

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

Swan Valley Planning Scheme 1 Amendment 6

Location: Lot 10 (No. 124) Caversham Avenue, Caversham

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

Determination Published: 22 July 2024

Summary

The amendment proposes to insert 'Additional Use 16' (A16) and text provisions for Lot 10 (No. 124) Caversham Avenue, Caversham to facilitate a bird park, animal establishment and café.

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 referral documentation provided by the Western Australian Planning Commission (WAPC). Having considered this matter, the following advice is provided.

1. 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
- Social surroundings

2. Advice and Recommendations regarding the Environmental Factors

Inland waters

The Swan River, also mapped as a Conservation Category Wetland (CCW), abuts the eastern boundary of the amendment area, which includes the Swan Development Control Area (SDCA) applying to the waters and land of the Swan River. A small gully flows through the middle of the site, in which drainage naturally flows from the south-west to the north-east, then into the Swan River.

Where development of land occurs adjacent to the waters of the SDCA, the Swan River Trust provides advice and recommendations under Clause 30A(2)(a) of the Metropolitan Region Scheme (MRS). The EPA notes and supports that the proposed 50 metre setback is consistent with the Department of Biodiversity, Conservation and Attractions *Policy Statement No. 48*,

which aims to protect and enhance the ecology, landscape, and function of the Swan River system.

In addition, the amendment area is located within the Ellen Brook catchment, which is the single largest contributor of nutrients entering the Swan River. Implementation of the scheme amendment may result in the modification of the local hydrological regime and increased nutrient input into the Swan River.

The site is also located within a 'Sewerage Sensitive Area' and is currently serviced by a reticulated sewer connection consistent with the *Government Sewerage Policy 2019*. The EPA notes that animal (bird) waste is proposed to be collected daily and will be moved to a centralised location for onsite processing and composting to be reused on site. As such, the EPA expects that groundwater and surface water is appropriately infiltrated and treated to mitigate nutrient impacts to the Swan River, which includes the use of managed native plant species and detention swales.

Furthermore, the EPA notes and supports the retention of riparian vegetation within the proposed 50 metre setback as depicted in the concept plan provided with the referral. The EPA expects the retention and protection of these values (consistent with the concept plan) be provided for in the preparation and assessment of the future development application, consistent with State Planning Policy 2.10 – Swan-Canning River System. Landscaping and revegetation should prioritise use of locally endemic native species and non-invasive species.

Social surroundings

Three registered Aboriginal Heritage sites intersect the amendment area, including: Helena River (ID: 3758), Blackadder and Woodbridge CK (ID: 3720), and Swan River (ID: 3536). Implementation of the scheme amendment may result in disturbance to the above registered heritage sites.

The EPA supports appropriate consultation, investigation and relevant management actions be undertaken prior to subsequent stages of planning to address potential impacts to Aboriginal cultural heritage values. Such stages of planning should also be considered in accordance with the requirements of the *Aboriginal Heritage Act 1972*.

Conclusion

The EPA concludes that the scheme amendment can be managed to meet the EPA environmental objectives for the above factors through existing scheme mechanisms and proposed mitigation measures. In addition, future planning processes and management measures can further manage potential impacts. The EPA recommends its advice is implemented to mitigate potential impacts to the above environmental factors.