



## Environmental Protection Authority

Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
**PERTH WA 6000**

*Our Ref* 14-871339  
*Enquiries* Teresa Bryant  
*Phone* 6145 0852

ATTENTION: Mr Anthony Muscara

Dear Sir/Madam

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

**SCHEME AMENDMENT TITLE:** Metropolitan Region Scheme Amendment  
1276/57 - rezoning approximately 26.54  
hectares from the Rural Zone to the Urban  
Deferred Zone  
**LOCATION:** portion of Caporn Street Urban Precinct  
**LOCALITY:** Sinagra  
**RESPONSIBLE AUTHORITY:** Western Australian Planning Commission  
**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**

- Flora and Vegetation
- Terrestrial Environmental Quality
- Amenity and Human Health

## 2. Advice and recommendations regarding Environmental Issues

On the 12 September 2012, the Office of the Environmental Protection Authority (OEPA) wrote to the Western Australian Planning Commission (WAPC) stating that the EPA has no objection to the initiation of the proposed amendment (Attachment 1).

The EPA provides the following advice on the above environmental issues and expects that the environmental issues will be adequately managed, where appropriate, through detailed planning processes and in consultation with the relevant State Government agencies.

The subject land contains some native vegetation in 'good' condition. The EPA supports the positioning of POS, with the retention of the native vegetation, in the south of Lot 38 as described in the concept plan dated June 2012.

The MRS Amendment Report, July 2012, provided with the WAPC's request for preliminary comment in July 2012<sup>1</sup>, states that the site contains two active market gardens. It is expected that any site contamination will be managed in accordance with the *Contaminated Sites Act 2003*.

As the market gardens are currently operational, the EPA's *Guidance Statement No.3 Separation Distances between Industrial and Sensitive Land Uses* provides advice on generic separation distances. The EPA expects that development will take these guidelines into account if a staged approach to development is to occur.

## 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



Darren Foster  
Director  
Strategic Policy and Planning Division

11 August 2014