



Chief Executive Officer  
Shire of Cunderin  
PO Box 100  
CUNDERIN WA 6407

Our Ref 13-404675  
Enquiries Stephen Pavey  
Phone 6145 0837

ATTENTION: Peter Naylor

Dear Sir/Madam

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

**SCHEME AMENDMENT TITLE:** Shire of Cunderin Town Planning Scheme 3  
Amendment 2 - Rezoning to General  
Agriculture  
**LOCATION:** Lot 8901 (Reserve 10106) and Lot 6110  
(Reserve 9224) Great Eastern Highway,  
Cunderin  
**RESPONSIBLE AUTHORITY:** Shire of Cunderin  
**DECISION:** Scheme Amendment Not Assessed – Advice  
Given (no appeals)

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

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

**ADVICE AND RECOMMENDATIONS**

**1. Environmental Issues**

- Inland Waters Environmental Quality

**2. Advice and recommendations regarding Environmental Issues**

While the EPA acknowledges the current agricultural land uses of the amendment area and surrounding lots it notes that Lot 6110 contains two tributaries of the

Mortlock River East. The Department of Environment document *Foreshore and Channel Assessment of Mortlock River East* (2004) identifies weeds and stock access to the riparian zone as major disturbances along the Mortlock River East watercourse.

Where possible and practical the EPA recommends protection of the watercourses through fencing and rehabilitation.

### **3. General Advice**

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, 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 on the level of assessment of scheme amendments.
- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully



Naomi Arrowsmith  
A/Director  
Strategic Policy and Planning Division

23 December 2013