

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

City of Cockburn Town Planning Scheme 3 Amendment 186

Location: Lot 2 (No.46) Sciano Avenue, Success

Determination: Not Assessed – Advice Given (not appealable)

Determination Published: 10 September 2025

Summary

The purpose of the amendment is to rezone Lot 2 (No.46) Sciano Avenue Success from the 'Residential R30' zone to the 'Development' zone in the City of Cockburn's Town Planning Scheme 3 (TPS 3).

The proposed amendment will primarily support the preparation of a structure plan to provide for greater flexibility in residential density than is currently given through the R30 density coding.

The Environmental Protection Authority (EPA) notes that it has provided previous advice ([here](#)) for TPS3 Amendment 168 which included Lot 2 (No.46) Sciano Avenue Success. This advice included the investigation of environmental values, prioritise retention of vegetation and threatened fauna habitat, and management of impacts to these values.

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 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 original referral documentation provided by the City of Cockburn (the City) and its previous advice. Having considered this matter, the following advice is provided.

Environmental Factors

Having regard to the EPA's (2021) *Statement of Environmental Principles, Factors, Objectives and Aims of Environmental Impact Assessment*, the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Flora and vegetation
- Terrestrial fauna

Advice and Recommendations regarding the Environmental Factors and Planning Matters

Flora and vegetation and Terrestrial fauna

The amendment area contains remanent vegetation which is likely to consist of the following environmental values:

- '*Banksia Woodland of the Swan Coastal Plain ecological community*' (listed by the Department of Biodiversity Conservation and Attractions (DBCA) as 'Priority 3'; 'Threatened' under the *Environment Protection and Biodiversity Conservation Act 1999 [EPBC Act]*).
- Foraging and potential roosting and/or breeding habitat for threatened black cockatoo species (*Biodiversity Conservation Act 2015* and EPBC Act).

The EPA also notes that the proposed rezoning of the remnant vegetation areas from 'Residential R30' to 'Development' will not provide for significantly different land uses however implementation of the scheme amendment may facilitate impact to these environmental values.

As per previous EPA advice, the EPA recommends flora and vegetation and fauna (including black cockatoo habitat) surveys, be completed to identify environmental values, which shall subsequently guide and inform planning design and the future structure planning process. The EPA expects that:

- avoidance and mitigation of significant environmental values should be a key objective of the design of open spaces and landscaping requirements for future structure plan and subdivision(s).
- viable populations of threatened flora and patches of threatened or priority ecological communities should be retained and protected in Public Open Space (POS) areas.
- threatened black cockatoo habitat, particularly breeding trees with hollows are retained and protected in POS, landscape/road reserve areas.

The EPA acknowledges and supports that the TPS 3 scheme text provides for protection and management of flora and vegetation and terrestrial fauna through the General Development Provisions which require the preparation of environmental management plans to mitigate potential impacts to native vegetation and threatened fauna habitat, where remnant vegetation is proposed to be cleared.

Other environmental obligations

The EPA also notes that some of the environmental values within the amendment area are considered Matters of National Environmental Significance (MNES) and that significant impact on MNES should be referred to the Commonwealth for consideration under the EPBC Act.

Decision-making authorities and proponents have an obligation to refer future proposals (i.e. structure plan, subdivision) likely to significantly impact environmental values within the amendment area to the EPA for consideration under Part IV of the EP Act. In deciding whether or how to assess a referred proposal, the EPA may consider the potential for other decision-making processes, including EPBC Act and planning processes, to mitigate potential impacts on the environment.

Conclusion

The EPA concludes the scheme amendment is likely to meet the EPA's environmental objective for flora and vegetation, terrestrial fauna, inland waters. Key environmental issues can be managed through existing scheme text mechanisms, and through future planning and statutory processes. The EPA expects its advice is implemented to further manage and mitigate potential impacts to the above environmental factors.