainable to continue pushing the urban front out into cleared green field sites without making the most of the available land closer to town.</p> <p>The site constraints and opportunities help to encourage a particularly innovative response to the site. It is an opportunity to show case sustainable development and how best to develop in a sustainable manner.</p>
16.2	Wildflower Society of WA (Albany Branch) (19)	Submission 19 provided comment on the justification for development based on current zonings, and suggested that planning strategies for Albany will continue to change as social, environmental and economic values change. The submission suggested that public expectations have	<p>The developer was directed by Cabinet in 2005 to develop land at Emu Point in order to fund the Albany Waterfront Development. LandCorp has subsequently attempted to minimise the development footprint and maintain a sensitive design in regards to the topography, native flora, fauna and existing residents at the site.</p> <p>The planning for this site has been reviewed on numerous</p>



Reference	Submission ¹	Issue	Proponent's Response
		<p>changed since the site was zoned future urban in the 1980s.</p>	<p>occasions since the decision in 1979 to zone the site 'Future Urban'. There have been at least four separate strategic documents produced since this time that reinforced this site as suitable for residential development. These were:</p> <ul style="list-style-type: none"> ▶ The 1994 Residential Expansion Strategy that was produced locally and endorsed by the Western Australian Planning Commission at the State level; ▶ The Housing Position Paper produced and adopted by the City of Albany in 2005; ▶ The ongoing Local Planning Strategy, commenced in 2002 and adopted for final approval by the City in May 2010 provided at least 3 individual advertised opportunities for comment; and ▶ In 2007 Council adopted the Residential Design Code Policy that reaffirmed the intent to develop the subject site and established height and land use criteria for a village centre. <p>It is important to note that each time State and Local government strategies are reviewed there was an opportunity for the community to comment on the site's designation for future urban purposes.</p> <p>Relevant stakeholders including government agencies such as the Department of Environment and Conservation are actively engaged by the planning authorities at this time for their comment.</p> <p>The development proposed for the site responds to the environmental constraints by concentrating the development to a small proportion of the site, away from the coast, on land largely of a lesser environmental value. The development</p>



Reference	Submission ¹	Issue	Proponent's Response
			has also been designed to retain land with high conversation values for ecological linkages. The developer also proposes that Council amend the classification of the reservation land to a 'A' class reserve; offering greater protection than has ever actively been sought by other responsible agencies.
Public Consultation			
17.1	16, 22, 24	A number of submissions suggested that the public consultation process had not considered or acted upon the views of local residents.	<p>Ongoing and thorough public consultation processes have been undertaken since 1995 with local residents, interested community members and government agencies. LandCorp have slowly refined the development proposal in response to feedback received through this period.</p> <p>One-on-one meetings with 12 of the 20 individual landowners were conducted in January and February of this year (2010) with the project teams town planner.</p> <p>These meetings resulted in numerous modifications to the design, which are detailed in the attached extract from the Outline Development Plan document. Changes include:</p> <ul style="list-style-type: none"> ▶ Introduction of an 8m wide revegetated development exclusion zone immediately to the north of the existing residential area; ▶ 12m wide road with 6m landscaping strip along the back boundary of the residences in Hope Street; ▶ Reduction in total number of lots located adjacent to the existing residential area; ▶ Landscaping packages offered to existing residents for the Hope and Griffiths Street road reserves; and ▶ Confirmation of retention of Hope Street as a cul-de-sac.



Reference	Submission ¹	Issue	Proponent's Response
			The Outline Development Plan document also goes on to describe where the issues raised in these meetings could not be taken into account and why.
17.2	22, 25	A number of submissions commented on the apparent lack of consultation regarding the City of Albany releasing their management of the reserve on Lot 1512.	<p>The land has been zoned appropriately since the 1970's. No rezoning process has been undertaken onsite.</p> <p>The Council voted to release their management of the reserve in September 2006 as part of a Memorandum of Understanding (MOU) with the state government. It was the City's responsibility to process the decision making on the MOU.</p> <p>It is understood that there is no requirement under the <i>Land Administration Act</i> to advertise to release of a Reserve. The amount of advertising undertaken for this process was beyond LandCorp's control but it is understood that it satisfied the requirements of the <i>Land Administration Act</i> and State Land Services.</p>
17.3	11	Submission 11 suggested that the public consultation process implied that the development was non-negotiable and provided little opportunity for the community to oppose the development.	The Development of the site at Emu Point was determined by Cabinet in 2005. As the land development agency of Government, LandCorp was requested to undertake this process. In recognising the unique ecological value of the development site, LandCorp has worked to prepare a development plan that best achieves a sustainable outcome for the site. This has been done in consultation with the community.
17.4	The Bushcarers Group Inc (17),	The Albany Bushcarers Group expressed concerns that LandCorp did not adequately inform the community that there is no legislation in place to ban domestic pets in the development.	See Proponents response to Issue 3.12.



Reference	Submission ¹	Issue	Proponent's Response
17.5	31	Submission 31 expressed concern regarding advertising of the PER document.	Advertising of the PER document was undertaken in strict accordance with the EPA requirements. This included advertising in local and state newspapers, the provision of hard documents to local libraries, the City of Albany and numerous other parties. The PER was also advertised on the developers website.
Project Justification			
18.1	2, 3, 4, 5, 6, 7, 8, 14, 15, 23, 30, 33, 34	A number of submissions were opposed to the development being justified to fund the Albany waterfront development.	<p>In 2005 the State Government, via a cabinet decision, determined that LandCorp would develop the chosen site at Collingwood Heights (known as the Emu Point Development) in order to offset funding for the Waterfront development.</p> <p>LandCorp recognises the uniqueness of the site and has undertaken numerous environmental studies and community consultation processes to determine the most sensitive and appropriate development for the site. Approximately 60% of the site will be retained as natural bushland and will be recommended to be recognised as a Class A reserve in order to preserve it into the future.</p> <p>Currently the site is traversed by pedestrian traffic and is utilised as a horse trail. The site has many invasive weed species and Dieback present onsite. The developer proposes to rehabilitate existing bushland through replanting and weed management and will actively discourage pedestrian and other movement across the site through fencing along the reserve and by proposing a differential rating system to ensure that vegetation and weed management is undertaken into the future.</p>
18.2	25	Submission 25 suggested that there is no justification for the Emu Point development in either demand for offset funding to the Waterfront development or demand for	LandCorp was directed by Cabinet in 2005 to develop land at Emu Point in order to fund the Albany Waterfront Development. LandCorp has subsequently attempted to minimise the development footprint and maintain a sensitive



Reference	Submission ¹	Issue	Proponent's Response
		housing in Albany.	design in regards to the topography, native flora, fauna and existing residents at the site.



4. References

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