



Environmental Protection Authority

Chief Executive Officer
Shire of Ravensthorpe
PO Box 43
RAVENSTHORPE WA 6346

Your Ref:
Our Ref: CMS16078
Enquiries: Billie-J Hughes, 6145 0800
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Dear Sir/Madam

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

SCHEME: Shire of Ravensthorpe - Local Planning Scheme 6
LOCATION: Whole Scheme
RESPONSIBLE AUTHORITY: Shire of Ravensthorpe
DECISION: Scheme Not Assessed: Advice Given (no appeals)

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

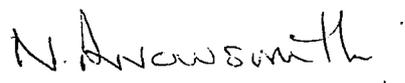
After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

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, slightly slanted style.

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

18 April 2016

Encl. Scheme Advice and Recommendations

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

Shire of Ravensthorpe Local Planning Scheme 6

Location: Shire of Ravensthorpe

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

Determination Published: 18 April 2016

Summary

The Shire of Ravensthorpe has prepared a new Local Planning Scheme No. 6 (LPS 6).

The Environmental Protection Authority (EPA) has considered the scheme 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 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*, the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

a) Flora and Vegetation

2. Advice and Recommendations regarding Environmental Factors

The EPA has based its decision on the scheme documentation provided by the Shire of Ravensthorpe.

The EPA's assessment has focused on the zoning changes only. Future development proposals not within these changed zones that raise environmental issues which are likely to have a significant effect on the environment should be referred to the EPA pursuant to Section 38 of the *Environmental Protection Act 1986*.

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

a. Flora and vegetation

The EPA objective for flora and vegetation is to maintain representation, diversity, viability and ecological function at the species, population and community level.

The proposed LPS 6 has the potential to impact on native vegetation which may include the Threatened Ecological Community (TEC) "Proteaceae Dominated Kwongan Shrublands of

the Southeast Coastal Floristic Province of Western Australia” listed as endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) .

The areas of potential impact are:

- Golf Course and Rifle Range – Adding ‘Special Control Area 4’ formally identifying this area as a ‘Development Investigation Area’. The zoning establishes the process whereby the land may be further developed.
- Lot 1422 Hopetoun-Ravensthorpe Road, Ravensthorpe zoning local reserve for ‘Recreation’ to ‘Rural’.
- Lot 50 Hamersley Drive, Hopetoun from ‘Special Use Site 7 (Respite Holiday Accommodation)’ to ‘Special Use Site 3 Low Impact Tourist Development’ with up to 12 holiday accommodation units.

Under the EPBC Act, actions that have, or are likely to have, a significant impact on a matter of national environmental significance, such as TEC’s, require approval from the Australian Government Minister for the Environment.

The EPA recommends a Level 2 flora and vegetation survey in accordance with EPA Guidance 51 be undertaken to determine the presence of significant flora and/or vegetation prior to the amendment being finalised. Where significant flora and/or vegetation is identified these should be avoided.

Further advice can be found in the:

- *EPA Technical Guide – Flora and Vegetation Surveys for Environmental Impact Assessment* (EIA). This technical guide provides information on adequate survey techniques and standards for the EPA’s environmental factor of flora and vegetation. It defines data collection techniques and standards for EIA including survey preparation, design, data analysis and reporting, and addresses issues that may arise in EIA.
- *EPA Guidance Statement No. 51 Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia*. The primary purpose of this policy is to provide guidance and information on expected standards and protocols for terrestrial flora and vegetation surveys to environmental consultants and proponents. This policy should be used when preparing documentation for referral of proposals, planning schemes and their amendments to the EPA, as well as for formal assessment and audit.
- *EPA’s Guidance Statement No. 33 Environmental Guidance for Planning and Development*. This policy provides an overview of environmental protection processes and information, to assist land use planning and development in Western Australia.
- *EPA Environmental Protection Bulletin No. 20 Protection of naturally vegetated areas through planning and development*. This policy sets out the EPA’s expectations for urban design to protect naturally vegetated areas. This policy will be more relevant at subsequent stages of planning, when more detailed urban design is undertaken.

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA’s environmental objectives, by implementing this advice and through the subsequent stages of the planning process to manage and protect the identified environmental factor of flora and vegetation.

The EPA recommends:

- Prior to finalisation of the scheme that a Level 2 flora and vegetation survey in accordance with EPA Guidance 51 be undertaken to determine the presence of significant flora and/or vegetation in the three areas described above.
- Where significant vegetation is identified that these areas be retained through the planning process.

