



Environmental Protection Authority

s.48A Referrals

Title:	City of Kwinana Draft Local Planning Scheme 4		
Location:	City of Kwinana local government area		
Description:	The City of Kwinana has prepared draft Local Planning Scheme 4 (LPS 4) as an update to the City's existing Local Planning Scheme's 2 and 3 to ensure consistency with the requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , the City's Local Planning Strategy, and relevant state planning legislation and policies.		
Ref ID:	APP-0028067 / REC-0001678		
Date Received:	19/03/2025	Date Sufficient Information Received:	3/10/2025
Responsible Authority:	City of Kwinana		
Contact:	Brett Cammell		
Preliminary Environmental Factors:	Flora and vegetation, Terrestrial fauna, Inland waters, Social surroundings, Marine environmental quality and Coastal processes.		
Potential Significant Effects:	Future development permissible under LPS 4 may result in the clearing of mature trees that may provide habitat for the threatened species of black cockatoos; impacts to local hydrology including wetlands, potential amenity impacts to sensitive receptors from existing land uses and potential impacts to marine environments and coastal process impacts.		
Protection:	Potential environmental impacts associated with the scheme are unlikely to be significant and can be managed through existing and proposed local planning scheme provisions and future planning processes, including through subdivision conditions. Future development within the scheme area may require compliance with legislation including the <i>Aboriginal Heritage Act 1972</i> and the <i>Contaminated Sites Act 2003</i>. Future development should also consider the Environmental Protection Authority's (EPA) Guidance Statement No. 3 <i>Separation Distances between Industrial and Sensitive Land Uses</i>. The EPA supports the retention of black cockatoo habitat, where possible, at the future subdivision/development application stage. The EPA notes the proposed scheme provisions which seek to protect vegetation and wetlands. The EPA expects future planning will ensure provision of appropriate buffers and management of inland waters values to ensure hydrological and ecological functioning is retained. Should it become apparent that proposed development is likely to cause significant impact to Matters of National Environmental Significance (e.g. TEC's or black cockatoo values), a referral may be required under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.		
Determination:	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Not to be Assessed under Part IV of the EP Act. Advice Given. (Not Appealable).		

The Environmental Protection Authority has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair's Initials:

Date: 28 October 2025