



Environmental Protection Authority

Mr Peter Webster
Chief Executive Officer
Shire of Wagin
PO Box 200
WAGIN WA 6315

Our Ref: CMS17478
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Dear Mr Webster

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

SCHEME: Shire of Wagin - Local Planning Scheme 2 –
Amendment 6
LOCATION: Lot 1913 Ventnor Street, Wagin
RESPONSIBLE AUTHORITY: Shire of Wagin
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



Anthony Sutton
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

22 October 2018

Encl. Scheme Advice and Recommendations

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

Shire of Wagin - Local Planning Scheme 2 - Amendment 6

Location: Lot 1913 Ventnor Street, Wagin

Determination: Scheme Not Assessed – Advice Given (not appealable)

Determination Published: 22 October 2018

Summary

The Shire of Wagin proposes to amend Local Planning Scheme No. 2 (LPS No. 2) to rezone Lot 1913 Ventnor Street, Wagin from 'Railway' reserve to 'Residential' Zone with a residential density coding of R30.

The Environmental Protection Authority (EPA) has considered the scheme 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 Shire of Wagin (the Shire). Having considered this matter the following advice is provided.

1. Environmental Factors

Having regard to EPA's Statement of Environmental Principles, Factors and Objectives, the EPA has identified the following preliminary environmental factors relevant to this scheme:

- Social Surroundings.

2. Advice and Recommendations regarding Environmental Factors

Social Surroundings

Lot 1913 which is proposed to be changed to the 'Residential' zone is located in close proximity to an existing railway line. The proposed 'Residential' zone allows for residential homes and uses that are sensitive to noise emissions from rail transport. There is the potential for noise sensitive development to occur on Lot 1913.

The EPA recommends that *State Planning Policy 5.4 (SPP 5.4), Road and Rail Transport Noise and Freight Considerations in Land Use Planning* is applied at future planning stages to ensure any proposed residential land use and rail transport are mutually compatible. This may include a notification on the certificate of title in the event that target noise levels for new noise-sensitive developments cannot be met.

Recommendation

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through compliance with SPP 5.4 to minimise the adverse impacts of transportation noise.