

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

Your Ref:  
Our Ref: CMS16042  
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 - District Zoning Scheme 11 -  
Amendment 12  
**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 'Naomi Arrowsmith'.

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 District Zoning Scheme 11 Amendment 12**

**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 385 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, specifically Lot 415. 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 Environment Quality

A local water management strategy (LWMS) will be 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 the Department of Water.

## Human health

Any future proposed residential development will be controlled through the implementation of a special control area.

## 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 minimise impacts on vegetation and fauna habitat identified to be worthy of protection.