

Chief Executive Officer
Western Australian Planning Commission
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Your Ref:
Our Ref: CMS14257
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Dear Sir/Madam

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

SCHEME: Metropolitan Region Scheme Amendment 1301-57
LOCATION: Maddington Kenwick Strategic Employment Area - Precinct 2
RESPONSIBLE AUTHORITY: Western Australian Planning Commission
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 'DF', with a horizontal line extending to the right.

Darren Foster
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

10 August 2015

Encl. Scheme Advice and Recommendations

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

Metropolitan Region Scheme Amendment 1301/57

Location: Kenwick

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

Determination Published: 10 August 2015

Summary

The Western Australian Planning Commission (WAPC) proposes to rezone approximately 188.57 hectares of land in Kenwick from Rural to Industrial zone in the Metropolitan Region Scheme (MRS) as part of the Maddington Kenwick Strategic Employment Area (MKSEA).

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). In making its decision on whether to assess the scheme amendment, the EPA has applied its 'Significance Framework' which relates to the extent to which the scheme amendment meets the EPA's environmental objectives for the environmental factors.

The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The potential impacts from the scheme amendment can be adequately managed to meet the EPA's objectives through the implementation of the future local scheme provisions, management plans and regulated through other statutory processes.

1. Environmental Factors

The EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- a) Flora and vegetation; and
- b) Inland waters environmental quality.

2. Advice and Recommendations regarding Environmental Factors

The EPA has based its decision on the scheme amendment documentation provided by the WAPC. The EPA provides the following advice regarding potential impacts to the key environmental factors:

a. Flora and vegetation and Inland Waters Environmental Quality

The MKSEA amendment area contains significant key environmental values, most notably Bush Forever Site (BFS) 387 – the Greater Brixton Street Wetlands which contains values which are of state and national significance. Majority of BFS 387 is mapped as a Conservation Category Wetland (CCW). The MKSEA area also contains other CCWs and the Guildford vegetation complex, which has only 5.9% remaining of its original extent. This is the lowest extent remaining of all vegetation complexes on the Swan Coastal Plain.

The EPA considers that any future development over this area will need to adequately retain, manage and protect these key environmental values. The EPA notes that an indicative local structure plan has been prepared over the area which proposes to retain the majority of the key environmental values. The EPA is in support of the indicative plan, but acknowledges that additional work is yet to be undertaken to finalise the plan.

The **MRS** amendment does not contain any scheme provisions to manage impacts to these values, which is consistent with most region scheme amendments. However, several mechanisms have been proposed by the City of Gosnells to manage potential impacts, specifically through future local scheme amendments, and structure planning stages.

The EPA considers that the amendment could be managed to meet its environmental objectives, through the preparation of future local planning scheme provisions and structure plans to retain, manage and protect key environmental values.

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through the preparation of future local planning scheme provisions and structure plans to manage and protect key environmental values.

The EPA notes that the potential mechanisms proposed by the City of Gosnells may not be consistent with WAPC policy. The EPA recommends that the Department of Planning liaise with the City of Gosnells to develop appropriate mechanisms which can be included in the local scheme amendments.

The EPA also recommends that the Department of Planning liaise with the City of Gosnells regarding the preparation of future structure plans, as they may need to be revised to be consistent with work undertaken for the Strategic Assessment of the Perth and Peel regions.