



Mr Stephen Cain
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Our Ref: CMS 18059
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Dear Mr Cain

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

SCHEME	City of Canning Local Planning Scheme 42 Amendment 5
LOCATION	Lot 4 Fern Road and Lot 100 and 102 Castledare Place Wilson
RESPONSIBLE AUTHORITY	City of Canning
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. Advice Given. (Not Appealable)

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

After consideration of the information provided by you, the EPA considers 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. I have also attached a copy of the Chair's determination of the scheme.

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 the Chair's determination, 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 'A. Smith', with a horizontal line extending to the right.

Delegate of the Environmental Protection Authority
Executive Director
EPA Services

18 October 2021

Encl. Chair's Determination
Scheme Advice and Recommendations

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

City of Canning Local Planning Scheme 42 Amendment 5

Location: Lot 4 Fern Road and Lot 100 and 102 Castledare Place Wilson

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

Determination Published: 18 October 2021

Summary

The scheme amendment proposes to rezone Lot 4 Fern Road and Lot 100 and 102 Castledare Place Wilson from 'Private Community Purposes' to 'Local Road' and 'Urban Development'.

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. The EPA has based its decision on the scheme amendment documentation provided by the City of Canning, and having considered this matter, the following advice is provided.

Environmental Factors

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

- Inland Waters

Advice and Recommendations regarding Environmental Factors

The amendment area is adjacent to the Canning River which may be impacted by future development. In addition, part of the Canning River Conservation Category Wetland mapped boundary is within the amendment area.

The EPA recommends that as part of future structure planning, a Foreshore Management Plan be prepared in consultation with the Department of Biodiversity, Conservation and Attractions (DBCA). This plan should specifically address any additional foreshore buffer delineation requirements, revegetation and foreshore management.

The EPA also notes and supports:

- DBCA (Rivers and Estuaries) will be consulted at future planning stages.
- The Department of Water and Environmental Regulation is generally satisfied with the prepared District/Local Water Management Strategy deferring final endorsement to DBCA due to proximity to the river.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through existing planning controls. In addition, future planning processes and management measures will also manage potential impacts. The EPA recommends its advice is implemented to mitigate potential impacts to Inland Waters.