

**Guidance for environmental advice on
District Structure Plans**
in accordance with section 16(k) of the
Environmental Protection Act 1986



EPA 2026. *Guidance for environmental advice on District Structure Plans in accordance with section 16(k) of the Environmental Protection Act 1986*. Environmental Protection Authority, Western Australia.

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More information

EPA Services

Department of Water and Environmental Regulation

Prime House

8 Davidson Terrace

Joondalup WA 6027

Locked Bag 10

Joondalup DC WA 6919

p: 08 6364 7000

e: info.epa@dwer.wa.gov.au

w: www.epa.wa.gov.au

Foreword

The Western Australian Planning Commission (WAPC) is the State's leading body for land use planning and development. Supported by the Department of Planning, Lands and Heritage, the WAPC's functions are outlined in the *Planning and Development Act 2005*. These include developing integrated land use planning strategies and policies for the coordination of transport, infrastructure and development.

District Structure Plans (DSPs) are an important strategic planning instrument used to guide detailed planning through subsequent stages of planning system, including Regional and/or Local Planning Scheme amendments, structure plans and subdivision. The WAPC is responsible for DSPs, including determining if one is needed for an area, and for balancing social, economic and environmental factors when considering it for approval.

Recognising that better environmental outcomes may be achieved when environmental values are identified early in the land planning process, involvement of the Environmental Protection Authority (EPA) is considered an important component of the DSP process.

The EPA is an independent body supported by the Department of Water and Environmental Regulation. The *Environmental Protection Act 1986* governs the EPA's operations, stipulating the use of its best endeavours to protect the environment and to prevent, control and abate pollution and environmental harm.

The intent of this joint guideline is to set out how the WAPC and EPA, and their responsible agencies, will work together to support environmental outcomes through the early identification of environmental values to inform preparation and consideration of DSPs.

This guideline is provided by the EPA, consistent with s. 16(k) of the *Environmental Protection Act 1986* and is endorsed by the WAPC.



Darren Walsh
Chair
EPA

Date: 01 April 2026



Emma Cole
Chair
WAPC

Date: 13 April 2026

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1 Introduction

This guidance sets out how the Environmental Protection Authority (EPA) will provide public advice to the Western Australian Planning Commission (WAPC) on District Structure Plans (DSPs). The provision of EPA advice will enable the WAPC to consider the environmental issues raised and incorporate appropriate responses into DSPs with the aim of improving environmental planning outcomes.

This guidance has been prepared in accordance with section 16(k) of the *Environmental Protection Act 1986* (EP Act) and is to be read in conjunction with the EPA's [Statement of environmental principles, factors, objectives and aims of EIA](#) (EPA 2023) and the WAPC's [WA Planning Manual – District Structure Plans](#) (WAPC 2025).

The Western Australian environmental framework and the Commonwealth environmental approvals system do interact, however this guide only relates to the interactions between planning and environmental frameworks at a state level, when considering DSPs. At the time this guidance was prepared, there is no agreed process for DSPs between the Commonwealth and State.

2 Purpose

DSPs are strategic planning instruments that address higher order strategic planning objectives and provide a greater level of detail than regional and sub-regional planning strategies. DSPs guide further detailed planning through subsequent stages of the planning system, including Regional and/or Local Planning Scheme amendments, structure plans, precinct plans, subdivision and development.

The WAPC is a body corporate and the State's leading body for land use planning providing leadership to public authorities and other persons. The WAPC must act and perform its functions impartially, subject to the *Planning and Development Act 2005* (P&D Act) and any other written law.

The WAPC, supported by the Department of Planning, Lands and Heritage (DPLH), is responsible for strategic land use and infrastructure planning as outlined in the P&D Act. Accordingly, the WAPC is responsible for determining when a DSP is needed for an area. A DSP, once approved and published on the WAPC's website becomes a WAPC document.

The EPA is an independent body supported by the Department of Water and Environmental Regulation (DWER). Its operations are governed by the EP Act which stipulates that the objective of the EPA is to:

'Use its best endeavours to –

- a) to protect the environment; and
- b) to prevent, control and abate pollution and environmental harm.'

The EPA achieves its objectives by conducting environmental impact assessment (EIA), preparing statutory policies for environmental protection, preparing and publishing guidelines for managing environmental impacts, and providing strategic advice. The EPA's policies, guidelines and advice may be used to inform decision making under the P&D Act.

This guidance is intended to provide support in the preparation, development and finalisation processes for DSPs, ensuring that environmental advice is considered throughout the DSP process. The detail and depth of advice sought and provided is intended to reflect and be proportionate with the information available at each stage of the DSP process.

This guidance is not intended to replicate or replace WAPC and EPA policy(s), rather to complement and provide detail on how to progress the environmental framework/elements and requirements of a DSP.

This guidance for environmental advice on DSPs has been prepared for the support and use by DPLH, DWER, WAPC and EPA, and to inform the requirements for DSPs to local governments, landowners and their representatives.

An operational review of the guidance will be undertaken after one full year of operation, with further reviews as required to reflect any policy changes or practice updates.

3 Objectives

The objectives of this guidance are to:

- establish a framework for coordination of environmental matters between respective planning and environmental agencies when DSPs are prepared
- ensure provision of early, timely and efficient public environmental advice when DSPs are being prepared
- achieve effective and efficient communication between planning and environmental agencies through the DSP process, including any preliminary stakeholder engagement, consideration of need for a DSP, preparation and the finalisation process
- identify potential environmental values and potential impacts early in the DSP process, which may affect the ability to support a DSP proposal from an environmental perspective
- provide increased certainty that a DSP proposal may be implemented from an environmental framework perspective and environmental decision-making processes for future or subsequent planning scheme amendments.

In the context of balancing the social, economic and environmental outcomes, it is anticipated that future activities delivered through the DSP process and any associated development would be commensurate with the protection and management of environmental values identified by the EPA in their provision of any advice.

In receiving and considering a WAPC request for advice on a DSP, the EPA is to use the options available under s. 16 of the EP Act in providing any response. The provision of EPA advice under s. 16 of the EP Act is the appropriate mechanism as DSPs do not meet the definition of a proposal under the EP Act and may only in some specific situations meet the requirements for assessment as a strategic proposal. DSPs cannot be assessed by the EPA under Part IV of the EP Act. Therefore, the provision of public environmental advice to which the WAPC can have regard is an appropriate means to identify issues relating to the making of DSPs.

The EPA's advice will:

- identify key environmental values
- provide advice on the protection and enhancement of environmental values for the DSP area consistent with the EPA's objectives
- be proportionate with the level of information available at each stage in the DSP process
- advise what additional environmental planning matters need to be considered at future stages in the planning framework
- define the status and effect of any advice being provided.

The specificity of the EPA advice on DSPs will be influenced by the information it has available at the time of its consideration.

If the EPA considers there is a high likelihood that the potential environmental impact of implementing DSPs cannot be avoided or managed through the implementation at later stages of the planning framework, then public advice should be provided to and considered by the WAPC when they are considering their decision regarding the need for a DSP.

Notwithstanding this, the provision of public advice in the DSP process should not be construed as a formal assessment by the EPA. A decision not to provide public advice cannot be taken as an indication that there are no significant environmental issues raised by a DSP or that the EPA will decide not to assess subsequent planning schemes that relate to the DSP. The EPA can still determine to assess significant proposals, proposals of a prescribed class, strategic proposals and land-use planning schemes under Part IV of the EP Act.

Accordingly, the WAPC is responsible for determining whether a DSP is needed for an area, and in balancing social, economic and environmental factors in its consideration.

An outcome may be that if the EPA advice is followed and implemented, an optimal environmental assessment timeframe may be realised during future stages of the planning framework.

4 EPA advice to WAPC on need for a DSP

District structure planning is guided by the WAPC's [WA Planning Manual District Structure Plans](#) (WAPC 2025) and from an environmental perspective, the EPA's [Statement of environmental principles, factors, objectives and aims of EIA](#) (EPA 2023).

Engagement and response by the WAPC and the EPA respectively, in addition to those of their supporting departments, is to be conducted consistent with the schedule for arrangements for engagement outlined in the existing Memorandum of Understanding (MOU), [MOU for collaborative arrangements between DWER and DPLH](#) for WAPC led strategic planning processes. An overview of the process for providing environmental advice on DSPs is provided in Appendix A.

Request for EPA advice

The WAPC is to seek EPA advice when:

- WAPC receive a request to support the development of a DSP by a landowner, or their representative, or
- WAPC is considering the need for DSP.

Information required to support request for EPA advice

The WAPC will provide the EPA with relevant information, including:

- strategic land use planning context (i.e. whether identified within a regional or sub-regional strategy endorsed by Government)
- where available, environmental information for the area and its surrounds, including any preliminary information or concept plans prepared for the potential DSP
- any relevant supporting technical information.

The WAPC request is to seek advice from the EPA as to whether the proposed DSP area warrants EPA advice.

EPA to determine if advice is required

The EPA will consider the environmental information provided by the WAPC in addition to:

- information derived from its own investigations
- the potential impacts and significance of those impacts together with the existing and potential pressures on the environmental values
- how environmental values may be retained and managed through subsequent planning and development processes for the area.

The EPA will aim to advise WAPC within 30 days of the WAPC request, or as soon as practicable thereafter, on whether it will provide advice on the DSP, or not.

Associated considerations

The work required to support the preparation of a draft DSP may be complicated and extensive however it should be aimed at a level appropriate and proportionate with the strategic planning level of a DSP. The commitment to undertake a DSP requires the allocation of considerable resources to undertake and complete the required supporting work. This may include the establishment by the WAPC of a Technical Advisory Group with the involvement of EPA Services and/or DWER for the preparation of a DSP.

Early advice, when prepared is to focus on identifying significant risks, information gaps, and leveraging existing data to inform the fundamental need for a DSP, rather than serving as an assessment at this initial stage. Early advice, where provided will not preclude further, more detailed advice being requested at subsequent stages when more information is known.

DSPs should be mindful of hard infrastructure constraints and where the options for that infrastructure provision, i.e. roads, rail and servicing infrastructure, and their impact on environmental values lead to impractical options for alternative location in the DSP area that these are identified early and addressed in any environmental advice.

Where the WAPC determines there is a need for a DSP and the EPA has determined to provide advice under s. 16 of the EP Act, the EPA will aim to provide its public advice to the WAPC, as far as is practicable, within 90 days from receipt of all the required information.

Prior to finalisation of its s. 16 advice, the EPA may consider it appropriate for DWER to discuss the s. 16 advice strategy with DPLH and other interested parties, local governments or developers.

5 Preparation of draft DSP – Environmental information required

Should the WAPC determine a DSP is needed and initiate DSP preparation, the WAPC may continue to seek the advice of the EPA. In addition to this guidance, proponents should review the requirements outlined in section 4 of the WAPC's [WA Planning Manual District Structure Plans](#).

To understand what the EPA will consider in any review of a draft DSP and provision of their s. 16 advice, the Object and Principles of the EP Act, the EPA's [Statement of environmental principles, factors, objectives and aims of EIA](#) (EPA 2023), [Guidance for planning and development: Protection of naturally vegetated areas in urban and peri-urban areas](#) (EPA 2021) and [Guidance Statement 33: Environmental Guidance for Planning and Development](#) (EPA 2008) should be considered.

The preparation of a draft DSP should include an iterative process to understand the environmental values of the identified area. The intent is to allow the supporting environmental studies to consider and address environmental impacts and cumulative

impacts of the draft DSP, including those that may arise outside the DSP boundary as a result of DSP implementation.

The WAPC is to consider the environmental advice provided through the preparation of the draft DSP and the accompanying environmental values technical analysis supporting the DSP. The preparation of the DSP should follow the WAPC's broader District Structure Planning Guidelines and respond to any EPA advice, acknowledging that on occasion, the EPA's advice, may be prepared simultaneously with the draft DSP.

The DSP report and supporting documentation, including environmental technical reports to support the DSP should:

- be informed by relevant EPA and WAPC policies and guidelines
- follow any EPA advice provided and identify environmental factors and values
- demonstrate how potential and cumulative impacts on the environment intends to be avoided, minimised, proposed management and any rehabilitation, and where there are likely significant residual impacts, potential environmental offsets
- demonstrate how environmental outcomes will be achieved through implementation of the DSP at subsequent stages of the planning and approvals process.

6 DSP public advertising

DPLH on behalf of the WAPC, will undertake advertising of the draft DSP and the WAPC may forward the draft DSP to the EPA for additional advice or clarification during the public advertising period.

7 Final consideration of the DSP

Following the closing of the advertising period for the DSP, the WAPC will finalise the DSP. This may include incorporating any modifications as a result of matters raised in submissions.

8 Implementation of the DSP

An endorsed DSP establishes the district level framework for the conservation and enhancement of environmental values within the DSP area. By identifying key values and matters for future investigation, it establishes a pathway for implementation through subsequent, more detailed stages of the planning process.

Reporting to the WAPC during subsequent stages of planning is to directly address environmental commitments made in the DSP. Both the WAPC and EPA will refer to any EPA advice provided on the DSP when considering later stages of planning.

9 Amendment to a DSP

An amendment to a DSP may be sought after its finalisation by the WAPC. Where this occurs, the WAPC is to evaluate the consequence for environmental matters of any amendment. Where the impacts of the proposed amendment are considered as requiring referral to the EPA, the steps 4 to 8 of this guidance should be repeated.

Glossary

Term, acronym or abbreviation	Definition
Development application	Means an application under a planning scheme, or under an interim development order, for approval of development. As defined in the <i>Planning and Development Act 2005</i> .
DPLH	Department of Planning, Lands and Heritage
DSP	A plan that deals broadly with major strategic aspects of the coordination of future land uses and infrastructure in respect of an area of land.
DWER	Department of Water and Environmental Regulation
EIA	Environmental impact assessment
Environmental factors	Features or characteristics of the environment that may be impacted or affected by, or are otherwise relevant to the assessment of, a proposal that the EPA uses as an organising principle for environmental impact assessment
EPA	Environmental Protection Authority
Environmental value	The WAPC WA Planning Manual DSP refers to environmental values as environmental attributes or issues. Defined in the EP Act as 'a beneficial use, or ecosystem health condition', the EPA's environmental factors are an organising principle for EIA, comprising a number of environmental values.
Local Planning Scheme	As defined in section 4 of the <i>Planning and Development Act 2005</i>
Planning Scheme	Means a local planning scheme, region planning scheme or improvement scheme that has effect under the <i>Planning and Development Act 2005</i> , or the Swan Valley Planning Scheme that has effect under the <i>Swan Valley Planning Act 2020</i>
Structure Plan	Plan required under Part V of the Planning and Development (Local Planning Scheme) Regulations 2015 or its revisions
Subdivision	As defined in section 4 of the <i>Planning and Development Act 2005</i>
Offsets	An environmental offset is to be considered when all alternatives to project environmental values have been exhausted, is an offsite action or actions to address significant residual environmental impacts from a development or activity. <ul style="list-style-type: none"> • EPA (2024) <i>Public advice: Considering environmental offsets at a regional scale</i> • Government of WA (2011) <i>WA Environmental Offset Policy</i> • Government of WA (2014) <i>WA Environmental Offset Guidelines</i>.
Timely	Whilst not definitive, the use of timely in this guidance is to be interpreted as, as soon as practicable, based on complexity, allowing meaningful input but avoiding unnecessary delays to allow informed decision-making
WAPC	Western Australian Planning Commission

References

EPA 2008. *Environmental guidance for planning and development*. Environmental Protection Authority, Western Australia.

EPA 2021. *Guidance for planning and development: Protection of naturally vegetated areas in urban and peri-urban areas in accordance with section 16(k) of the Environmental Protection Act 1986*. Environmental Protection Authority, Western Australia.

EPA 2023. *Statement of environmental principles, factors, objectives and aims of EIA*. Environmental Protection Authority, Western Australia.

EPA 2024. *Public advice: Considering environmental offsets at a regional scale*. Environmental Protection Authority, Western Australia.

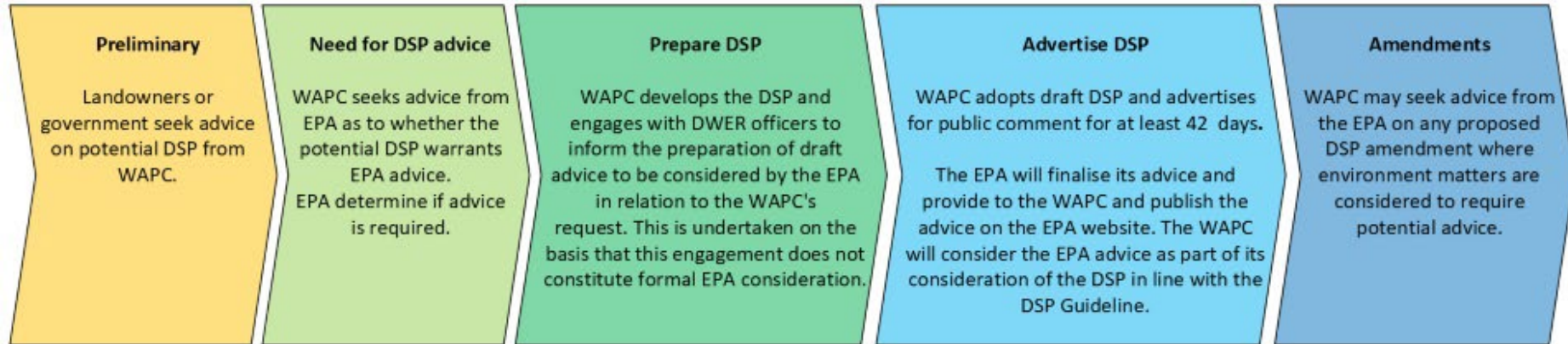
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EPA and WAPC 2024. *Memorandum of Understanding for collaborative arrangements between DWER and DPLH*. Environmental Protection Authority and Department of Planning, Lands and Heritage, Western Australia.

WAPC 2025. *WA Planning Manual – District Structure Plans*. Western Australian Planning Commission, Western Australia.

Appendix A Overview of the process for providing environmental advice on DSPs



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