

Environmental Protection Authority

Ms Emma Cole
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Dear Ms Cole

Thank you for your letter dated 7 August 2025, seeking the EPA's clarification on several matters in the EPA's section 16 Advice on the draft Carabooda District Structure Plan (s16 advice) of 4 April 2025.

The EPA's s16 advice identified key environmental values, provided advice on protection and enhancement of those values and what additional environmental values need to be considered at future stages of planning.

The additional information attached to your letter from Acumen and its environmental consultants, together with the amended DSP Concept Plan dated 7 July 2025 (amended DSP concept plan) proposing additional conservation areas has been reviewed.

In response to your specific requests for clarification the EPA now provides attachment 1 containing our additional advice.

In summary:

1. The amended DSP concept plan has appropriately responded to the EPA's 4 April 2025 advice and has prioritised the protection of the significant onsite environmental values identified by the EPA.
2. The amended DSP now proposes to protect approximately 75% of the remnant vegetation on site. This is consistent with the EPA's recommended approach to: retain good quality vegetation on sites and avoid clearing where possible in the first place (for the multiple benefits of this approach in environmental planning, see the EPA's submission to the Urban Greening Strategy July 2024).
3. The onsite retention level of native vegetation in the amended DSP is consistent with other comparative current proposals. Adoption of high levels of onsite retention of significant environmental values for the Swan Coastal Plain could

lead to significantly better environmental outcomes and efficiency of statutory processes.

4. The Conservation Management Fund represents a material step forward in environmental planning and management approaches and is commended.
5. The amended DSP has materially increased the likelihood that a future region scheme amendment will be consistent with EPA objectives and will not warrant a future EPA assessment.
6. Some environmental matters remain to be addressed in future planning processes, but the comprehensive environmental information provided has been more than usually required at this stage of planning and has enabled the EPA to provide this early advice.
7. The extent to which future planning processes can provide certainty and security of conservation areas and management (and offsets, if required), will also increase the likelihood that a future EPA assessment is not warranted.

Taken together with the EPA's 4 April 2025 advice, we trust our additional advice will assist the WAPC in the formal statutory decision-making processes which will now follow.

The EPA looks forward to continuing its collaborative work with the WAPC on strategic and district structure planning. If you have any concerns, please feel free to contact me directly. Alternatively, Teresa Bryant, Principal Advisor – Planning Projects, is available on 6364 6421 should DPLH officers have any queries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lee McIntosh', with a stylized, cursive script.

Lee McIntosh
Deputy Chair
Environmental Protection Authority

19 September 2025

Additional advice: draft Carabooda District Structure Plan July 2025

This additional advice should be considered together with the EPA's original advice of 4 April 2025.

The potential impacts of the proposed road through a conservation area and how those impacts could be managed or mitigated.

The EPA's s16 advice recommends that infrastructure (road) location be reviewed as roads in conservation areas reduce habitat connectivity and environmental values. It also recommends fauna surveys be undertaken to inform placement of roads and fauna mitigation to ensure impacts are avoided where possible.

In the event any such review concludes it is not practicable to relocate the road for non environmental reasons, we provide the following information:

Infrastructure location impacts: The location and construction of road and other infrastructure types, such as pipelines, typically impact flora and fauna during the clearing and construction phase. Impacts include habitat removal, noise, dust, light and entrapment.

Road operation impacts: Public road infrastructure has additional ongoing operational impacts (compared to non-road infrastructure). For instance, while daily vehicle movements on McLennan Drive are currently low, the proposed upgrade to an Integrator A road will increase its footprint and usage. The road reserve may expand from 20 to 45–55 metres, and the road itself will be upgraded to a four-lane divided carriageway with pedestrian and cycling path(s). Traffic volumes are expected to rise significantly as the DSP is progressively developed (estimated at 20,400vpd in PJA, 2025 Traffic Impact Assessment).

Mitigating actions: Where roads intersect conservation areas, implementing mitigation actions can reduce impacts on terrestrial fauna and risks to human safety. Mitigation actions should be informed by an understanding of local fauna and their movement patterns, particularly areas of high usage. Species particularly vulnerable to road impacts, especially collisions, include kangaroos and threatened species such as Black Cockatoos. Broader impacts may also affect the distribution and movement of other terrestrial fauna species.

Potential mitigation measures may include:

- fencing,
- fauna overpasses or underpasses,
- signage,
- speed limitations, and

- consideration of artificial lighting; its necessity, type, and placement.

These mitigation matters should be informed by fauna surveys in future planning stages so they are placed in the areas of most efficacy. These mitigating actions are well understood and so should be able to be addressed in an environmental management plan which is developed and implemented at the appropriate future stage of planning.

The potential benefits of the conservation management fund.

The potential benefit to the environment: The EPA's s16 advice acknowledged Acumen and the Carabooda Landowners Group (CLG) propose to establish a Conservation Management Fund (CMF) established from seed capital from developers, and sustained by ratepayer contributions, to enable the conservation of remnant native vegetation and ongoing management of the conservation estate.

The EPA commends the CLG for its proposal to establish a CMF, recognising it as an innovative and forward-thinking initiative. The EPA considers this model to be a significant step toward ensuring the long-term retention, protection, and active management of the proposed conservation areas. By securing dedicated funding for ongoing stewardship, the CMF demonstrates a strong commitment to delivering environmental outcomes and sets a positive precedent for future planning processes.

The potential benefit to environmental planning processes: When considering planning scheme amendment (scheme) referrals under Part IV of the EP Act, the EPA considers the mitigation hierarchy, and whether any proposed offsets will counterbalance impacts and be consistent with offsets policies.

The mitigation hierarchy is a sequence of actions to help reduce adverse environmental impacts, comprising (in order of preference): avoidance, minimisation, rehabilitation and, offset.

At this early stage in the planning process, it is not clear of the full extent to which the CMF will avoid/ reduce, minimise, rehabilitate or offset the proposal impacts. In the meantime, the EPA advises it is likely the CMF will result in good environmental outcomes and that the formal structure and final effect of the CMF should be able to be considered and embedded in future planning stages.

To assist in that consideration, the EPA provides the following early advice:

- Schemes that reserve areas with environmental values for conservation purposes clearly demonstrate avoidance.
- Where a scheme does not propose reservation, referral documentation that identifies proposed conservation areas, and proposes protection, rehabilitation, and ongoing management at future stages of planning may be considered as mitigation.

- Scheme text/provisions that secure proposed avoidance and mitigation measures at future stages of planning will enable the EPA to give them material weight in any future decision-making.
- To the extent that offsets are considered, ideally:
 - They are secured through the planning process, so the EPA can take them into account when considering future statutory referrals;
 - They prioritise the delivery of tangible environmental outcomes that are measurable (in terms of the on-ground protection, restoration etc that they result in) and are not limited to payment of funds without delivery of an environmental outcome;
 - They consider the matters in the EPA's public advice on offsets at a regional scale (EPA 2024).

For these reasons, the EPA supports the proposed CMF, and agreement between the relevant state and/or planning authorities and the CLG, being included as part of the planning process. As the CMF is a new approach, early consideration in that process is likely to be beneficial too.

The benefits of the additional conservation areas proposed by Acumen in the additional information provided

The EPA's s16 advice acknowledged and commended the approach taken by Acumen and the CLG, noting that the potential impacts of the draft DSP had been substantially mitigated through the proposed environmental protections and enhancements.

The conservation estate areas at that time protected a significant proportion of the remnant native vegetation (70%), including some of the most significant elements of the key environmental values on the site.

The EPA advised that additional protections could be incorporated to further reduce the significance of impacts. The EPA identified environmental values that should be prioritised for retention.

The EPA notes the amended DSP concept plan proposes an additional 7.44 ha for Conservation and 11 ha of conservation values to be retained in Local Open Space (LOS). This means the conservation values proposed to be protected on site are now up to approximately 75% for both native vegetation and Carnaby's black cockatoo.

The EPA also advises that:

- The proposed additional Conservation and LOS areas increase protections of vegetation mapped as Excellent and Very Good condition, and vegetation mapped as Moderate and High quality foraging habitat for Carnaby's black cockatoo.
- The additional areas increase the area of existing proposed conservation areas, and are of uniform shape and a viable size.
- They act as additional stepping stones that will contribute to improved conservation outcomes.

- Restorative planting of degraded areas is proposed which increases onsite mitigation.

Any priorities that have not been captured in the additional conservation areas proposed by Acumen.

The values identified in the EPA's s16 advice were recommended to reduce impacts to species of black cockatoo, retain vegetation in Excellent and Very Good condition and provide additional stepping stones/linkage for native flora and fauna to assist with maintenance of ecological processes and genetic diversity.

The additional Conservation/LOS areas in the amended DSP concept plan have largely addressed all these priorities.

In future planning processes, the EPA considers the ecological functionality of conservation areas for black cockatoo could be enhanced by prioritising retention of existing trees and planting suitable foraging species within development areas. The establishment of canopy corridors to facilitate flight paths between foraging habitats and roost sites within and outside of the DSP area should also be considered in future planning stages.

Do the proposed conservation areas capture a habitat mosaic for black cockatoos, such as connecting corridors or stepping stones and viable patches.

A habitat mosaic refers to variations in habitat types including vegetation types, spatial arrangement and ecological interactions. A complex mosaic supports biodiversity, strengthens ecological resilience and facilitates movement and migration.

The amended DSP concept plan improves the proposed habitat mosaic. The addition of vegetation type *Eucalyptus decipiens* Low Open Woodland over *Banksia sessilis*, results in an increased representation of the vegetation type proposed for conservation (as LOS). The additional areas also form more consolidated retention areas and contribute to viable ecological stepping stones that will support biological diversity and fauna movement within and outside of the DSP area.