



Chief Executive Officer  
City of Swan  
PO Box 196  
**MIDLAND WA 6936**

Your Ref:  
Our Ref: CMS17242  
Enquiries: Billie-J Hughes, 6364 7600  
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Dear Sir/Madam

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

**SCHEME:** City of Swan - Local Planning Scheme 17  
Amendment 152  
**LOCATION:** Lot 144 Talbot Road, Hazelmere  
**RESPONSIBLE AUTHORITY:** City of Swan  
**DECISION:** Referral Examined, Preliminary Investigations  
and Inquiries Conducted. Scheme Amendment  
Not to be Assessed Under Part IV of EP Act.  
Advice Given. (Not Appealable)

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

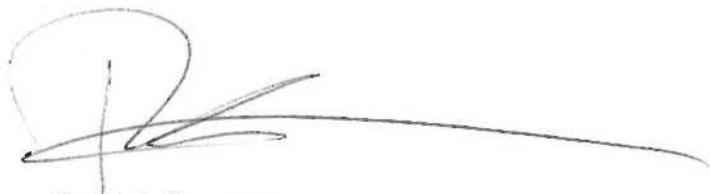
After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

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, consisting of a large, stylized initial 'P' followed by several horizontal strokes extending to the right.

**Patrick Seares**  
**Delegate of the Environmental Protection Authority**  
Executive Director EPA Strategic and Guidance

4 December 2017

Encl. Scheme Advice and Recommendations

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

**City of Swan - Local Planning Scheme 17 - Amendment 152**

**Location:** Lot 144 Talbot Road, Hazelmere

**Determination:** Scheme Not Assessed – Advice Given (Not Appealable)

**Determination Published:** 4 December 2017

**Summary**

The City of Swan has initiated an amendment to Local Planning Scheme 17 (LPS 17) to insert a new Additional Use 'Industry – General' into Schedule 2 – Additional Uses of the Scheme Text for Lot 144 Talbot Road, Hazelmere. The amendment will facilitate the use and development of the site as a resource recovery centre.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment as set out is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. Having considered this matter the following advice is provided.

**Environmental Factors**

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

- a) Flora and Vegetation
- b) Social Surroundings

**1. Advice and Recommendations regarding Environmental Factors**

The EPA has based its decision on the scheme amendment documentation provided by the City of Swan.

**a. Flora and Vegetation**

The amendment area is adjacent to Bush Forever Site 481 (BFS 481) Stirling Crescent Bushland Hazelmere, which potentially contains Threatened Ecological Communities Swan Coastal Plain (SCP) 20a *Banksia attenuata* woodland over species rich dense shrublands and SCP 20c *Shrublands and woodlands of the eastern side of the Swan Coastal Plain*. SCP 20a and SCP 20c are listed as Endangered under the *Environmental Protection and Biodiversity Conservation Act 1999*. In addition, SCP 20a is ranked as Endangered, and SCP 20c as Critically Endangered by the Department of Biodiversity, Conservation and Attractions.

Future industrial development should not impact BFS 481 vegetation including unauthorised access, dumping of rubbish, or drainage into this area. EPA's Environmental Protection Bulletin No. 20 *Protection of naturally vegetated areas through planning and development*

guidance should be implemented at the future detailed stages of planning regarding impacts to BFS 481.

**b. Social Surroundings**

Industrial development in the way of a resource recovery centre may impact surrounding future and existing residential development.

Development of the site should consider the EPA's Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* to manage potential impacts to surrounding land uses.

The EPA also notes that the operation of the proposed facility will require a licence and/or a works approval from the Department of Water and Environmental Regulation.

**Recommendation**

The EPA concludes that the scheme amendment can be managed to meet the EPA's environmental objectives through the preparation of local planning scheme provisions and/or development application to further identify, manage and protect the above environmental values and factors.