



GOVERNMENT OF  
WESTERN AUSTRALIA

## Environmental Protection Authority

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The Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Your Ref:  
Our Ref: CMS17281  
Enquiries: Gerard O'Brien, 6364 7600  
Email: Gerard.Obrien@dwer.wa.gov.au

Dear Sir/Madam

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

**SCHEME:** Metropolitan Region Scheme Amendment  
1332/41 - Swan Valley Omnibus 1

**LOCATION:** Lot 33 Padbury Avenue Millendon, Lot 102 Harrow  
Street West Swan, and portion of Lot 9332  
Hamersley Road Caversham

**RESPONSIBLE AUTHORITY:** Western Australian Planning Commission

**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, appearing to be 'TH', written in a cursive style.

**Tom Hatton**  
**Delegate of the Minister for Environment**  
**CHAIRMAN**

8 January 2018

Encl. Scheme Advice and Recommendations

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

**Western Australian Planning Commission  
Metropolitan Region Scheme Amendment 1332/41**

**Location:** Lot 33 Padbury Avenue Millendon, Lot 102 Harrow Street West Swan, and portion of Lot 9332 Hamersley Road Caversham

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

**Determination Published:** 8 January 2018

**Summary**

The Western Australian Planning Commission (WAPC) has initiated Metropolitan Region Scheme (MRS) Amendment 1332/41 'Swan Valley Omnibus 1' to:

- Proposal 1- transfer an area of approximately 6.50 ha, being Lot 33 Padbury Avenue Millendon and a portion of the Padbury Avenue road reserve, from the Parks and Recreation reservation to the Rural zone;
- Proposal 2 - transfer an area of approximately 3.29 ha, being Lot 102 Harrow Street West Swan, from the Public Purposes - Commonwealth Government reservation to the Rural zone; and
- Proposal 3 - transfer approximately 0.19 ha portion of Lot 9332 Hamersley Road Caversham (Riverbank Detention Centre) from the Parks and Recreation reservation to the Rural zone.

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 is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the documentation provided by the WAPC. Having considered this matter the following advice is provided.

**1. Environmental Factors**

The EPA has identified the following preliminary environmental factors relevant to Proposal 1 of this scheme amendment:

- a) Flora and Vegetation;
- b) Terrestrial Fauna;
- c) Hydrological Processes; and
- d) Inland Water Environmental Quality.

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

Proposal 1 will transfer Lot 33 from Parks and Recreation reserve to Rural zone. Lot 33 is within the boundary of Bush Forever Site 302 (Swan River and Jane Brook, Ashfield to Upper Swan). The EPA advises that rural land uses would need to be limited to avoid

impacts on the Swan River and Bush Forever Site 302. The Department of Biodiversity, Conservation and Attraction (DBCA) Rivers and Estuaries Division should also be consulted regarding development within the Swan River Trust Development Control Area, and impacts to the Swan River. The EPA also understands that any future development of Lot 33 is subject to State Planning Policy 2.10 *Swan-Canning River System* for ceding of land to retain a foreshore reserve.

Clearing of remnant vegetation may also require a clearing permit from the Department of Water and Environmental Regulation.

### **Recommendation**

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives, through the limitation of rural land uses to not impact the Swan River and manage and protect the identified environmental factors above.