

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

Metropolitan Region Scheme Amendment 1438- Sawley Close Urban Precinct

Location: Lots 24, 25, 26, 28, 161 and 162 Sawley Close Golden Bay (City of Rockingham)

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

Determination Published: 26 May 2026

Summary

The purpose of the amendment is to rezone approximately 16.48 ha in Golden Bay the 'Rural' zone to the 'Urban' zone and 'Parks and Recreation' reservation in the Metropolitan Region Scheme (MRS).

The proposed amendment will primarily facilitate future residential development, public open space and a conservation area following a local planning scheme amendment, local structure planning and subdivision approval.

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 Western Australian Planning Commission (WAPC). 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:

- Inland waters
- Flora and vegetation
- Terrestrial fauna
- Social surroundings

Advice and Recommendations regarding the Environmental Factors and Planning Matters

Flora and vegetation, Terrestrial fauna and Inland waters

The amendment area contains significant environmental values including:

- Conservation Category Wetland (CCW)
- Vegetation representative of Floristic Community Type (FCTs)
 - FCT 29a – Coastal shrublands on shallow sands (State Priority (3) Ecological Community (Priority Ecological Community- PEC under the *Biodiversity Conservation Act 2016* (BC Act))

- FCT 29b – Acacia shrublands on taller dunes, southern Swan Coastal Plain (State Priority 3 PEC- BC Act)
- FCT 17 – *Melaleuca raphiophylla* - *Gahnia trifida* -seasonal wetlands
- Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain Threatened Ecological Community (TEC), which is listed as Critically Endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- Foraging habitat and potential breeding trees for the threatened black cockatoos
- Potential Aboriginal cultural heritage values
- Visual landscape amenity/ character associated with containing dunal topography, variably-textured and coloured vegetation

The EPA notes that FCT 19 (19a/19b) 'Sedgeland in Holocene dune swales', has been previously mapped by Department of Biodiversity Conservation and Attractions (DBCA) within the southern portion of the amendment area. The EPA has considered that recent floristic analysis of vegetation quadrats in the amendment area did not result in vegetation being floristically similar to SCP 19a or 19b.

The EPA notes that since the initiation of the MRS amendment, the MRS has been amended in which Parks and Recreation (P&R) Reservation has been replaced with Regional Open Space or Regional Open Space - restricted access. The EPA understands and supports that Regional Open Space — restricted public access — *to protect the natural environment, provide recreational and cultural opportunities, safeguard important landscapes and sites of cultural or historical significance with limited or no public access*, would be applicable in this instance.

The EPA also supports that the proposed P& R reservation will retain:

- CCW and generic 50m buffer
- Approximately 11.85% of PEC (FCT 29a) in 'Excellent' and 'Good' condition
- Approximately 73.54% of PEC (FCT 29b) in 'Very Good and Good' condition
- The entire extent of FCT 17
- All of the Tuart trees and the majority of the Tuart Woodlands TEC patch
- Low quality foraging habitat for the black cockatoos
- All black cockatoo potential breeding trees, of which five have potentially suitable hollows.

Social surroundings

The EPA notes that the 'Aboriginal Cultural Heritage – Historic Place' designation over the southern portion of the site (ID 3460; Golden Bay Camp and Swamp) indicates the possible presence of Aboriginal heritage values within or adjacent to the amendment area and supports that further investigations are proposed prior to any works commencing in the amendment area.

The EPA notes that a visual landscape assessment has identified the existing visual character as containing dunal topography, variably-textured and coloured vegetation and a distinct contrast between retained vegetation and surrounding urban development. The EPA supports that the southern ridgeline will be retained within P&R reserve/ Public Open Space and that responsive design will consider the highly valued visual and environmental elements against current best practice urban (planning) design. This is to be assessed through future planning processes by Department of Planning, Lands and Heritage and the City of Rockingham.

Coordination of regional and scheme amendments

The EPA notes that under Section 126(3) of the *Planning and Development Act 2005* the WAPC has the option of concurrently rezoning land being zoned Urban under the MRS to a 'Development' zone (or equivalent) in a Local Planning Scheme (LSP). As advised from DPLH in accordance with standard practice a decision on the concurrent LPS amendment will be made after the public submission period.

Further to the above the EPA has considered the scheme referral documentation (Environmental Assessment Report) and supports that provisions will be incorporated into the LSP to ensure environmental outcomes are achieved. The EPA understands that provisions will be prepared in consultation with the EPA Services section of DWER and the City of Rockingham and that provisions (for subdivision stage) would address:

- Retention and reservation of TEC vegetation, wetland and buffer areas within POS and in alignment with P&R reservation.
- Preparation of a Conservation Area Management Plan (CAMP). This plan will outline wetland management considerations, buffers, vegetation management and rehabilitation measures, mosquito management measures, weed and disease management, access control and signage requirements. Implementation of the plan will provide for an improvement in the ecological quality of retained PEC/TEC vegetation and wetland (and buffer) area and will minimise future disturbance or degradation of the retained environmental assets of the site.
- Preparation of Fauna Relocation and Management Plan (FRMP), addressing measures to mitigate impacts to native fauna during clearing and construction phase and ensure all activities are undertaken in accordance with relevant legislation and guidelines. Implementation of the plan will mitigate impacts to native fauna during the clearing and construction phase and ensure that all activities are undertaken in accordance with requirements under the BC Act.
- Preparation of Construction Environmental Management Plan (CEMP) to ensure appropriate management of key environmental factors and to mitigate risk which also includes specific measures to manage any potentially-significant Aboriginal heritage material uncovered during the construction phase of the development, to ensure that the proposed development considers and complies with the *Aboriginal Heritage Act 1972*. Implementation of the plan will ensure appropriate management of key environmental factors to mitigate risk to surrounding environment.

Conclusion

The EPA concludes the scheme amendment is likely to meet the EPA's environmental objectives for the above factors through the implementation of the P&R reservations (Regional Open Space — restricted public access) and proposed management plans (CAMP, FRMP, CEMP). The EPA notes that further visual landscape/amenity impacts may be mitigated through planning requirements and other statutory processes. Environmental issues can also be managed to meet the EPA's environmental objectives for the above factors through the future local planning scheme amendment, structure planning and subdivision processes. The EPA recommends its advice is implemented to further mitigate potential impacts to the above factors.