



Environmental Protection Authority

Chief Executive Officer
Shire of Exmouth
PO Box 8186
SUBIACO EAST WA 6008

Your Ref:
Our Ref: CMS14103
Enquires: Stephen Pavey, 6145 0800
Email: Stephen.Pavey@epa.wa.gov.au

Dear Sir/Madam

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

SCHEME: Shire of Exmouth - Local Planning Scheme 4
LOCATION: Shire of Exmouth
RESPONSIBLE AUTHORITY: Shire of Exmouth
DECISION: Scheme Not Assessed: Advice Given (no appeals)

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

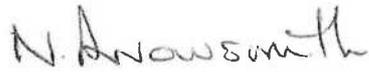
After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely

A handwritten signature in black ink that reads "Naomi Arrowsmith". The signature is written in a cursive style with a small flourish at the end.

Naomi Arrowsmith
A/Director
Strategic Policy and Planning Division

Delegate of the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 33 published 17 December 2013

14 September 2015

Encl. Scheme Advice and Recommendations

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

SHIRE OF EXMOUTH LOCAL PLANNING SCHEME 4

Location: The Shire of Exmouth Local Government area

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

Determination Published: 14 September 2015

Summary

The Shire of Exmouth proposes to replace the current Town Planning Scheme No. 3 with a new Local Planning Scheme No. 4 (LPS 4). LPS 4 contains new scheme provisions and includes recommendations from the new proposed Local Planning Strategy.

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

The EPA considers that the scheme is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The potential impacts from the scheme can be adequately managed to meet the EPA's objectives through the implementation of the Shire of Exmouth's scheme provisions and planning policies, and regulated through other statutory processes.

Advice and Recommendations regarding Environmental Factors

The EPA has reviewed LPS 4 in the context of the changes from the existing Town Planning Scheme No. 3. The new scheme boundary will align with the local government boundary.

The Cape Range Peninsula is considered to contain one of the world's most diverse subterranean fauna, both terrestrial (troglotic) and aquatic (stygo), relative to other internationally significant karst provinces. The EPA's assessment has taken into consideration the zoning changes and scheme provisions that aim to protect the karst systems and subterranean fauna within the Shire's boundaries.

The EPA supports the introduction of the Conservation reserve into LPS 4 and applying this reserve to areas of environmental importance, such as the 500m buffer around the critically endangered Threatened Ecological Community (Troglotic community) at Cameron's Cave.

LPS 4 proposes that land identified by the new local planning strategy for potential future urban development within the Exmouth Townsite is to be zoned Rural in the interim. The EPA advises that any future scheme amendment that proposes rezoning of this land for urban uses should be supported by appropriate flora and fauna, and hydrological surveys that clearly show environmental attributes and how potential impacts on the environmental attributes will be mitigated.