

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

Metropolitan Region Scheme Amendment 1448 (Complex) Hepburn East Urban Precinct

Location: Lot 810 Hepburn Avenue and Reserve 53277, Cullacabardee

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

Determination Published: 9 October 2025

Summary

The amendment proposes to transfer approximately 111 hectares (ha) of land from the 'Regional Open Space' (ROS) reservation and 'Rural – Water Protection' zone to the 'Urban' zone and 0.06 ha from the 'Rural – Water Protection' zone to the ROS and 'Water Catchments' reservations in the Metropolitan Region Scheme. The amendment will facilitate future proposed residential/urban development and Public Open Space (POS).

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. 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
- Inland waters
- Social surroundings

Advice and Recommendations regarding the Environmental Factors

Flora and vegetation and Terrestrial fauna

The EPA notes that historical clearing has occurred within the amendment area and that the majority of remnant vegetation within amendment area is in 'Degraded' to 'Completely Degraded' condition (Natural Area Consulting Management Services 2024, Lot 810 Marshall Road Detailed Flora Survey). However, implementation of the scheme amendment may result in the clearing of scattered remnant vegetation, including threatened fauna habitat, in particular habitat for threatened species of black cockatoo.

The EPA determined it that could proceed with its consideration of the amendment based on the referral information, however expects that a targeted black cockatoo habitat tree survey

(consistent with State and Federal guidance) is undertaken for the amendment area as part of future stages of planning to inform further tree retention particularly known nesting trees and/or suitable nesting trees for black cockatoos.

The EPA reinforces the importance of native vegetation retention and retention of black cockatoo foraging habitat, in particular (where present) banksia and marri trees, potential nesting trees and roosting sites, and expects these are retained as a priority, together with appropriate buffers, as part of future planning processes to mitigate impacts to terrestrial environmental values. The EPA also recommends the EPA's (2021) guidance *Protection of naturally vegetated areas in urban and peri-urban areas* be implemented in the future stages of planning, to retain and manage environmental values.

The EPA recommends that future planning stages, in particular local scheme text provisions and structure planning, also prioritise revegetation in POS areas, surplus cleared areas and landscaped and drainage areas/corridors with locally endemic species that provide foraging for species of black cockatoos. Designs should be informed by current research and guidelines.

Inland waters

The amendment area intersects with a small area of Conservation Category Wetland (CCW) located in the north-west corner of the amendment area, that extends into the adjacent site separated by an existing clearing infrastructure easement. The EPA notes that a District Water Management Strategy (DWMS) has been prepared for the amendment area (Urbaqua 2025), and supports that the concept plan in the DWMS proposes conservation open space over the portion of CCW and buffer. The EPA expects that future planning will ensure an appropriate buffer and management to ensure ecological values and functioning are retained.

The EPA notes that the amendment area lies within the Gnangara Underground Water Pollution Control Area and is mapped as a Priority 1 Public Drinking Water Source Area (PDWSA), with two associated Wellhead Protection Zone (WHPZ) extending into the amendment area. Further liaison with the Water Corporation and Department of Water and Environmental Regulation (DWER) will be required. The EPA notes that a government led strategic planning process determines whether an urban rezoning is the preferred outcome for the land.

The EPA expects future development within the amendment area ensures that post-development hydrological conditions be consistent with pre-development conditions, and that impacts to water quality and quantity within the WHPZ are minimised. The EPA further expects that these outcomes are achieved through implementation of the following measures through future stages of planning, including through the local planning scheme, and include (but not be limited to):

- stormwater management consistent with the *Stormwater Management Manual for Western Australia* (Department of Water, 2009) and draft *State Planning Policy 2.9 Planning for Water*,
- preparation of a Construction Environment Management Plan to manage impacts including of erosion/sediment and nutrient transport downstream, and
- development should be in accordance with DWER (2018) *Water Quality Protection Note 38 for Priority 3* Areas*. This includes the implementation of the below measures at minimum and not limited to:
 - site-responsive design to direct surface and subsoil drainage away from drinking water extraction points;
 - sewage pump stations to avoid the WHPZ;

- infiltration basins should be located outside the WHPZ;
- incorporate WHPZs into public open space where possible, preferably in conservation open space (as depicted in the concept plan in the DWMS);
- design of POS to limit fertiliser application;
- adequate contingency planning in case of groundwater (and surface water if applicable through future studies) contamination; and
- educational water catchment material advertised/distributed throughout planning stages.

The EPA expects that future water planning documents should consider the above measures, in consultation with and to the satisfaction of the relevant agencies (including DWER and City of Swan). Relevant agencies should also be consulted regarding further expectations for environmental outcomes and measures to minimise impacts to inland waters values.

Social surroundings

The EPA notes that an Aboriginal heritage site, Bennett Brook (ID: 3692) is mapped over most of the amendment area. The EPA considers that as result of the proposed management measures and implementation of EPA advice regarding flora and vegetation, terrestrial fauna and inland waters, that Aboriginal cultural heritage values related to these factors are unlikely to be significantly impacted and that the amendment can be managed to be consistent with the EPA's objectives for social surroundings. The EPA supports that further investigations are undertaken prior to any works commencing, to identify the possible presence of Aboriginal cultural heritage values within or adjacent to the amendment area, and that investigations and development are consistent with requirements of the *Aboriginal Heritage Act 1972*.

Conclusion

The EPA concludes that the amendment is likely to meet the EPA's environmental objective for flora and vegetation, terrestrial fauna, inland waters, and social surroundings. Key environmental issues can be managed through future planning processes, including future local planning scheme requirements and structure planning processes, as well as statutory processes. The EPA expects its advice is implemented to further manage and mitigate potential impacts to the above environmental factors.