



Chief Executive Officer
Shire of Carnarvon
PO Box 459
CARNARVON WA 6701

Your Ref:
Our Ref: CMS15212
Enquiries: Stephen Pavey, 6145 0800
Email: Stephen.Pavey@epa.wa.gov.au

Dear Sir/Madam

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

SCHEME: Shire of Carnarvon - Town Planning Scheme 10 -
Amendment 72
LOCATION: Text Amendment
RESPONSIBLE AUTHORITY: Shire of Carnarvon
DECISION: Scheme Not Assessed: Advice Given (no appeals)

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

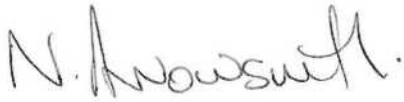
After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

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, appearing to read "N. Arrowsmith". The signature is written in a cursive style with a large initial 'N'.

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

4 April 2016

Encl. Scheme Advice and Recommendations

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

Shire of Carnarvon Local Planning Scheme 10 Amendment 72

Location: Various locations east of Carnarvon

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

Determination Published: 4 April 2016

Summary

The Shire of Carnarvon proposes to introduce a Special Control Area (SCA) to provide for subdivision and development control within the SCA boundary. Within the SCA the Shire proposes to rezone approximately 190 ha of land, comprising several lots and part lots, from the Rural zone to the Intensive Horticulture zone (Figure 2).

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act) having regard to its relevant published policies.

Having regard to the EPA's significance framework referred to in Environmental Assessment Guideline (EAG) No.9 *Application of a significance framework in the environmental impact assessment process*, the EPA considers that the environmental impacts of the scheme amendment are not so significant as to warrant formal assessment under Part IV of the EP Act, providing the following advice is implemented.

1. Environmental Factors

Having regard to Environmental Assessment Guideline No. 8 Environmental Principles, factors and objectives (EAG 8), the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- a) Flora and Vegetation;
- b) Terrestrial Fauna;
- c) Inland Waters Environmental Quality; and
- d) Human Health.

2. Advice and Recommendations regarding Environmental Factors

The EPA has based its decision not to assess on the scheme amendment documentation provided by the Shire of Carnarvon. The EPA expects that the environmental factors described below will be addressed prior to the finalisation of the scheme amendment.

The EPA's specific advice in relation to the preliminary factors identified is as follows:

Flora and Vegetation and Terrestrial Fauna

The EPA objectives for these factors are:

- to maintain representation, diversity, viability and ecological function at the species, population and community level; and,
- to maintain representation, diversity, viability and ecological function at the species, population and assemblage level.

The amendment area is mostly vegetated with vegetation condition ranging from degraded to pristine. Rezoning will result in clearing for land uses allowed under the Intensive Horticulture zone. The remnant vegetation throughout the proposed amendment area may provide fauna habitat. A Terrestrial Fauna survey has not been provided with the referral documentation.

A Level 1 Flora and Vegetation survey conducted by Western Botanical in 2013 over the subject area identified a Priority One Flora – *Gnephosis* sp. Billabong annual believed to be present in the amendment area. Dry seasonal conditions prior to a field survey meant that annuals were largely non-existent and few perennial species were flowering or fruiting.

The EPA notes that clearing of vegetation will require a clearing permit from the Department of Environment Regulation.

Inland Waters Environmental Quality

The EPA objective for this factor is:

- To maintain the quality of groundwater and surface water, sediment and biota so that the environmental values, both ecological and social, are protected.

A portion of the amendment area extends into the McNeill Claypan which provides habitat for protected migratory birds and is listed in the Directory of Important Wetlands. The EPA notes the claypan and a buffer is identified as an Environmentally Sensitive Area.

A Local Water Management Strategy (LWMS) is being prepared to address water resource and flood management issues. The LWMS will be reviewed and approved by the Department of Water.

As planning progresses drainage and nutrient management plans will be developed in consultation with, and for approval by, the Department of Water.

Human Health

The EPA objective for human health is:

- To ensure that human health is not adversely affected.

Any future proposed residential development will be controlled through the implementation of the Special Control Area, via the scheme provisions or will be addressed within the Gascoyne Food Bowl Structure Plan.

Recommendation

The EPA recommends:

- A Level 2 Flora and Vegetation survey is conducted in accordance with Guidance Statement No. 51 *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia* prior to the amendment being finalised, in order to inform the provisions.
- A Level 2 Terrestrial Fauna survey is conducted in accordance with Guidance Statement No. 56 *Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia* prior to the amendment being finalised, in order to inform the provisions;
- That provisions be included in the local planning scheme to guide future structure planning, subdivision and development so as to retain vegetation and fauna habitat worthy of protection.
- That provisions be included in the local planning scheme to guide future structure planning, subdivision and development so as to minimise impacts on the McNeill Claypan